Independent Reporting Mechanism Estonia: Progress Report 2012–13

Hille Hinsberg, independent researcher

Table of Contents

Open Government Partnership

EXECUTIVE SUMMARY: ESTONIA

Independent Reporting Mechanism (IRM) Progress Report 2012–13

Estonia's action plan built on existing activities; within this context, it makes sense there is a relatively high level of commitment completion and that the government has dedicated budgets for these commitment aims. The next phase of action plan development represents an opportunity for the government to appoint a lead co-ordinating agency, develop new and ambitious commitments, enhance public participation, and take full advantage of Estonia's vibrant civil society.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Estonia officially began participating in OGP in September 2011, when President Toomas Hendrik Ilves declared the government's intent to join.

The Ministry of Foreign Affairs launched the formal process of joining OGP and became the official OGP point of contact in Estonia. In addition, a Civil Society Roundtable (CSR), comprised of a group of civil society organisations, facilitated the process of joining OGP and of formulating the action plan. However, it is unclear who leads OGP in Estonia and, in general, what institution leads the policy area of democratic innovation and open governance. To date, no government agency in Estonia has formally adopted the role of overseeing action plan implementation.

OGP PROCESS

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

The Estonian government consulted the CSR, government agencies, and ministries while developing its action plan. The CSR took the lead in disseminating information about the consultation, but public awareness remained low. The government conducted an online public consultation, but it gathered few comments. The local level administration was also noticeably absent from the consultation process.

Later, the CSR served as the primary forum for consultation between civil society and government during the action plan implementation period.

The first draft of the government self-assessment report for public comment was published on 30 September 2013. The public consultation did not generate any comments. The CSR stated they were satisfied with the government's assessment.

At a glance

Member since:	2011
Number of commitments:	15

Level of Completion

Completed:	**7 of 15**
Substantial:	**2 of 15**
Limited:	**4 of 15**
Not started:	2 of 15
Withdrawn:	**0 of 15**

Timing

On schedule:	8 **of 15**

Commitment emphasis:

Access to information:	8 **of 15**
Participation:	3 **of 15**
Accountability:	4 **of 15**
Tech & innovation for transparency & accountability:	4 **of 15**
Unclear	4 of 15

Number of Commitments with:

Clearly relevant to an OGP Value	11 of 15
Moderate or transformative potential impact:	11 of 15
Substantial or complete implementation:	9 of 15
All three (✪):	**3 of 15**

COMMITMENT IMPLEMENTATION

As part of OGP, countries are required to make commitments in a two-year action plan. Table 1 summarizes each commitment, its level of completion, its ambition, and whether it falls within Estonia's planned schedule, and the key next steps for the commitment in future OGP action plans. Estonia's plan covered a variety of sectors. The civil society representatives that the IRM researcher interviewed expressed disappointment with the lack of action plan ambition. These representatives also noted that the action plan lacked commitments related to local municipalities and that local municipalities were not involved in designing commitments in this action plan. The action plan included mostly previously planned activities and did not significantly alter or raise the level of activities' ambition. Even so, there was a high level of completion, and commitments covered important policy areas.

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
✪ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
A. Development of Public E-services										
1. Drawing Up a Green Paper on Organisation of Public Services—Focus the green paper on analysis of problems, solutions, development, and organisation of public services.	█	█	█	█	█	█	█	█	On schedule	New commitment building on existing implementation
2. Implementation of the Eesti.ee Action Plan—Improve the functionality and user friendliness of the eesti.ee portal (Point of Single Contact).	█	█			█	█	█		Behind schedule	Further work on basic implementation
B. Granting the Public Use of State Information Assets										
1. Drawing Up a Green Paper on Making Public Data Available in Machine-Readable Form—Map starting position and possibilities of machine-readable data, and discuss with stakeholders how to make public data machine-readable.	█	█	█	█	█	█			Behind schedule	Further work on basic implementation
2. Creating a Repository of Public Data—Create a single window for citizens and economic operators to access public, machine-readable data.	█	█	█	█	█	█			Behind schedule	Further work on basic implementation
✪ **3. Launching Pilot Project of Public Data Services Based On the Cloud Technology—**Use technology to lower barriers preventing public access to public data, and launch specific pilot projects using cloud technology to aid this barrier removal.	█	█	█		█	█	█	█	On schedule	New commitment building on existing implementation

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
✪ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
C. Greater Openness and Predictability of Policy-Making										
1. Interactive Guidelines and Training in Implementation of the Good Practice of Public Engagement—Smooth implementation of the Good Practice of Public Engagement approved by the government in 2011.	■	■			■	■	■		On schedule	New commitment building on existing implementation
2. Launch the Impact Assessment System—Initiate the impact assessment co-financing programme that supports the application of the impact assessement methodology.	■	■	■	■	■	■	■		On schedule	New commitment building on existing implementation
3. Overview of Ministries' Work Processes—Smooth implementation of the Code of Good Practice of Public Participation approved by the government in 2011.	■	■	■		■	■			Behind schedule	Revision of the commitment to be more achievable or measurable.
4. Integration of Impact Asssessment in the Process of Public Engagement—Integrate the Impact Assessment Methodology, which was approved by the government in 2012, into public engagement.	■	■	■		■				Behind schedule	New commitment building on existing implementation
D. Prevention of Corruption and Conflict of Interest										
1. Creation of a Database of Declarations of Economic Interests—Create a database of declarations of economic interests by public servants to prevent conflicts of interest, strengthen public sector employees' anti-corruption attitude, and cultivate ethical behaviour.	■	■	■		■	■			Behind schedule	Further work on basic implementation
2. Adjustment of the System of Funding Non-profit Associations and Establishment of a Disclosure System—Adjust the funding system for non-profits and establish a disclosure system to prevent corruption in the private and non-profit sectors.	■	■	■		■				Behind schedule	Further work on basic implementation
✪ 3. Drawing Up a Proposal for Drawing Up an Anti-corruption Strategy—Analyse effective strategy performance for reducing anti-corruption in the private and public sectors and lay down objectives and courses of action of the new, improved strategy.	■	■	■	■	■	■	■		On schedule	New commitment building on existing implementation

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
✪ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
D. Prevention of Corruption and Conflict of Interest (continued)										
✪ **4. Draft Anti-corruption Act**—Draft an anti-corruption law to improve corruption prevention, decrease administrative burden, increase transparency, and raise awareness on anti-corruption.	▉	▉	▉		▉	▉	▉	▉	On schedule	New commitment building on existing implementation
5. Establishment of the Public Ethics Council—Create an independent ethics council with the aim of strenghtening the core values and ethics of public officials.	▉	▉			▉	▉	▉	▉	On schedule	New commitment building on existing implementation
6. Organisation of Ethics Training for Employees of Various Public Sector Organisations—Organise trainings for public sector employees to solve ethically complicated situations.	▉	▉			▉	▉	▉	▉	On schedule	None: abandon commitment

Table 2: Table 2 summarizes the IRM assessment of progress of each commitment

NAME OF COMMITMENT	SUMMARY OF RESULTS
✪ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	
A. Development of Public E-services	
1. Public Services Green Paper • OGP Value Relevance: Unclear • Potential Impact: Transformative • Completion: Complete	The government drew up the green paper (GP) on public services. As a concept for developing public services, the GP states the main principles of service design and the provisions that were innovative for the public sector. In parallel, the pilot projects tested the principles of the policy. This paper is the basis for the government's work towards public service standardisation; therefore, it is too early to evaluate the impact of this activity. The government needs to take this commitment into the next action plan and include specific guidelines for the design and provision for developing services.
2. Implement Eesti.ee Action Plan • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	The eesti.ee, Estonia's online portal for public services, is modeled on a Point of Single Contact that offers access to multiple stakeholders. The government made some progress enhancing eesti.ee's functionality and usability. Government officials are currently working on new developments: they set new aims that they will monitor annually. Stakeholders consider this an important commitment. They recommend that government and citizens collaborate to make this commitment more ambitious (i.e., standardise public institutions websites and evolve eesti.ee into a unified interface of services).

B. Granting the Public Use of State Information Assets	
1. Green Paper on Machine-Readable Public Data • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Limited	By the end of 2012, government drew up an initial draft of the green paper that contained guidelines for public sector institutions on how to make data publicly available online. The government later altered its scope, and the green paper became an input for changing the Public Information Act, an act which makes the release of document register contents in full format mandatory and makes databases public. This is significant because the public sector in Estonia is currently not required to publish information in reusable format. Work on the next draft green paper is under way and will be presented to the government in early 2014.
2. Creating a Repository of Public Data • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Limited	A pilot web-based repository of machine-readable public data was created in January 2012. The repository is still in beta version, and it cannot develop further until more progress is made in the implementation of commitments 1 and 3 of the same group.
✪ 3. Public Data Services Pilot Project Based on Cloud Technology • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Complete	The government started four pilot projects in 2011 to test the repository of open data and to try out technical solutions while developing services. Apart from publishing four datasets on the repository, little has been done. Therefore, it is difficult for the researcher to assess impact of this commitment. The government will plan the next steps together: updating and completing the green paper on machine-readable public data, which were evaluated in commitment B1.
C. Greater Openness and Predictability of Policy-Making	
1. Good Practice of Public Engagement Training and Guidelines • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	There are three sub-activities in this commitment: training for civil servants, creating a guidebook with guidelines for civil servants, and guiding the general public in web-based use. The government accomplished the first two activities, and it will implement the third in 2014. While interviewed stakeholders thought this commitment was important, they stressed the need for a robust tracking system of the policy cycle and decision-making. The IRM researcher recommends integrating some of the anti-corruption strategy measures in the next iteration of the action plan.
2. Launch Impact Assessment System • OGP Value Relevance: Unclear • Potential Impact: Transformative • Completion: Complete	The government launched the system and has carried out supporting measures. While transformative in nature, as written, this commitment is internally focused and therefore not directly concurrent with OGP values. The IRM researcher recommends integrating this commitment with activity 4, which is similar in scope but targets the public engagement process.
3. Overview of Ministries Work Processes • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started	The government has not started this commitment. If the government had accomplished it, this commitment would have provided the public with timely and easy access to the ministries' work plans. The IRM researcher recommends that the government make the policy process available for stakeholder monitoring and intervention. If this were the case, the commitment could be made more measurable.
4. Integration of Impact Assessment into the Process of Public Engagement • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not started	This commitment proposed to integrate public participation into key areas of impact analysis of laws, strategies, and programmes. The government made little progress on this commitment. While ministries are now more aware of the potential of public participation, they have planned a few new activities to make this commitment more robust. The researcher recommends strengthening and merging activities on impact assessment (currently activities 2 and 4) in the next action plan.
D. Prevention of Corruption and Conflict of Interest	
1. Creation of a Database of Declarations of Economic Interests • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	The government developed the vision and functionality of the electronic register of declarations of economic interests, and the government is currently procuring it. Stakeholders see the register as an important monitoring tool and recommend engaging potential users in its re-design. According to the action plan, the government will launch the register in 2014.

2. Non-profit Funding and Disclosure • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	While the government completed the common guidelines for standard principles in financing CSOs in early 2013, it hasn't evaluated the guidelines' implementation. Additionally, the government did not create a standard system for disclosing financial decisions and grants given by public sector institutions. The Anti-corruption Strategy includes measures that address these shortcomings and specify those measures that will be implemented in 2014–2015.
✪ 3. Proposal for Anti-corruption Strategy • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Complete	The government adopted the Anti-corruption Strategy for 2014–2020. While seen by stakeholders as an important tool in combating corruption, the strategy does not specifically address implementation in local municipalities. In future implementation plans, stakeholders would like to see a measure on whistleblower protections. The government should elaborate on several measures in the new OGP action plan to better reflect OGP values and challenges (e.g., include in the strategy a measure on providing access to online information for interest groups and CSOs involved in policy-making).
✪ 4. Draft Anti-corruption Act • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Complete	The government adopted the Anti-corruption Act. The act regulates all generally acknowledged areas of potential corruption in Estonia, but it does not include whistleblower protections, a new issue in Estonian culture. Stakeholders interviewed stressed the importance of supporting the implementation of the act through compiling and disseminating guidance materials to civil servants.
5. Establishment of the Public Ethics Council • OGP Value Relevance: unclear • Potential Impact: None • Completion: Complete	The government established the Public Service Ethics Council in June 2013. Its role is to give advice to authorities and public officials who face ethical matters during public service. The impact of this commitment is limited by the fact that only officials can submit complaints. Next steps include determining the council's scope of work and goal, in collaboration with stakeholders.
6. Ethics Training for Public Sector Employees • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Complete	The civil servants' training programme has included issues on public integrity since 2005. Being targeted to civil servants only, it is unclear how this commitment addresses OGP issues of access to information, participation, and accountability. The IRM researcher recommends removing the commitment from the next OGP action plan.

RECOMMENDATIONS

Estonia's action plan represented a modest step forward in advancing government transparency. Going forward, government can enhance commitments' relevance to OGP values by making the action plan development process more inclusive and participatory. Based on the findings in this report, the researcher recommends the following:

On Stakeholder Engagement

1. **Outreach to the public while writing the action plan:** The government should draft the action plan in collaboration with stakeholder and reach out to broader number of stakeholders. Sub-national level administration should be engaged in that process as well.
2. **Provide a clear agenda for consultation and engage in proactive communication**: Government should draft a communication plan with a clear timeline and strategy for public involvement.
3. **Create space for CSOs to engage with the government during the implementation and monitoring of commitments:** Government should create or allow the creation of a multi-stakeholder forum that would convene with state and non-state actors to discuss issues in the course of implementing commitments.

On Ownership and Scope of OGP

4. **Define one lead agency as clearly responsibility to lead OGP efforts, and set-up a transparent mechanism for co-ordination of the OGP.**
5. **Engage sub-national governance to set aims in line with OGP values:** Local municipalities are autonomous in their public services and public participation decisions. As important actors in the governance of the country, they should be actively engaged in design and implementation of commitments
6. **Engage parliament to set aims in line with OGP values:** Engaging parliament could ensure that legislative processes are transparent and enable civil society participation in policy-making.

On Ambition level

7. **Include new, ambitious commitments in the action plan that stretch government practice beyond its current standard:** The government should collaborate closely with stakeholders to set the appropriate level of ambition.

On Measurement of Commitments and OGP Goals

8. **Set clear baselines with associated indicators, and target level of achievements of commitments:** By defining priority areas, setting clear objectives and attaching indicators of progress, OGP values would be better addressed and brought closer to stakeholders.

Eligibility Requirements 2012: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

Budget Transparency: Not evaluated		**Access to Information:** Law enacted	(4 of 4)
Asset Disclosure: Politicians only	(3 of 4)	**Civic Participation:** 8.82 of 10	(4 of 4)

Hinsberg works at Praxis Center for Policy Studies, a non-partisan think tank in Estonia, covering several research topics in Governance and civil society programme. Previously, working for the public sector, Hille has led several initiatives to promote open government and citizen-to-government dialogue. Hille is active in international networks of open data and open spending.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Open
Government
Partnership

I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organisations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

Introduction

Estonia officially began participating in OGP in September 2011 when President Toomas Hendrik Ilves declared the government's intent to join.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Indicators produced by organisations other than OGP to determine the extent of country progress on each of the dimensions, with points awarded as described below. Estonia entered into the partnership exceeding the minimal requirements for eligibility, with a high score in each of the criteria. At the time of joining, the country scored 3 out of 4 in Asset Disclosure for Politicians,[1] an access to information law,[2] and a score of 8.82 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore.[3] Because Estonia is not part of the Open Budget Index review conducted by the International Budget Partnership, it did not receive a score in this area.

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programmes. (See Section 4 for a list of grand challenge areas.) Action plans should then set out each government's OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other cohort 2 OGP countries, Estonia developed its national action plan from January through March 2012, and the government adopted it in April. It did not set a specific time for the action plan implementation. The first progress report covers the period of 1 May 2012 through July 31, 2013. Estonia published its self-assessment in September 2013. According to the OGP schedule,[4] officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultation beginning January 2014.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local researcher to carry out an evaluation of the development and implementation of the country's first action plan. In Estonia, the IRM partnered with Hille Hinsberg, an independent researcher with expertise in governance, who authored this progress report. It is the aim of the IRM to inform ongoing dialogue

around development and implementation of future commitments in each OGP participating country.

Institutional Context

Estonia's initiative to join OGP started with civil society, since the government was not present at the introductory meeting in Washington, DC, where Estonia's desire to join the OGP was announced. Ms. Liia Hänni, the programme director of e-democracy at e-Governance Academy (a non-governmental research and advocacy organisation on the area of e-government), participated in the meeting and later introduced the initiative to the Ministry of Foreign Affairs officials (MFA). The ministry agreed to take the lead and launch the formal process for joining OGP.

After OGP accepted Estonia's letter of intent, MFA became the official contact for preparing Estonia's membership process. On the stakeholder side, Ms. Hänni convened a group of civil society activists to form the OGP Civil Society Roundtable (CSR). She formed this table to facilitate the preparation process for joining OGP and formulate the action plan. This roundtable consists of voluntary members of civil society organisations, experts, and other interested individuals. Co-ordination of CSR is supported by the Open Estonia Foundation.

Because MFA's functions do not include policy co-ordination for internal purposes or oversight of other government agencies, it refrained from actually co-ordinating. By mutual agreement, the Government Office lead Estonia's OGP action plan preparations; the Government Office did this in close collaboration with the CSR. The Government Office is the institution in charge of co-ordinating implementation of the Government Programme and giving policy advice to the prime minister. The Government Programme is the main planning tool for line ministries; it consolidates policy measures and designates responsibility and resources over a four-year implementation period.

After joining OGP later in 2012, the government internally negotiated to select an agency responsible for overseeing action plan implementation. To date, ownership of the OGP, and the general policy area of democratic innovation and open governance, remains unclear. No government agency has formally adopted the co-ordinating role of overseeing action plan implementation. As for other legislative branches, Parliament was not consulted on the action plan scale and goals—which proved to be a missed opportunity to engage the political elite. This communication gap was especially evident in the spring of 2012 when a case of neglected financial accountability by political parties emerged. Wide-scale civic deliberation resulted in the form of the *Rahvakogu* (Citizens Assembly) process. For more details, see the government's self-assessment report.

Methodological Note

IRM researchers review two key documents provided by the national governments: the first national action plan,[5] and the government's self-assessment of the first action plan process.[6] The researcher references these documents numerous times throughout this report.

To gather the voices of multiple stakeholders, the researcher organised two stakeholder forums, which were conducted according to a focus-group model. The IRM researcher also interviewed government officials and other stakeholders. Summaries of these forums and more detailed explanations are given in Annex: Methodology. OGP staff and a panel of experts reviewed the report.

While the IRM researcher is part of the CSR, the CSR created a special IRM position internally that makes it clear the researcher's role is independent of civil society and government. During this report process, authorised parties gave the government of Estonia the opportunity to comment on issues of conflicting of interest with the proposed national researcher, and it did not raise any issues.

---

1. Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009): http://bit.ly/19nDEfK; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009). http://bit.ly/13vGtqS; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009). http://bit.ly/1cIokyf
2. http://www.right2info.org/laws/constitutional-provisions-laws-and-regulations#estonia
3. Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: http://bit.ly/eLC1rE
4. http://bit.ly/1dAjCAm
5. http://bit.ly/18BqERz
6. http://bit.ly/1aYgwIz

II. PROCESS: DEVELOPMENT OF ACTION PLAN

The Estonian government sought input from civil society, government agencies, and ministries to develop its action plan. Interviewed civil society decried the plan's lack of ambition and its lack of involvement of local level administration.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section "III: Consultation during implementation":

- Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

Table 1: Action Plan Consultation Process

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement
	Timeline and process: Prior availability	Yes
	Timeline: Online	No
	Timeline: other channels	Yes
	Advance notice	No
	Awareness-raising activities	Other. See narrative.
	Online consultations	Yes
	Online consultations: Link	http://bit.ly/1d5uyty
	In-person consultations	Yes
	Summary of comments	Yes
	Summary of comments: Link	https://www.osale.ee/konsultatsioonid/index.php?page=consults&i

		d=210
During Implementation	Regular forum	Yes

Advance Notice of Consultation

As the Government Office and the Civil Society Roundtable (CSR) were co-creating the OGP action plan, the CSR published and disseminated the consultation timeline to civil society. CSR specifically shared this schedule with its mailing list, and members of CSR disseminated the consultation timeline with other CSOs. However, civil society's awareness of the consultation opportunity, and of the new OGP programme in general, remained low.

Quality and Breadth of Consultation

The Government Office prepared the first-draft action plan and presented it to CSR. In order to prepare feedback, CSR held several meetings about the action plan and also informally consulted its members about the plan via e-mail.

CSR presented its comments and proposals on the draft action plan to the Government Office on 31 January 2012, according to the timeline. This same time frame applied for collecting input from other government agencies and ministries. The ministries that were more directly involved in OGP areas (i.e., grand challenges) were the Ministry of Economy and Communication Affairs, the Ministry of Interior, the Ministry of Justice, and the Information System's Authority. While these ministries' views on the aims and proposals for selecting commitments were not available to the public, they were expressed in an informal dialogue with the officials in the Government Office, responsible for compiling the plan.[1]

The local level administration was not part of the OGP action plan planning process, and as a result, the action plan did not explicitly address activities by local municipalities. Normally, the main consultation and negotiation partners with the government on the local level are two associations of municipal administrations: the Association of Estonian Cities and the Association of Municipalities of Estonia. When the government engages with these local groups, the associations have the task of consolidating the opinions of 215 local municipalities. In OGP's case, the government did not involve these associations while compiling the action plan, nor were they involved in the implementation phase.

The Government Office held an online public consultation on the draft action plan from 13–28 March 2012. The consultation had responses from three sources: the CSR, an individual, and an NGO. The Government Office responded to these three comments, and the response is published on the central participation portal www.osale.ee.[2] CSR made several comments and proposed to substantially change the first draft. The main feedback stemmed from civil society partners' expectations that the government should commit to new and ambitious challenges.

After the Government Office incorporated the roundtable's feedback and the involved organizations' input into the new draft of the action plan, it was again presented to the CSR in mid-February. The CSR once again noted the action plan's lack of ambitious commitments and questioned why officials wanted to remain in the framework of pre-existing activities, which came from the government programme and strategic documents. Despite these reservations, the action plan was approved by the CSR, with an understanding that activities in the government programme were at least backed by resources and officials' motivations.

After some minor changes by the Government Office, it presented the action plan to the Government, a plan that the government accepted. After the government took this step, it made the public aware of the action plan adoption through limited means: press releases calling on the general public to take part in public consultation. The government did not undertake further targeted communication to make the public aware, nor did it send specific invitations to potentially interested stakeholders.

Civil society initiated some events after the government adopted the action plan and officially joined the OGP. In May, eGovernance Academy organised a conference on open government. At this conference, the Minister of Justice presented on open government and a panel of experts discussed how to implement open government principles and achieve more government transparency and accountability. European Movement Estonia organised a meeting with the Minister of Foreign Affairs to discuss OGP and talk about citizen participation in OGP and the plan's implementation.

According to stakeholders who were interested in specific commitments incorporated in the OGP action plan, they were not aware of the OGP initiative at the time the government launched it or anything that preceded the public consultation. Quoting a stakeholder who is active in public participation, "This is usually the case with programmes of wide scope and diverse range of activities, that it needs proper marketing to get the message across. Omitting to do that, you can only reach to the elite of activists that know each other and spread the word of mouth."[3]

---

1. Interview with Karin Rits and Janek Rozov of Ministry of Communication Affairs
2. Summary of consultations at the central participation portal,
https://www.osale.ee/konsultatsioonid/index.php?page=consults&id=210
3. Written interview with Kristi Grishakov

III. PROCESS: CONSULTATION DURING IMPLEMENTATION

The Civil Society Roundtable (CSR), a civil society-led initiative, served as the primary forum for consultation between civil society and government during the action plan implementation period.

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarises that information.

Consultation Process

In the autumn of 2011, after the president announced the country's intent to join OGP, civil society activists created the regular forum for stakeholder consultations, the Civil Society Roundtable (CSR), to prepare to join OGP. Civil society activists' formed CSR to facilitate the process of joining OGP and to support the government in formulating the action plan. CSR was a partner to the government in drawing up the action plan. It also disseminated information to its member lists on its blog www.avatudvalitsemine.ee.

The CSR set its aims to

- identify the agency responsible for co-ordinating the OGP implementation;
- monitor the implementation of OGP activities by establishing contact and by holding regular meetings with officials;
- engage in advocacy activities to make proposals to government agencies concerning OGP implementation and adherence OGP principles; and
- disseminate information on OGP and on results of action plan implementation.

CSR has grown since its beginning. The creators of CSR invited civil servants and government representatives to join the roundtable, and some have been present at its meetings. Those who have been involved were on the CSR e-mail list and were thus informed about the views of the roundtable and could participate in its discussions. As of October 2013, there were 18 member organisations and one individual member in the CSR; several members have joined in the course of OGP implementation.

The CSR convenes approximately six times yearly, at the initiative of its chairperson, to discuss the government's ongoing implementation of OGP topics. Since its creation, the CSR has specifically discussed issues in connection with implementation of OGP activities and consulted with its members on several government initiatives:

- Compilation of Anti-corruption Strategy (ACS) and renewal of relevant legislation
- Renewal of Freedom of Information Act, addressing the topic of open data and data protection
- The topic of open legislation and the integration of impact assessment with public participation

IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programmes. Action plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five "grand challenges" that governments face. OGP recognises that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- **Access to information - T**hese commitments:
  - pertain to government-held information;
  - are not restricted to data but pertains to all information;
  - may cover proactive or reactive releases of information;
  - may pertain to strengthen the right to information; and
  - must provide open access to information (it should not be privileged or internal only to government).
- **Citizen Participation** — governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance. Commitments around access to information:

- open up decision-making to all interested members of the public; such forums are usually "top-down" in that they are created by government (or actors empowered by government) to inform decision-making;
- often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
- often include the enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- **Accountability —** there are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
  - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- **Technology and Innovation** — Commitments for technology and innovation
  - promote new technologies offer opportunities for information sharing, public participation, and collaboration.
  - Should make more information public in ways that enable people to both understand what their governments do and to influence decisions;
  - May commit to supporting the ability of governments and citizens to use tech for openness and accountability; and
  - May support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts are to have the greatest impact.

Recognising that achieving open government commitments often involves a multi-year process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments Estonia included in its initial action plan. The commitments follow the same sequence as in the action plan

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

- Relevance: The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.
  - OGP values: Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments that can better articulate their relationship to fundamental issues of openness.
  - Grand challenges: While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been identified by government (as almost all commitments address a grand challenge).
- Ambition:

- *Potential impact:* OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on researcher's findings and experience as a public policy expert.
- *New or pre-existing:* The IRM researcher also recorded, in a non-judgmental fashion whether a commitment was based on an action that pre-dated the action plan.
- Timing:
    - *Projected completion:* The OGP Articles of Governance encourage countries to put forth commitments with clear deliverables with suggested annual milestones. In cases where this is information is not available, the IRM researcher makes a best judgment, based on the evidence of how far the commitment could possibly be at the end of the period assessed.

A. Development of Public E-services

A 1. Drawing Up a Green Paper on Organisation of Public Services

Analysis of problems relating to the organisation of public services, suggestion of possible solutions, setting the focus of development of services and drawing up and discussing the further action plans for resolution of the main issues relating to the organisation of public services.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Economic Affairs and Communications				
	Supporting institutions	none specified				
	Point of contact specified?	Yes				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal.)				
R el ev an ce	**OGP grand challenges**	Improving public services				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
						✔

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area)

Level of completion			
Start date:	**End date:**	**Actual completion**	Complete
prior to OGP	2012	**Projected completion**	Complete
Next steps	New commitment building on existing implementation		

What happened?

This commitment has been completed in its present formulation of "drawing a plan." The commitment was part of the Strategy for the Development of Information Society and was incorporated into the Government Programme 2011– 2015. Contributing individuals developed this commitment's concept prior to the OGP action plan.

This commitment's green paper (GP),[1] which is working as a concept for developing public services, stated main principles in service design and explained provisions that were innovative for the public sector. This concept brought a user-centric focus to the forefront of service design, which was largely missing among civil servants responsible for service development. The Green Paper stresses that delivering public services, including information services is the main function of any public institution. Thus it is all the more vital in the service design process to create a link between user needs and the strategic aims of the service provider.

Government agencies analysed this new concept during its development process. The agencies reached several agreements on substantial matters. The government discussed the concept, as it was being drafted, with some civil society partners (not disclosed by the government), and the government held a public consultation on the central participation portal and received considerable feedback.

In parallel to the process of preparing the GP, the government used pilot programmes to test the principles of the policy while the Ministry of Communication Affairs was the co-developer and financial supporter. For example, the government implemented a pilot programme to study the standardised service design and delivery processes within the Ministry of Social Affairs. In Estonian Road Administration, three e-services were analysed and the experience was used to describe a model that can be used for other public e-services.[2] Piloting enabled government officials to test the draft policy and recommend changes that they later integrated into the GP.

Did it matter?

While the government compiled and implemented the concept of public services, thereby fullfilling this commitment, this step is only the beginning to the work of public service standardisation. Therefore, it is too early to evaluate the full impact of this activity.

Stakeholders saw piloting as a positive and innovative feature of this policy design. This helped the government trust that concept principles were close to the real needs of service providers and service users. However, some stakeholders commented that the GP does not address topics of open space or open communities. Public space planning is a priority for local communities and civil society groups, especially on city or neighbourhood levels, since it has a direct effect on the welfare and quality of life of citizens.

The advisor to the Minister of Internal Affairs on issues of Information and Communications Technology in local administration discussed local government involvement. The wider circle of local municipalities were not directly involved in drafting or consulting the green paper.

The green paper is a direct input for the Development Plan of Estonia's Information Society 2014–2020 (SIS), which will form the basis for developing public e-services in the public sector, including the sub-national level. Based on the positive experience during the concept phase, the government put 16 more pilot projects in motion, with the Ministry of Communication Affairs (MCA) acting as expert advisor and financial supporter. The main

priority of the SIS is re-engineering public services. The lead agency (MCA) feels that the focus put on citizens, businesses, and other public sector institutions as public services users is closely connected to the OGP principle of building a better dialogue between government and citizens.

Moving forward

As the GP laid down basic principles for developing services, and explained the definition, rather than giving specific guidelines for the design and provision, the commitment needs to be taken forward and reflected in the next iteration of the OGP action plan as further re-engineering of public services.

The government has budgeted for developing public e-services according to the green paper criteria. The two-year plan for 2014 and 2015 focuses on a user-centric approach, raising accessibility, usability, and awareness of user target groups.

The programme is set to engage civil servants as well as their partners in the non-governmental organisations in applying the principles of user-centric design. The scale of activities is wide, ranging from analyses to actual piloting to test and implement previously elaborated models.

In order to prepare, the government has launched a training and awareness-raising programme for 1,500 civil servants that includes regional level administrations. The programme focuses on usability and citizen-centric service design. The MCA feels the need to educate the general public on using services and giving feedback to providers. The MCA will also focus on promotion.

In the next phase, the plan includes measuring user awareness and information uptake on public services to measure the new concept's effectiveness. In the SIS, the measures are strategically interlinked to address the integral view on developing services. The government values other perspectives besides user-centric focus, such as efficiency, but some specific measures connect closely with OGP values. The government backs these measures with resources and has MCA as the main responsible agency. According to MCA officials, the government has included the local government level as a programme beneficiary.

The following activities, planned in the SIS and aligned with OGP values, address the government's commitment to develop public services:

- Provide citizens access to the process of service delivery. Citizens will monitor the process of their request and track how the government used their personal data.
- Develop feedback channels on public services, and add more options for getting advice on using e-services.
- In order to bridge the digital gap, elaborate new e-services formats in order to include non-internet users and enhance efficiency for service providers (e.g., civil servants to be nominated as special advisors).

The researcher recommends that the government include these measures in the renewed action plan as a continuation from the present commitment.

Stakeholders commented on the quality gap between government-provided information and services and municipality-provided access to information, datasets, and services. The level of accessiblity and usability provided by municipalities varies by municipality and does not grant equal user access. There is an ongoing and unresolved problem in municipalities with local websites and service channels in the digital environment. Data

collectors do not use unified methods to collect and present data (e.g., statistics, reports), which creates barriers for drawing time lines and making comparison across municipalities. This field of activity is closely connected to the open-data principles of making data available in machine-readable and accessible formats.

Stakeholders recommend that the government compile and publish an abridged version of the GP, meant for the average user—citizens, community activists, local government officials, that addresses the main principles of service design and the criteria for a user-centric approach. This handbook should contain instructions for digitalisation and for upgrading existing services to meet established standards.

Stakeholders also recommended that while developing the next steps for implementing this concept, the government include the topic of creating public services in urban development (e.g., the government could do this by supporting pilot projects and opening up data sets that would lay the basis for creating new services).

Municipalities need more guidance from the government on the design process and on engaging citizens and user groups in the co-creation of services.

---

1. Green Paper on the organisation of public services, http://www.mkm.ee/public/ATKRR_2013.pdf

[2] Model and handbook on user-centric design of e-services, draft for public consultation http://www.mkm.ee/public/Kasiraamat2_Final_trykiversioon.pdf

A 2. Implementation of the Eesti.ee Action Plan

The purpose is to improve the functionality and user friendliness of the eesti.ee portal

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Economic Affairs and Communications				
	Supporting institutions	Estonian Information Systems Authority				
	Point of contact specified?	Yes				
Specificity and measurability		*Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.)*				
R el ev an ce	**OGP grand challenges**	Improving public services				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
		✔			✔	

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Minor (The commitment is an incremental but positive step in the policy area.)

Level of completion			
Start date: not specified	**End date:** 2012	**Actual completion**	Substantial
		Projected completion	Complete
Next steps	Further work on basic implementation		

What happened?

The commitment focuses on the enhanced functionality and usability of the eesti.ee portal. The eesti.ee is a Point of Single Contact, which is obligatory according to the EU Directive on Services in the Internal Market.[1] It is built as a presentation layer (a "skin"), giving authenticated access for individuals and business users to a range of public services and

providing information on services in an easily accessible format. Public service providers retain their unique interface and structure of service provision. The portal offers access to over 300 services for citizens, over 70 services for businesses, and over 400 articles of information. The portal currently offers access to over 100 data sets and registers based on the secure information exchange layer, the "X-Road." Most of them also have interaction with users.[2]

The government made some progress on this commitment, but the development is ongoing. It sets new aims yearly and monitors them twice a year, as reported by implementation reports issued by the owner of the service, the State Information Systems Authority.[3]

As one of the results projected in the OGP action plan, implementers introduced a new personalised "My Things" feature that gives a personalised view for each user of their history of interaction with the government. Implementers developed another feature to enable personalised notifications selected by user (e.g., for notifying of the expiry of a driver's license). Implementers delivered the third result, as planned in the OGP action plan, by creating interfaces so that individual and corporate users of 11 EU member states can log in to and access the portal with their eID, which provides access to public services.

The following developments are underway:

-   Access to services by mobile devices
-   Adding notification services and raising awareness of this service
-   Asking feedback about the new features and increasing the number of users of notification services.

Implementers carried out an awareness-raising campaign in April 2012 to June 2012 to increase the usage rates of the portal, introduce new features, and increase uptake of actual services provided in the system. The campaign was considered succesful as the average usage raised to 60,700 visits weekly. According to poll conducted by TNS, the general awareness has risen from 47 percent in 2010 to 68 percent by the end of 2012.[4]

Did it matter?

Stakeholders considered this an important commitment, since the development of central access portal eesti.ee concerns anyone who offers or uses public services. Although there have been continuous developments based on user feedback and the public service providers' initiative to add new features, stakeholders expressed a clear need to continue enhancing the portal's accessibility and usability.

It still remains unclear if all public service providers should integrate their services with eesti.ee as the common interface. The government has planned to analyze user access to determine if it is the access is viable through the existings layers of eesti.ee or better offered by the service provider.

The Ministry of Communication Affairs (MCA) as the funding provider is considering setting a requirement for integrating user feedback into the portal. The monitoring mechanism should also guarantee secure handling of users' personal data. This deveopment would be in line with the OGP principle of accountability and would help citizens trust government.

Moving forward

Stakeholders stressed citizens' expectations of receiving the same quality of services, regardless of the channel selected. Searching for information and interacting with officials should be user-friendly on any level of administration.

Stakeholders recommend the following:

- Government should be more ambitious in standardising websites on public institutions and making efforts to raise awareness of all user groups.
- The main function of eesti.ee as the one-stop-portal should not be limited to its role as a presentation and secure entrance layer, but it should evolve into a unified interface of services.

The IRM researcher recommends

- engaging public service providers and users to determine the need for and nature of further developments of state portal functions and features and

- including any agreed upon measures that have evolved in the course of this dialogue of the renewed action plan as a continuation from the present commitments.[5]

---

[1] EU Directive on Services in the Internal Market. Pursuant to the Directive Member States are obliged to set up "points of single contact", through which service providers can obtain all relevant information and deal with all administrative formalities without the need to contact several authorities. The "points of single contact" have to be accessible at a distance and by electronic means. http://ec.europa.eu/internal_market/services/services-dir/index_en.htm

2. Government portal, www.eesti.ee, Semjonova, Rica, The effectiveness and impact of Estonian e-services, Tarmo Kalvet, Marek Tiits, Hille Hinsberg (ed.) Tallinn, IBS, Praxis, 2013, http://bit.ly/I7ltBK
3. Implementation report on work plans (in Estonian), https://www.ria.ee/ria-tooplaan/
4. Satisfaction with public e-services, TNS Emor, 2012
http://www.mkm.ee/public/Kodanike_rahulolu_riigi_poolt_pakutavate_avalike_e-teenustega_2012_EMOR.pdf

B. Granting the Public Use of State Information Assets

B 1. Drawing Up a Green Paper on Making Public Data Available in a Machine-Readable Form

The goal is to map the starting position and possibilities of making Estonia's public data available in a machine-readable form and to develop and discuss with stakeholders the conceptual solution of proceeding with making public data available in Estonia.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Economic Affairs and Communications				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)				
R el ev an ce	**OGP grand challenges**	Improving public services				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
		✔			✔	

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)

Level of completion			
Start date: unclear	**End date:** 2012	**Actual completion**	Limited
		Projected completion	Complete
Next steps	Further work on basic implementation		

What happened?

Opening up data by public sector institutions was one of the activities in the Strategy of Information Society (SIS)[1] and is also integrated in the Government Programme.

The work started simultaneously on the concept and on creating an Open Data repository (see Activity B2, in this same sub-group). By the end of 2012, the government had drawn up an initial draft of the green paper. It was based on existing research and initial discussions, and it contained guidelines for public sector institutions on the criteria and process of making data publicly available.

After initial consultations, mainly with other government agencies, officials altered the scope of the green paper. They did not formulate it as a separate strategic document, and it became an input for changing the Public Information Act instead. The necessity came from the EU directive on the re-use of public sector information, since there was a possibility of infringement proceedings being started against Estonia. With the same formal legislative changes, the government also made commitments to make data publicly available in a machine-readable format in the beginning of 2015.

Did it matter?

The Public Information Act requires the government to release document register contents in full formats and make databases public. Every public sector institution must release information on their structure, salaries, document register, reports, statistics, budgets, and development plans. This bulk of public information includes datasets. However, it is unclear what constitutes a dataset because it is not clearly defined. As an estimate, considering that Estonia has approximately 2,000 public sector institutions (including sub-national level), if each one of them published an average of ten datasets, the volume of reusable information might reach 20,000 datasets.[2]

Unlike most countries, Estonia does not require its public sector to publish information in a reusable format. The new version of green paper is expected to address these problems.

Moving forward

Officials are working on the next draft green paper and will present it to the government in early 2014. The concept will be in line with the Public Information Act,[3] and it foresees recommended actions that will support the implementation of the Public Information Act by specifying relevant practical procedures. One of the most substantial obligations set in the act is to make all databases available, without access fee, by 1 January 2015.

Not all state institutions agree on further policy steps, or even the need for open data efforts by the government. Owners of databases have registered concerns on the basis of principles deployed so far (e.g., requiring a fee for making data available). The Ministry of Communication Affairs (MCA) feels there is a need to increase awareness and allow time for discussions with line ministries to achieve a common understanding.

In the new SIS,[4] there are ambitious measures that address open data development:

- Make public sector data available in machine-readable formats and provide easy access to datasets

- Organise and support initiatives in co-creation of e-services and applications

The IRM researcher recommends that the government integrate the present commitment with other activities in the sub-area of granting the public use of state information assets.

Further measures should be planned in line with the new Strategy of Information Society 2014–2020. Non-state actors should be vigorously consulted on the actual need and priorities for the re-use of data.

Stakeholders recommend

- maintaining a balanced scope and schedule when opening up datasets by a diverse range of public service providers. They propose implementers start with data that would yield the public most value for re-use. Interest indicated by potential developers should be taken seriously by government, since the value-creation model of non-state actors might reveal economic potential for the public sector.

- analysing municipalities' present situations in the open data framework and considering including specific standards for opening up data that would meet the needs of municipalities. This initiative should come from the government; the government should be leaders of this activity and engage local government representatives in the course of compiling the standards.

---

1. Strategy of Information Society 2009–2013 and Implementation Plan, http://www.riso.ee/node/4132
2. Uuno Vallner, "Open data—a step toward the Internet of the future, Information Society Yearbook 2011–2012," 2013, http://www.riso.ee/en/content/open-data-%E2%80%93-step-toward-internet-future#.UnpKE_nIYfE
3. Public Information Act, https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/514112013001/consolide
4. Strategy of Information Society 2014–2020 (draft version), http://www.riso.ee/et/infouhiskonna-arengukava-2020-avatud-

B 2. Creating a Repository of Public Data

To create a single window for citizens and economic operators to access public machine-readable data.

Commitment Description		
Answerability	**Lead institution**	Ministry of Economic Affairs and Communications
	Supporting institutions	None specified
	Point of contact specified?	Yes
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)
Relevance	**OGP grand challenges**	Improving public services

	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✔			✔	

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)

Level of completion			
Start date: unclear	**End date:** 2012	**Actual completion**	Limited
		Projected completion	Complete
Next steps	Further work on basic implementation		

What happened?

The government's implementation of this commitment was limited. It launched Project Open Data Framework in 2011 with aims to develop infrastructure for making data open and for laying down the organisational, technical, and semantic preconditions.[1]

As a pilot to grant access to public data in a machine-readable form, the government opened the web-based repository http://opendata.riik.ee in January 2012. This repository is still in beta version, with basic functionality for making data available. To date, the public has referenced and shared five data collections through the repository.

The repository development has been frozen during 2012–2013 and no further datasets have been added to the initial five. The main reason for freezing the activity is that Ministry of Communication Affairs (MCA) is understaffed in the area. They have recruited new staff and have plans to re-launch all measures connected with opening data for public benefit. In order to make further decisions, the MCA foresees another round of consultations among government agencies on the actual motivation of dataset owners.

The portal currently displays guidance for owners of registers on how to rate data according to the Tim Berners–Lee star system, how to organise data, and how to publish it in machine-readable formats. It also contains recommendations, based on the piloting experience on potential next steps, in building the repository.

Did it matter?

At the present stage, it is difficult to assess whether the commitment has had any impact, as the government has done little with it. This repository provides basic functionality for making data available. Besides the initial pilots, the government has shared no other datasets through the repository, nor were there any specific plans at the time of writing the report.

The repository development was frozen during 2012–2013. Further progress of piloting is directly linked with Activity B1 and B3 of this same group of commitments.

Moving forward

Further implementation of this commitment is connected to the concept for open data, as elaborated in the new version of the green paper (currently in the drafting stage and not available to the public). The MCA will analyse the cost-benefit balance of open data, since there is little evidence on the actual needs of re-using data by non-state actors, such as civil society groups or business interest. There is a need to define priorities, since it is difficult to clear personal data and make machine-readable the vast amount of existing datasets.

The general direction of next steps should be defining the potential for cross-border re-use of data, and for comparative analysis of information collected by public sector institutions.

Stakeholders recommend that the government maintain a balanced scope and schedule when opening up datasets. They propose that it starts with data that would yield the most value for re-use. The government should take seriously the interest indicated by potential developers, since the value-creation model of non-state actors might reveal economic potential for the public sector.

---

1. Uuno Vallner, Open data repository, Information Society Yearbook 2011–2012, Ministry of Economy and Communication Affairs 2013, http://www.riso.ee/en/content/open-data-repository#.Un-0afnIYfE

B 3. Launching Pilot Projects of Public Data Services Based On the Cloud Technology

To lower the barriers of access to public data as much as possible using new technologies and launch specific pilot projects.

Commitment Description		
A ns w er ab ili ty	**Lead institution**	Ministry of Economic Affairs and Communications
	Supporting institutions	None specified
	Point of contact specified?	Yes
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables)
R el ev an ce	**OGP grand challenges**	Improving public services

	OGP Values	**Access to Information**	**Civic Participation**	**Accountability**	**Tech & Innovation for Trans. & Acc.**	**None**
		✔			✔	

Ambition	
New vs. pre-existing pre-existing	**Potential impact** Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)

Level of completion			
Start date: 2011	**End date:** 2012	**Actual completion**	Complete
		Projected completion	Complete
Next steps	New commitment building on existing implementation		

What happened?

The government started four pilot projects in 2011, prior to OGP, to serve as tests for the repository of open data and try out technical solutions for developing services (e.g., data formats, cloud solutions, etc.). They were

- public transport routes,
- database of the construction works register,
- financial data of local governments, and
- markings of water routes and ports.

The government completed all four pilots and published as datasets on the repository of http://opendata.riik.ee.

Did it matter?

At the present stage, it is difficult to assess whether the commitment has had any impact, since the government has done very little with it. This repository is in beta version, with basic functionality for making data available. Besides the pilots, the government shares no other datasets through the repository, nor are there any specific plans to do so at the time of writing the report.

The repository development was frozen during 2012–2013. Further progress of piloting is directly linked with Activity B1 and B2 of the same group of commitments.

Moving forward

The government will plan the next steps in connection with updating and completing the basic strategy on open data (the green paper). The researcher recommends that the government combines this commitment with the repository of datasets in order to achieve better impact.

The Ministry of Communication Affairs (MCA) foresees its role with this commitment as identifying good practice and supporting the emergence of pilots, initiatied by non-state actors. Currently, there is one cloud application that uses an automated datastream by the government (Ministry of Finance) to demonstrate spending structure by municipalities in Estonia. At http://riigipilv.ee/ users can compare timelines and access the spending reports on a Qlikview visualization. There is also a plan to further develop the existing application, which would include creating a special sub-site on the financial transactions of government agencies. This will enable better transparency of public sector finances and enhance accountability of institutions.

The IRM researcher recommends adding a measure from the SIS implementation plan into the OGP action plan in the next phase. The measure aims to engage citizens in collecting and processing data for public benefit. This new activity should be drafted in collaboration with open data community activists and interested stakeholders in the business sector, in order to identify the exact nature of the commitment.

Sources

Open Data repository with published pilots. http://opendata.riik.ee

C. Greater Openness and Predictability of Policy-Making

C 1. Interactive Guidelines and Training in Implementation of the Good Practice of Public Engagement

Smooth implementation of the Good Practice of Public Engagement approved by the Government of the Republic in 2011.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Government Office				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)				
R el ev an ce	**OGP grand challenges**	Improving public services				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
			✔			

Ambition	
New vs. pre-existing pre-existing	**Potential impact** Minor (The commitment is an incremental but positive step in the relevant policy area.)

Level of completion				
Start date: not specified	**End date:** 2012	**Actual completion**	Substantial	
		Projected completion	Substantial	
Next steps		New commitment buidling on existing implementation		

What happened?

There are three sub-activities in this commitment, to support implementation of the Good Practice of Public Engagement—these are training civil servants, providing a handbook of guidelines for civil servants, and providing web-based guidance for the wider use.

The IRM researcher found the level of completion of this commitment to be substantial. Commissioned by the Ministry of Finance and Government Office, the Praxis Centre for Policy Studies organised training for 115 participants during the period of OGP evaluation. By the end of 2013, 300 participants will have received training. The training's purpose is to highlight engagement principles and to enhance officials' practical skills of raising the participation quality in their institution. The majority of trainees are civil servants from government agencies and local municipalities, although the training groups also include CSO representatives.

Commissioned to non-governmental experts, the Participation Handbook has been renewed to reflect the recent legislative and policy changes and especially to connect public participation with the system and methodology of impact assessment. The handbook will be used as a training material and will also support the development of web-based guidelines.

The Government Office outsourced the preparation of interactive, web-based guidelines; the website guidance material will be based upon the updated handbook and implemented during 2014.

Did it matter?

Stakeholders deemed greater openness and predictability of policy-making an important area in the framework of OGP and considered it necessary for government to be more consistent in its efforts to enhance public participation by various methods.

The training opportunities have reached civil servants on the sub-national level and were evaluated as useful by the participants, useful in obtaining a theoretical framework for deliberative democracy and practical skills to lead participation processes. However, stakeholders stressed that the government needed to engage management level administration and political actors to enforce the culture of participation. Without the support of top administrators and elected officials, the participation practices will remain on the same level; however, a definite qualitative shift is needed in participatory democracy.

Moving forward

Stakeholders recommend making better use of electronic channels and interactive methods in routine policy-making of government agencies and local governments alike. Civil society actors stressed their need for robust tracking system of decision-making, from the planning phase of the policy cycle through to parliamentary discussions. They considered it especially important to receive alerts on upcoming international regulations that might have an unwanted impact on civil society (e.g., ACTA and similar international agreements).

The stakeholders also recommended bringing the process of drafting and discussing legislative and strategic documents closer to the public. They believe the government can do this by visualizing the policy cycle and providing the public with clear timelines for consultations.

The researcher recommends integrating some of the measures in the Anti-corruption Strategy in the next iteration of the OGP action plan. The government could

- continue training courses for civil servants whose tasks include engaging citizens and interest groups in policy-making. There is an evaluation planned for 2014 to assess participation practices by government agencies. This could also involve measuring progress in e-participation and screening new formats of citizen initiatives, which have evolved in

recent years to complement or counteract top-down engagement practices and electronic channels.

- analyse e-participation channels and formats. The purpose of this analysis would be to enhance the usability of existing digital consultation channels. The aim would be to enhance opportunities for public sector institutions to engage citizens and civil society organisations in policy-making and public consultations.

- create a code of conduct for legislators on handling lobby by interest groups, as recommend by the GRECO (Group of States against Corruption) commission of the Council of Europe.[1]

---

1. GRECO report Fourth Evaluation round, "Corruption Prevention in Respect of Members of Parliament, Judges and Prosecutors," Evaluation Report Estonia, 2013, http://bit.ly/1gUy0Ie

C 2. Launch of the Impact Assessment System

To initiate the impact assessment cofinancing programme which supports the application of the impact assessment methodology (as part of the Smar Decisions Fund) through which the assessment of the impact of strategies, legislation and Estonia's positions in the European Union.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Government Office				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)				
R el ev an ce	**OGP grand challenges**	None				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
						✔

Ambition	
New vs. pre-existing pre-existing	**Potential impact** Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)

Level of completion			
Start date: prior to OGP	**End date:** 2012	**Actual completion**	Complete
		Projected completion	Complete
Next steps	New commitment building on existing implementation		

What happened?

The commitment was evaluated by the government in its self-assessment report, and the IRM researcher concurs with its conclusions. The need for unified impact assessment

system, on legislation as well as on strategic policy documents, has been in development by the Government Office and the Ministry of Justice for years.

By the end of 2012, the government confirmed the methodology for impact assessement and set specific targets for all ministries to achieve. Starting in 2013, impact analysis (ex ante) was required for all position papers on EU matters, for strategy documents, and for at least 50 percent of legislation drafts.

The government launched the system and carried out supporting measures, such as trainings for civil servants and co-financing from a specially designated fund to enable outsourcing of impact assessment and to procure expert advice.

Evaluation of the functioning of the impact assessment system is planned for 2015.

Did it matter?

As it is currently written, the commitment focuses on setting a new standard in the work processes of government agencies and targets civil servants only. Therefore, it is not directly aligning with OGP values. The commitment is, however, of a transformative nature, forming an important precondition for enhancing public participation as addressed in activity C4. Public participation is closely connected with impact assessment on the projected changes in legislation or strategic documents. Participation by experts, interest groups, or interested individuals will help the government to analyse problems, define alternatives, and select optimal policy solutions.

Moving forward

In reference to this commitment, the government's self-assessment report refers to the main challenge in order to show the effect of this commitment. The challenge lies in overcoming the reluctant attitude of the administrative and political elite towards public discussion and evidence-based policy-making. The next steps envisaged to support this goal include training and other soft measures. These will steer implementation towards achieving the aim of assessing impact on all legislation.

The IRM researcher recommends integrating this commitment with activity C4, integration of impact assessment into the process of public engagement. In case the consultations for renewing the OGP action plan reveal ideas that will achieve the cultural change as described above, it should be a new commitment that has clear indicators for success.

Sources

Government Programme. http://valitsus.ee/en/government/Programme

C 3. Overview of Ministries' Work Processes

Smooth implementation of the Good Practice of Public Participation approved by the Government of the Republic in 2011.

Commitment Description		
A ns w er ab ili ty	**Lead institution**	Government Office
	Supporting institutions	None specified
	Point of contact specified?	Yes
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)
R el ev an ce	**OGP grand challenges**	Improving public services

	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
		✔	✔			

Ambition	
New vs. pre-existing	**Potential impact**
Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)

Level of completion			
Start date: unclear	**End date:** 2014	**Actual completion**	Not started
		Projected completion	Limited
Next steps		Revision of the commitment to be more achievable or measurable	

What happened?

The IRM researcher found the government had not yet started this commitment. The activity aim was to support implementation of the Good Practice of Public Engagement (adopted by the Government in 2011) so that the ministries' legislative drafting process could be monitored at an earlier stage and on a larger scale. This would mean providing the

public with timely and easy access to the ministries' work plans and publish regular updates if their plans change.

There is a central website for publishing the ministries' consultations, www.osale.ee, which is linked to the central website, http://eelnoud.valitsus.ee/main, for publishing inter-governmental exchange of opinions on legislative drafts. Neither of these websites have the function for publishing work plans or preliminary information on upcoming consultations.

As the main channel that provides information on government activities, the central website has undergone renovations since it was planned in the Government Programme (2011), but it has yet to be finished and is not open for public view. The main aim is to standardize the structure and content of the webpages of ministries (11 of them). The project does not include other government agencies—the boards, inspections, committees, or providers of public services.

With the exception of the Government Programme as the consolidated work plan, there is no unified standard for ministries to compile and publish their work plans. Nor are there any standardised requirements to publish updates and disseminate information on the ongoing legislative processes. A minimum requirement, according to the Good Practice of Public Engagement, is to carry out public e-consultation in the case of drafts of considerable impact.

It is unclear which legislative drafts and other regulative initiatives definitely will have public consultation. Each department in ministries decide if they will use participation and public consultation activities on a case-by-case basis.

Did it matter?

In order to take part in policy-making and offer non-governmental expertise in decisions, interested parties need relevant, timely information on what is going on in the government process. Therefore, this commitment reflects expectations of non-state actors, expectations that stakeholders can monitor the legislative drafting process of the ministries at an earlier stage and throughout the decision-making life cycle.

Considering these stakeholder expectations, this commitment has not been fulfilled, and the steps the government has taken do not express progress on this goal. The topic of public participation should be addressed in the structure of government websites. However, it remains unclear, what is the added value of the unified structure of these websites for promoting participation and supporting the Good Practice for Public Engagement.

Currently, the government envisages only cosmetic changes that concern the design and the textual content on provided information. As of yet, the researcher does not foresee structural changes (e.g., to set a standardized format for publishing work plans by ministries) in order to give out information early for non-government actors on upcoming consultations and potential impact of decisions.

Moving forward

The researcher recommends that the government re-define the present commitment as "providing better access to policy cycle by making policy process available for monitoring and stakeholder intervention. "

The stakeholders recommend that

- the government form a direct link between electronic channels for public consultations and government channels for processing of legislation.

- public officials share a preliminary assessment of potential impact of important decisions. This will grant the public access to information during the deliberation process in order for CSOs to debate and engage with government.

This is even more necessary with regulations that do not follow the routine of government planning and usual policy cycle (e.g., initiatives by European Commission or international agreements, such as ACTA).

- the introduction of a tagging system to track the life-cycle process of policy decisions, since they are initiated by government agencies, until they are passed at government sessions. This would provide the public better access to legislative initiatives and enable stakeholders to make timely reactions.

- the government build synergy between the Anti-corruption Strategy and the Strategy for the Development of Information Society.[1] These strategies contain measures aimed at providing easy access to information for stakeholders consulted in policy-making decision processes, as well as raising awareness of the participation channel. Building synergies between these two strategic documents would help to address the same goal of transparent legislation and would allow non-state actors to monitor decision-making process and give their input in the course of its cycle.

The civil servants interviewed by the researcher agreed that the government needs to modify existing e-participation channels and raise their level of usability. The first priority is to raise the awareness of both user groups—the civil servants and the participants. Officials agree that policy-making should be made visible, accessible, and understandable for general public.

---

1. Strategy of Information Society 2014–2020,
https://valitsus.ee/UserFiles/valitsus/et/valitsus/arengukavad/majandus-ja-kommunikatsiooniministeerium/Eesti%20info%C3%BChiskonna%20arengukava%202020.pdf

C 4. Integration of Impact Assessment into the Process of Public Engagement

To integrate the Impact Assessment Methodology to be approved by the Government of the Republic in 2012 into public engagement.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Government Office				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
R el ev an ce	**OGP grand challenges**	None				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
		✔	✔			

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)

Level of completion			
Start date:	**End date:**	**Actual completion**	Not started
unclear	2014	**Projected completion**	Limited
Next steps		New commitment building on existing implementation	

What happened?

The IRM researcher assessed the level of completion of this commitment as not started. Public participation is closely connected with impact assessment on the projected changes in legislation or strategic documents. Participation by experts, interest groups, or interested individuals will help the government to analyse problems, define alternatives, and select optimal policy solutions.

These two processes are also interlinked in the two documents that government has introduced to officials—the Good Practice of Public Engagement and the Impact Assessment Methodology. However, they do not yet work together, as the relevant work processes are not handled by the same teams and thus are not inter-connected.

Ministries' awareness of the potential of integration has improved over the course of trainings offered for civil servants (see activity C1). However, the commitment remains unfulfilled. In the government report, the researcher foresees are no further activities, besides the report stating a continuous need to raise awareness on the issue.

Did it matter?

Since there is very little evidence on the results of this commitment, stakeholders addressed their feedback and provided recommendations on activity C2 of the same field of activity, that is describing impact assessment system as a precondition to public participation in policy-making.

Moving forward

The researcher recommends merging activity C2 and C4 in the next iteration of the OGP action plan and setting a clear focus for making measurable achievements towards the goal. This will create better opportunities for the public and stakeholders to assess the government's decisions and provide input on policies.

Stakeholders recommend making impact analysis reports available to the public as part of public consultation materials, and in reverse, use public consultation to prepare good-quality impact assessment.

The government should allow for public participation with each decision, for a legal act or any other strategic document or programme that has a major impact on social, economic, or environmental situation, or that affects specific interest groups.

Sources

Anti-corruption Strategy 2013–2020 and implementation plan http://bit.ly/HWv5Qn

———————————————————————

D. Prevention of Corruption and Conflict of Interest

D 1. Creation of a Database of Declarations of Economic Interests

Prevention of a conflict of interests and strengthening the anti-corruption attitude of public sector employees and cultivation of ethical behaviour.

Commitment Description						
Answerability	**Lead institution**	Ministry of Justice				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)				
Relevance	**OGP grand challenges**	Increasing public integrity				
	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✔		✔		

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)

Level of completion			
Start date:	**End date:**	**Actual completion**	Limited
2012	2014	**Projected completion**	Substantial
Next steps	Further work on basic implementation		

What happened?

In the renewed Anti-corruption Act, the government defines declarants more clearly and narrows and specifies their scope. The act specifies the requirement that the government

should regularly collect and publish information on declarants' economic interests in an electronic register. These declarations are currently made public by each insitution, but not in a searchable format.

To date, the government has developed both a vision and functionality of the electronic register of declarations of economic interests and a substantial description of the form of declaration of interests. The government carried out a public procurement in October 2013 to procure the electronic register for declaring economic interests.

Did it matter?

Access to information is one of the main ways that enables citizens and media to exercise their right to monitor those in power and hold them accountable. Therefore, the government's commitment to provide better access to declarations and enable comparison of interests in timeline is a relevant ambition.

Since the procurement of the electronic register is currently underway, it is too early to assess its impact. The potential added value of the new system is that the database will allow financial interests of public servants to become public immediately after their declaration. This will eliminate the lag time that has been occurring when publishing official reports online. Monitoring is expected to be more effective due to the integration of databases (e.g., the tax declarations). In addition to the effect it will have on corruption prevention, officials will benefit from a noticeably simpler and faster method of declaring their financial interests.

Moving forward

In 2014, the government is planning on creating the new electronic registry for government officials' declarations of interest. Following the launch of this electronic database, officials who are required to declare interests must verify their information and submit the declaration by 31 May 2014. The submitted declarations will be immediately available to the public.

Stakeholders recommend engaging potential users (e.g., investigative journalists and civil society watchdogs) during the re-design process.

Sources

Anti-corruption Strategy 2013–2020 and implementation plan. http://bit.ly/HWv5Qn

D 2. Adjustment of the System of Funding Non-profit Associations and Establishment of a Disclosure System

Prevention of corruption in private sector and non-profit sector

Commitment Description						
Answerability	**Lead institution**	Ministry of Internal Affairs				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.)				
Relevance	**OGP grand challenges**	Increasing public integrity				
	OGP Values	**Access to Information**	**Civic Participation**	**Accountability**	**Tech & Innovation for Trans. & Acc.**	**None**
		✔		✔		

Ambition	
New vs. pre-existing pre-existing	**Potential impact** Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)

Level of completion			
Start date: prior to OGP	**End date:** 2013	**Actual completion**	Limited
		Projected completion	Substantial
Next Steps	Further work on basic implementation		

What happened?

Collaborative forums by public institutions and CSOs have long discussed the need for standard principles in financing CSOs. The concept was drafted in 2008 by the Minister's Office for Regional Affairs and has since been a work in progress. In 2012, the government set in motion a major programme, independent of the OGP, to set standards for all public institutions and introduce common guidelines.[1] It completed the programme in early 2013,

when the government distributed guidelines to all public sector institutions and offered training to nearly 400 civil servants.

The first part of the commitment is largely fulfilled, as the guidelines and training courses raised awareness of funding authorities. However, responsible parties have not evaluated the implementation of these principles in practice.

The second part of the commitment has not yet started, since there is no standard system for disclosing financing decisions and grants given by public sector institutions. The civil society stakeholders previously envisaged the system as an easy register of grants and other financing by the public sector, including government agencies and local municipalities. The system would enable better transparency of public spending and better accountability of grant receivers.

Did it matter?

Currently, it is unclear to stakeholders if the government has sufficiently addressed implementation of this measure and if the measure will lead to the desired result. The government's present progress on this commitment insufficiently addresses the stated goal of creating a system of disclosure of funding non-profit associations from the state budget and from the budgets of local authorities. This is supposed to be done in a way that the public has an overview of allocated support. In order to achieve the projected outcomes, the government needs to make more efforts are needed on the part of implementors.

Moving forward

The Ministry of Interior may seek support from the Ministry of Justice, since the Anti Corruption Strategy (ACS) includes relevant measures aimed at increasing transparency of grant-giving institutions in its implementation plan. It also aims to develop Informations and Communications Technology systems interoperability and provide open access to databases on grants. It supports cooperation and information exchange between public sector institutions, including foundations.

There is also a plan in the ACS to further develop the existing open data application that discloses public spending of local municipalities (LEO). (Please see activity D3, which provides data also on the financing of non-state actors). The future development of this commitment will include creating a special sub-site for the financial transactions of government agencies. In the case this plan is taken forward, it will enable better transparency of financing decisions and promote accountability of grant-makers and grant-receivers alike. The activity implementation period foreseen in the strategy is 2014–2015.

---

1. Civil Society Development Plan 2011–2014 and Implementation Plan, https://www.siseministeerium.ee/public/KODAR_VV_EN.pdf

D 3. Drawing Up a Proposal for Drawing Up an Anti-corruption Strategy

To analyse the performance of the effective anti-corruption strategy and lay down the objectives and courses of action of the new strategy that would best contribute to a decrease in corruption both in the private and public sectors.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Justice				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal.)				
R el ev an ce	**OGP grand challenges**	Increasing public integrity				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
				✔		

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)

Level of completion			
Start date: 2012	**End date:** 2012	**Actual completion**	Complete
		Projected completion	Complete
Next steps	New commitment building on existing implementation		

What happened?

The government adopted the Anti-corruption Strategy for 2014–2020, complete with the implementation plan that outlines responsible institutions and allocates resources. As the

main strategy to combat corruption, it focuses on increasing transparency in state institutions by making a number of databases and registers more accessible. According to Transparency International (TI), one of the civil society partners in compiling the strategy, the engagement during strategy drafting was exemplary.

The strategy also includes an impact assessment at the end of the implementation period, which enables clear indicators and collects feedback from main stakeholders and the public. The strategy outlines 79 measures, most of them focussed on prevention and education rather than sanctioning.

Did it matter?

Currently, public institutions submit annual reports, including ones on economic activity. However, it is not easy to monitor or analyse the contents of these reports. ICT solutions could be used to enhance transparency and give non-state actors better access. There is, however, one limitation: the current strategy focuses on central government institutions. While it refers to the need to engage local municipalities in awareness-raising and prevention activities, these activities are not the focus of the transparency strategy.

Stakeholders generally recommend explicitly targeting local municipalities and designing specific measures in relevant strategies and specific measures in the OGP action plan that reflects these strategies. Awareness about corruption risks and potential conflicts of interest is lower in municipalities, which has been a constant concern expressed by the State Audit Office and non-state monitoring actors, such as TI.

Moving forward

It is vital to establish regular reporting and monitoring systems on the implementation of the strategy. ICT tools may yield better results for ongoing monitoring of addressing strategy-related changes in practice. The ACS foresees creation of watchdog networks in policy areas, such as education and public health. Stakeholders recommend that the OGP action plan includes measures to support such networks in carrying out their role.

By the next phase of renewing the strategy implementation plan, stakeholders recommend defining whistle-blowing, since it is currently missing in the strategy framework. The stakeholders do not support provision of legislative regulation, since the phenomenon is still not defined or known in Estonia. Currently, TI is carrying out a project to identify best practices in whistle-blower protections and make recommendations for improving the protective mechanisms.

Other noteworthy measures in the ACS that would make ambitious commitments in the OGP framework include the following:

- A measure focused on enhancing transparency of political party financing. These measures would be essential components in responding to society reactions on a party financing scandal, such as the one exposed in 2012 that evolved into civil unrest followed by a civil society deliberation process called Citizens' Assembly.

- Providing access to information for interest groups and CSOs involved in policy-making processes (Activity C3).

Sources

Anti-corruption Strategy 2013–2020 and implementation plan. http://bit.ly/HWv5Qn

D 4. Draft Anti-corruption Act

For the purpose of improving prevention of corruption, the restrictions and duties of officials are clarified, the system of declaration of interests is made more efficient and liability arising from violation of law is stipulated. The draft Act decreases the administrative burden, increases transparency in the public sector and raises Anti-corruption awareness in society.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Justice				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)				
R el ev an ce	**OGP grand challenges**	Increasing public integrity				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
				✔		

Ambition	
New vs. pre-existing pre-existing	**Potential impact** Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)

Level of completion			
Start date: 2011	**End date:** 2012	**Actual completion**	Complete
		Projected completion	Complete
Next steps	New commitment building on existing implementation		

What happened?

The commitment foresees presenting a draft legislation, but the actual bill was passed. The act regulates all generally acknowledged areas of potential corruption, but it does not include protection of whistle-blowers, which is a new issue in Estonian culture.

Did it matter?

The GRECO (Group of States against Corruption) Report by the Council of Europe in 2013[1] pointed to several gaps in the corruption prevention practices Estonia was implementing in its legislature and court system. Evaluators said the country's legal framework for preventing corruption was satisfactory, but they found gaps in the application of the laws.

The report summary mentions common problems including insufficient application of conflicts of interest rules for members of Parliament (MPs); insufficient definition of ethical principles and rules of conduct for MPs; weak supervision of compliance with ethical principles and rules on conflicts of interests; and disclosure of economic interests. The GRECO evaluators recommend counseling and training programs on the subject.

This coincides with the stakeholders' main recommendation, backed by analysis by Transparency International, for taking "soft" measures to support the implementation of any relevant legal regulations, especially the Anti-Corruption Act.

Moving forward

The government could compile and disseminate guidance material on how to implement the Anti-corruption Act for public sector institutions. Civil servants on the state level and local level have indicated their need for basic instructions on how to adopt the regulation that could then be adapted to their specific needs and context.

---

1. GRECO report Fourth Evaluation round, "Corruption Prevention in Respect of Members of Parliament, Judges and Prosecutors," Evaluation Report Estonia, 2013, http://bit.ly/1gUy0Ie

D 5. Establishment of the Public Ethics Council

To create an independent Ethics Council with the aim of strengthening the core values and ethics of public officials.

Commitment Description		
A ns w er ab ili ty	**Lead institution**	Ministry of Finance
	Supporting institutions	None specified
	Point of contact specified?	Yes
Specificity and measurability		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal.)
R el ev an ce	**OGP grand challenges**	Increasing public integrity
	OGP Values	**Access to Information**	**Civic Participation**	**Accountability**	**Tech & Innovation for Trans. & Acc.**	**None**

		Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✔

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	None (The commitment maintains the status quo.)

Level of completion			
Start date: prior to OGP	**End date:** 2013	**Actual completion**	Complete
		Projected completion	Complete
Next steps	New commitment building on existing implementation		

What happened?

The government fully implemented this commitment. It planned this commitment in the coalition agreement of the current government, but senior civil servants have long discussed the need for an ethics council. The establishment of the council lingered in indecision, due to arguments in government agencies over nominating appropriate members. The government established the Public Service Ethics Council in June 2013. The council has nine members with the majority comprised of active public officials.

The ethics council gives advice to authorities and public officials in public service ethics matters. It is also tasked with responding to complaints concerning public officials' ethics requirements. The scope of requests and complaints excludes all employees of public authorities that do not fall under the Public Service Act. Among them are local administration employees, board members of state-owned enterprises, and elected officials.

These groups may be affected by breaches of integrity or corruption, but these cases are not the object of the council's discussions. These complaints or requests for advice can only be submitted by officials themselves, not by members of the public or media. The council is still discussing the right of non-governmental groups to submit requests.[1]

Did it matter?

As it is currently phrased, it is not clear why the activity was incorporated in the OGP plan, since it has very little potential to engage the wider public, or to make an impact on real problems with public integrity. The low potential impact is mainly due to limitations on the scope of proceedings of the council.

Civil society stakeholders indicated little interest towards this activity, since it is targeted to specific groups of civil servants only.

Moving forward

Now that the government established the council, it must create a new commitment that determines its goals and scope of work. This should be done by engaging with stakeholders (such as political elite, media, and civil society groups) to learn their expectations on civil servants integrity.

Founding the council was the first step to prepare a new public servants' code of ethics. The government envisaged this to be a set of values and principles—not a normative regulation. The code will deal with specific areas of ethical behaviour. One of the sub-codes to be elaborated will focus on public officials presence and communication in the social media. This sub-code could constitute a new commitment of its own.

According to stakeholders, the area of public integrity, especially the activites concerning public ethics council and training for civil servants, seemed to have little effect on the government's transparency and accountability. Still, the stakeholders recommend continuing with the activities (e.g., implementing the regulation and the measures in the strategy), since the practice will reveal gaps between standards foreseen in the regulations and the actual behaviour of civil servants.

Sources

Ethic Council work procedures. http://www.avalikteenistus.ee/index.php?id=40620

---

1. Memo on the first session of the council, http://www.avalikteenistus.ee/index.php?id=40620

D 6. Organisation of Ethics Training for Employees of Various Public Sector Organisations (Incl. Public Servants)

To raise the awareness of public sector core values and develop skills for solving ethically complicated situations among the target groups of the public sector.

Commitment Description						
A ns w er ab ili ty	**Lead institution**	Ministry of Finance				
	Supporting institutions	None specified				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.)				
R el ev an ce	**OGP grand challenges**	Increasing public integrity				
	OGP Values	**Acces s to Infor matio n**	**Civic Participation**	**Accounta bility**	**Tech & Innovatio n for Trans. & Acc.**	**None**
						✔

Ambition	
New vs. pre-existing	**Potential impact**
pre-existing	Minor (The commitment is an incremental but positive step in the relevant policy area.)

Level of completion			
Start date: 2012	**End date:** 2012	**Actual completion**	Complete
		Projected completion	Complete
Next steps	None: Abandon commitment		

What happened?

The training programme for civil servants has included issues on public integrity since 2005. In an article by the training programme co-ordinator,[1] the author notes improved awareness of public servants who have passed integrity training programmes. Still, there

are many challenges regarding public service ethics, one of them being that awareness and systematic use of Public Service Code of Ethics is relatively modest among officials.

Did it matter?

Civil society stakeholders indicated little interest in this activity, since it is targeted to civil servants only.

The government's self-assessment report identifies the potential lack of money targeted for this training programme. The potential training group contains all employees in the public sector, which is 138,000 persons. Among potential trainees, there are elected officials in local municialities but not members of Parliament. During the period of this report, there were 110 participants in this training programme.

Moving forward

The researcher recommends not continuing this commitment in the OGP framework. The activity is limited in scope and ambition compared with other commitments in the area of public integrity. As a measure in public integrity, the topic is certainly valuable, and the government should make a permanent component in the training programme for civil servants.

However, a recent study on ethics training[2] indicates that one-off training courses do not provide a lasting effect on the attitudes and ethical behaviour of civil servants. They refer to other factors influencing integrity, such as management culture and especially attitudes towards ethics issues by the political elites.

---

1. Anneli Sihver, *Ethics Training for Public Officials*, OECD Anti-corruption Network for Eastern Europe and Central Asia (ACN), 2013, http://bit.ly/1fJY45A
2. TNS Emor, *Roles and Attitudes in Public Service*, 2013, http://bit.ly/17yYBSC

V. SELF-ASSESSMENT

Each OGP participating country is required to publish a self-assessment report. While the Estonian government published its report after the set deadline, the government organized an online consultation, and stakeholders were satisfied with the information it contained.

The government published its self-assessment (first draft) on 30 September 2013. The public consultation for the self-assessment report on the central consultation portal[1] did not bring any comments, and the report was adopted by the government on 24 October 2013.

In the process of reviewing the action plan implementation, non-government representatives from the Civil Society Roundtable (CSR) focus group stated that they are satisfied with the government report, since it contains relevant information on the activity implementation. However, since the government did not aim for ambitious commitments, the report is a mere statement of routinely planned activities. The government connected pre-existing activities to the OGP initiative and did not alter these activities or raise their level of ambition.

The two key areas - improving public services and increasing public integrity - that the government chose to address in the OGP initiative were the areas it deemed most relevant for Estonia. That does not mean it left aside all other challenge areas; the government addresses those areas in other strategic documents and plans (e.g., development assistance as a part of foreign policy), which it did not integrate into the OGP framework.

Officials in charge of compiling and monitoring the action plan stressed the practical reasons for using pre-existing commitments as OGP commitments: these priorities were backed by resources and had already gone through the policy planning cycle, including inter-ministerial and stakeholder consultations. Estonia does not consider OGP a planning instrument for the government, but a tool to highlight certain development directions.

The government self-assessment report is a progress report, not an impact report. In order to evaluate impact, the government should set indicators according its main objectives in line with OGP values. In the process, the government may abandon some existing commitments, while adding some and re-structuring others.

Table 2: Self-Assessment Checklist

Was annual progress report published?	Yes
Was it done according to schedule?	Yes
Is the report available in the local language?	Yes
According to stakeholders, was this adequate?	Yes
Is the report available in English?	Yes

Did the government provide a two-week public comment period on draft self-assessment reports?	Yes
Were any public comments received?	No
Is the report deposited in the OGP portal?	Yes
Did the self-assessment report include review of the consultation efforts?	Yes
Did the report cover all of the commitments?	Yes
Did it assess completion according to schedule?	Yes
Did the report reaffirm responsibility for openness?	Yes
Does the report describe the relationship of the action plan with grand challenge areas?	Yes

---

1. Consultation on the draft of Government self-assessment report,
https://www.osale.ee/konsultatsioonid/?page=consults&id=251

VI: MOVING FORWARD

This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

Country Context

Ownership of OGP

While discussing the action plan's content prior to its adoption, the government did not nominate a responsible agency for OGP implementation. The CSR advocated continually for a formal OGP implementer in government, one that would co-ordinate OGP activities across agencies. The CSR proposed this at meetings with the minister for foreign affairs, the minister for justice, and the head of the strategy department at the Government Office. At a meeting with a government committee on civil society development, those present discussed the role of minister for regional affairs as the government implementer.

Involved individuals presented the OGP action plan and CSR activities at a Government Co-committee meeting. The committee oversees implementation of the Civil Society Development Concept, a document that defines co-operation principles in developing and implementing public policies and building up civic society in Estonia.[1] At this meeting, stakeholders sought to identify an agency that would be responsible for the OGP action plan, but it failed to settle on a concrete institution. Rather, stakeholders agreed that there should be a stronger arrangement to co-ordinate supervision of the implementation of activities in related ministries. It has to be noted that the activities in the action plan are focused on the central government level, not on the regional or sub-national level, which is the area of responsibility for the minister for regional affairs.

In the course of negotiations, all above-named ministers turned down ownership of OGP implementation. They had an indication that the Government Office already had a role in co-ordinating the implementation of the Government Programme (coalition programme), as well as giving policy advice to the prime minister. Thus, the co-ordinating role remained implicitly with the Government Office, but the government didn't make the public aware of this tacit agreement, and no additional resources were designated to the Government Office either in staff or funding.

As a result, the Government Office prepared the government self-assessment report and had a co-ordinating role in communicating with other agencies in the course of monitoring the implementation of OGP. The Ministry of Foreign Affairs still has the formal role as contact point for the OGP Steering Committee. Thus the Government Office and the Ministry of Foreign Affairs share this responsibility, but the process lacks leadership and motivation by civil servants and is not in the priority agenda for the political decision-makers.

Ambition level of commitments

OGP action plans should set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenges. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

The government self-assessment report states that "the goals and activities of the

Programme of the Government of the Republic 2011–2015 were taken into account as well as those of national development strategies that had been adopted."

Since the action plan was a selection of activities that already existing in the Government Programme and specific strategies (e.g., strategies to fight corruption, improve public services, support the development of civil society, etc.), it did not include any activities that did not pre-exist the OGP action plan. In Estonia, the OGP reflects government input to open government issues on the level of "business as usual."

In the stakeholders' opinion, the main challenge areas for open government in Estonia are general in nature, which gives the government flexibility to select most appropriate commitments within each particular area. On the negative side, stakeholders believe the action plan did not specify the most acute problems in these areas and that they need to be addressed as priorities. Therefore, it is easy for stakeholders to agree with the selected challenge areas and commitments, but makes it difficult to evaluate the outcomes, as the government's prioritization arguments are lacking.

Stakeholder priorities and recommendations of further commitments

Stakeholders did not single out any specific commitment as the most important in the current action plan, since the OGP is an umbrella programme that covers a variety of topics that cannot be ranked in order of priority.

The general comment of stakeholders is that commitments are very formal, taken word-for-word from strategic documents, legal acts, and development plans. On one hand, it is positive that OGP commitments coincide with official policies, providing aims and indicators that are regularly monitored and reported on. On the other hand, stakeholders perceive that no problem is solved and no commitment can be regarded as completed by approving a formal document. Rather, the follow-up and supporting measures (advice, consultations, training, guidance material, etc.) are far more important to ensure the implementation and gradual move towards targeted results.

Based on stakeholder discussions, stakeholders identified several measures and activities as priorities for the next iteration of the action plan:

Recommendation 1. In the field of public integrity, include specific measures in the ACS and OGP action plan that specifically target local municipalities.[2] Municipalities have a lower awareness of corruption risks and potential conflicts of interest, both of which have been constant concerns expressed by the State Audit Office and Transparency International.

Recommendation 2. Install mechanisms for ensuring and reporting on political accountability and whistleblower protection.

One of the interviewed stakeholders from Transparency International finds that the main problem concerning anti-corruption issues is the lack of political will to improve regulations and anti-corruption measures that apply to the politicians themselves. An example of this is the failure to change regulations on financing of political parties; supervision over parties' cash flows and campaign costs has remained weak and insufficient. The role of the Supervisory Committee on Party Financing is mainly formal.

Stakeholders find that the case of People´s Assembly (please see Government Report, Appendix 1) offered some valuable lessons in open government. As the problem of illegitimate party financing still remains unsolved, there is clear need for ensuring

whistleblower protections and putting in place a stronger monitoring system on financial reporting.

The government may find a potential new commitment in the Anti-corruption Strategy, which foresees measures for enhancing transparency of political party financing. The strategy also plans for regular analysis of relevant, publically funded, political financing legislation and evaluation of efficiency of current monitoring and sanctioning system.

Recommendation 3. Adopt the Ethics Code for members of Parliament.

A team of parliamentary members has drafted integrity guidelines for members of Parliament. However, the initiative has been laid aside with arguments that ethics cannot be regulated.

The government envisages the draft code to be a set of practical instructions, but stakeholders propose that it could be connected with OGP principles on transparency and accountability. The code would also create a basis for further regulations on lobby and avoiding conflicts of interest related to parliamentarians' work.

Recommendation 4. Support new and innovative methods and channels for e-participation. Develop practical guidelines for public sector institutions on how to interact and consult with citizens online and embed social media channels in public sector communication.

As an example, the stakeholders recommend for Parliament to go online with its own public consultations. Government should launch a pilot program in organising public consultations for cross-agency-strategies on relevant topics (e.g., green paper on open data or green paper on public services). Currently, some cities are experimenting with participatory budgeting. The government could make this model available for wider use by local municipalities and on the national level.

Recommendation 5. Make practical steps to ensure implementation of the Concept of Quality Legislation.

This activity would entail compiling and publishing clear work procedures for the government to engage the public in preparing legislative proposals. The Anti-Corruption Strategy refers to the topic of better transparency of public sector decision-making in order to prevent corruption risks.

One of the existing OGP commitments (the overview of ministries' work processes) strives to provide easy access to information for interest groups and CSOs that the government has consulted in various stages of the policy-making process. In order to achieve practical results, the government should use ICT tools to create a visual process of the policy cycle online and make it accessible to the general public.

Stakeholders also propose to form a direct link between electronic channels for public consultations and government channels for processing of legislation.

Recommendation 6. Carry out crowdsourcing and engage citizens in order to define the need for and use of open databases.

Public sector institutions, especially the Ministry of Communication Affairs (MCA) which is the lead agency for open data development, should stimulate re-use of published data and

support creation of open data applications by civil society and businesses. Stakeholders also recommend including special applications that support the use of data, i.e., evidence-based data, for policy decisions.

Stakeholders recommend analysing the municipalities' present situation in the framework of open data and considering inclusion of specific standards for opening up data that would meet the needs of municipalities. This initiative should come from the government, who should lead it and engage local government representatives in the course of compiling the standards.

Recommendation 7. Provide guidance for re-engineering public services.

Stakeholders recommend compiling and publishing an abridged, edited version of the GP on public services that addresses the main principles of service design and criteria to achieve user-centric approach. This work version would be meant for average users—citizens, community activists, and local government officials who need to understand the main points without previous competence on service design.

The handbook should contain instructions for digitalization and for upgrading existing services to meet established standards. The government must provide more guidance to municipalities´ administration on the process design and engaging citizens and user groups in the co-creation of services.

General recommendations for enhancing potential impact of OGP

Based on stakeholder meetings, the IRM researcher collected feedback on the process and content of the action plan. The synthesis of these critiques and suggestions falls largely into two main categories:

- The process of compiling and renewing the action plan, including involved target groups, methods, and agenda for consultation
- The scope and content of the action plan in order to address the aims of OGP

The researcher recommends that the government take the following recommendations into consideration while drafting the next action plan:

Stakeholder Engagement:

Recommendation 1. **The government should reach out to the public for while renewing the action plan.**

The government should draft the next action plan in collaboration with stakeholders, involving a great number of them. It also should make an effort to outreach to stakeholders beyond the usual civil society umbrella organisations and special issue activists.

In the first iteration of the OGP action plan, the range of civil society organizations (CSOs) that actually participated, or genuinely were involved, was low. Only when civil society activists created the Civil Society Roundtable (CSR) was non-governmental participation achieved. As government consults a broader audience while developing open government initiatives, it is more likely the process will yield a variety of endeavours towards open government goals. Consulting a broader audience would ensure that the government would better address diverse needs in its commitments. It is also likely to produce better results

since relevant stakeholders have an incentive to stay engaged, the incentive being the opportunity to monitor implementation.

Sub-national level administrations and their local and regional civil society partners should be engaged in the process of drafting the future OGP action plan. Local municipalities have a dual role. On one hand, they are implementers of government commitments and should be consulted as partners to the government in designing the activities. On the other hand, they have an autonomous role in providing access to information and render services for citizens. In order to better fulfill both functions and contribute to the challenges and values of the OGP, sub-national administrations and their local and regional civil society partners need to be involved in the OGP process as stakeholders.

More stakeholders should be identified from the private sector. For example, those already engaged in creating apps that enable greater public participation and feedback on public services, or create open data applications based on government data and registers.

Recommendation 2. Provide a clear agenda for consultation and engage in proactive communication.

The government contact point should publish the agenda for creating and consulting with stakeholders on the action plan and should communicate the call to participate to a variety of stakeholders. This will give any interested actors from civil society and the business sector a genuine opportunity to provide input to the action plan. The government contact point or other authority figure should draft and implement a communication plan to support general awareness and engage a wider range of stakeholders in OGP topics.

Poor communication with potential stakeholders has been a challenge for the OGP process. The general public and the national and sub-national administrations are not aware of OGP. As a result, OGP implementers should raise awareness for specific commitments among stakeholders and interested groups and individuals.

The communication plan should explain the aims and challenges of OGP in clear and simple language and indicate honest commitment of the government towards its values. The communication plan should define all identified stakeholders and make the case for other potential stakeholders to engage with the OGP process. The plan should provide opportunities for target groups to stay informed, be consulted, or take an active role in collaborating with relevant government actors in the implementation.

The Government Office should lead the overall communication plan, and relevant agencies should carry out the communication activities on specific commitments.

Recommendation 3. The government should create space for CSOs to engage on the implementation and monitoring of the commitments.

Stakeholders recommended that civil society more actively facilitate between national and sub-national levels, bridge the legislative division between Parliament and government, and demand a more co-ordinated effort on the part of government agencies. They also proposed to create a multi-stakeholder forum to convene central government officials, civil servants in local municipalities, and non-state actors to discuss issues in the course of implementing commitments.

The researcher recommends setting up a mechanism for facilitating participation of non-government stakeholders. The co-ordinating and facilitating role could be outsourced to a

civil society or expert organisation that is capable of carrying out well-designed participation processes. This role should be transparently funded as a task related to OGP.

Ownership and Scope of OGP

A major challenge relates to the ownership and leadership of the OGP process.

Recommendation 4. Define clear responsibility and ownership by one lead agency, and set up a transparent mechanism for co-ordination of the OGP.

In general, co-ordination of the OGP means linking OGP commitments with strategic documents that address policies within the framework of OGP. In the case of Estonia, these are linking commitments with strategic documents that address anti-corruption and transparency, develop information society, enhance public administration practices, and support civil society development.

The Government Office has the role of engaging with other ministries in monitoring the implementation of national-level strategic documents. The ministries and agencies are also the owners of specific commitments in the selected areas of the action plan. Therefore it is logical that the Government Office should take clear ownership in both the content of the action plan and the process of consultation.

However, the Government Office will need support and collaboration from other agencies. In cases where there are new areas and challenges identified in the next action plan, relevant agencies should actively take responsibility for relevant commitments. For example, in the area of financial accountability (e.g., open spending and budget transparency), the Ministry of Finance would be the lead agency. In the area of local governance, the Ministry of Interior and the Minister in charge of Regional Affairs are the main partners and should take ownership of relevant commitments. They would be responsible to engage sub-national administration (i.e., municipalities and their associations) in the process.

Stakeholders recommend overcoming the formal attitude by government officials that the action plan should include only government institutions. Since OGP is not a formal planning document and does not have an official status, there should not be administrative hurdles to expand the scope—both in the challenges and topic areas and also by other governance branches.

Recommendation 5. Expand the action plan by sub-national level activities.

As the central level administrator for the government compiled the OGP action plan, it has by-passed other branches of power that are important in ensuring open government principles.

Largely missing in the current action plan is considering the needs of the subnational level. Local municipalities are autonomous in their decisions in the area of open governance, public services, and public participation. These efforts cannot be centralized. Rather, local municipalities need stronger co-ordination and peer exchange to improve local governance and adopt the principles of OGP.

There are several local level initiatives (e.g., applications for reporting maintenance problems, Good Practice of Participation Codes in municipalities) that should be taken on

board the OGP.

Stakeholders must consider whether municipalities would follow the same set of challenges and criteria that is set for national governments. The stakeholders proposed to be flexible in adapting the OGP plan to municipalities, since they may have priorities that differ from the central government.

Recommendation 6. Expanding the action plan with Parliament activities.

Stakeholders recommend bridging the gap between legislative and executive branches and engaging Parliament in the renewal and further elaboration of OGP.

The aim is to widen the scope by actors who have an important role in promoting the values and addressing the grand challenges of OGP as an umbrella programme. In the area of open legislation, Parliament should engage in OGP to ensure that legislative processes are transparent and enable civil society participation in policy-making.

Ambition of level of commitments and overall action plan

Since the government developed the first action plan on a tight schedule and without clear ownership of it by a government entity, the action plan's aims and scope lacked focus and ambition. The evaluation of the initial action plan indicates that the ambition and vision were losing to the pragmatic approach of taking the business-as-usual approach to the OGP commitments.

In stakeholder´s words, "The current plan and consequent government report gives an impression of dutifully completing a tick-the-boxes exercise. It is a pro forma document that reflects the lack of enthusiasm by the government."[3]

In most cases, the commitments were pre-existing and related to areas where Estonia is already a top performer, such as digital access to public services and disclosing public information online. Stakeholders expressed their detachment from commitments such as "adopting a green paper on policy," since it does not convey what aims will be achieved by such a document, nor the potential benefit for citizens. According to stakeholder views, documents and strategies are means to an end, not the actual aim for which OGP commitments stand.

Recommendation 7. Estonia should select OGP-related topics that are regarded as ambitious (i.e., exceeding the present rate of performance).

Stakeholders recommend that the most important commitment be a commitment by the political elite to OGP values. Since the general awareness level for OGP is low, OGP could gain recognition by making commitments more ambitious and selecting the right focus for them. High-priority commitments, in turn, would trigger political attention towards the challenges and set some real changes in motion.

Without striving for such commitments, it is not clear what value OGP can add to open government practice and democratic innovation. The appropriate level of ambition should be set in close collaboration with stakeholders, not by government alone.

Measurement of commitments and OGP goals

Recommendation 8. Set clear baselines with associated indicators and target level of achievements of commitments.

In the next iteration of the action plan, the government and stakeholders should work out a robust set of indicators and methods for verifying progress. By defining priority problems, setting clear objectives, and attaching appropriate indicators to get feedback on the progress, the OGP values would be better addressed and brought closer to stakeholders. In the process, some existing commitments may be abandoned, some re-structured, and some added.

The timelines for reviewing OGP commitments and the timelines for reporting on Government Programme and relevant strategies that specify the commitments and allocate resources, should be aligned whenever possible. This way, the main strategies of OGP would be better connected. On the other hand, it sets a logical agenda for follow-up and evaluation where civil society actors should be involved.

---

1. Estonian Civil Society Development Concept, https://www.siseministeerium.ee/29949/
2. Anti-corruption Strategy 2013–2020 and implementation plan, http://bit.ly/HWv5Qn
3. Interview with Birgit Rosenberg and Tarmu Tammerk of Transparency International

ANNEX: METHODOLOGY

As a complement to the government self-assessment, an independent assessment report is written by well-respected governance researchers, preferably from each OGP participating country.

These experts use a common OGP independent report questionnaire and guidelines,[1] based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants— governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

Introduction

The IRM researcher's analysis of the progress of OGP action plans combines interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Stakeholder Selection

The researcher organised two focus groups in order to have a multi-stakeholder approach in the analysis and to make space for diverse views of civil society stakeholders.

The first gathered non-government individuals, non-government organizations, and civil servants that have been close to the OGP process and have collaborated in the preparation process for the action plan.

The second focus group was arranged with those civil society organizations that are not familiar or directly connected with the OGP and are not actively participating in the CSR. However, they are involved in the OGP challenge areas and take interest in specific topics connected to the OGP action plan.

Stakeholder Meeting One

The first focus group took place on 14 October 2013.

Attendees:
Mall Hellam, Open Estonia Foundation

Andri Maimets, Open Estonia Foundation
Aet Kukk, Center for Human Rights
Urmo Kübar, Network of Estonian Non-profit Organisations
Triin Noorkõiv, Government Office
Juhani Lemmik, Government Office
Evelin Andrespok, Estonian Roundtable for Development Cooperation
Kristina Narusk, Estonian Service Industry Association
Kaarel Haav, Education Forum
Eva-Maria Liimets, Ministry of Foreign Affairs
Liia Hänni, e-Governance Academy

The focus group discussed lessons learned from the process of collaboration of the action plan, shared feedback on the implementation of the first phase, and commented on the future iteration of the plan and potential new commitments. Topics discussed included the following:

- The co-ordination mechanisms have begun functioning, but the process still lacks leadership and clear responsibility. The formal status of the OGP action plan is vague and the lack of ownership has consequences on CSOs' motivation to participate in the OGP activities.
- Should stakeholders be supporting more ambitious goals and commitments? (E.g., In case the plan will include proposals that civil society has contributed, how will the plan be backed by resources?)
- It is vital to engage diverse stakeholder groups and raise awareness for the new phase in OGP activities.
- The reviewing of the OGP action plan should be linked with the Government Programme and the process be made accessible for the public.
- The issues of and need for open government must be better communicated; the formal document (OGP action plan) is not as important as a clear indication of government striving towards OGP values.
- Further priorities should emerge from the process of renewing the OGP action plan, rather than one of new ideas proposed by the government (such as the flagship commitment of creating a digital register of declarations on economic interests).

Stakeholder Meeting Two

The second focus group took place on 22 October 2013.

Attendees:

Margus Lehesaar, Ministry of Interior, Department of Information Society for Municipalities

Sulev Valner, Ministry of Interior, special advisor on the sub-national administration reform
Katre Eljas-Taal, Technopolis Group Estonia
Karin Tenisson-Alev, Administrative Secretary, Saku Parish
Kristjan Rebane, Head of Information Society Studies, Tallinn Technical University
Jaagup Irve, MTÜ Internetikogukond (Estonian Internet Community, CSO)
Imre Tabur, MTÜ Eesti Infotarbijate Ühendus (Association of Estonian Information Consumers, CSO)
Meelika Hirmo, Teeme Ära (Estonia) and Lets Do It World (International)

The second focus group discussion followed the same structure as the first one:

- Should the renewed action plan include any activities from the challenges that were not selected as focus areas?
- What topics are missing from the commitments that could address the challenges and values of OGP?
- What are the most important activities in the current OGP action plan?
- What is the use of OGP commitments for CSOs?
- Focus group participants reflected on the current outcomes and the impact and ambition level of OGP.

Interviews

To support the stakeholder meetings and collect information from a diverse range of interest groups, the researcher conducted three semi-structured interviews:

> - Birgit Rosenberg, project co-ordinator in Transparency International Estonia, and Tarmu Tammerk, Estonian Public Broadcasting, media ombudsman, member of the Board of Transparency International Estonia Chapter, 23 October 2013
> - Indrek Mustimets, head of communications in Tartu City, the second largest city in Estonia, 25 October 2013
> - Kristi Grishakov, expert in urban planning, head of landscape architecture in Tallinn Technical University (via e-mail)

In order to gather knowledge to support the fact-finding process, the researcher conducted semi-structured interviews with public officials in charge of OGP key activity areas:
> - Siim Sikkut, Government Office Strategy Unit, advisor in Information Society, 10 October 2013
> - Janek Rozov, Head of Department for Information Society Services Development and Karin Rits, Head of Information Society division, Ministry of Economy and Communication Affairs, 23 October 2013

Sources
The IRM researchers consulted the following sources in the preparation of this report:

Anti-corruption Strategy 2013–2020 and implementation plan, http://bit.ly/HWv5Qn

Civil Society Development Plan 2011–2014 and implementation plan, https://www.siseministeerium.ee/public/KODAR_VV_EN.pdf

Estonian Information Society Yearbook 2011–2012, http://www.riso.ee/en/yearbook-2011-2012#.UnpJqfnIYfG

Green Paper on the organisation of public services, http://www.mkm.ee/public/ATKRR_2013.pdf

GRECO report Fourth Evaluation round, "Corruption Prevention in Respect of Members of Parliament, Judges, and Prosecutors," Evaluation Report Estonia, 2013, http://bit.ly/1gUy0Ie

Government OGP action plan,
http://www.opengovpartnership.org/country/estonia/action-plan

Government Self-Assessment Report,
http://www.opengovpartnership.org/country/estoniaself-assessment/self-assessment

Government Programme, http://valitsus.ee/en/government/Programme

National Integrity Assessment System Estonia, Transparency International Estonia, 2012.
http://issuu.com/transparencyinternational/docs/2012_nis_estonia_ee?e=2496456/3430027

Strategy of Information Society 2009–2013 and Implementation Plan,
http://www.riso.ee/node/4132

Strategy of Information Society 2014–2020 (draft version),
http://www.riso.ee/et/infouhiskonna-arengukava-2020-avatud-konsultatsiooniks

Rica Semjonova, The Effectiveness and Impact of Estonian E-services, Tarmo Kalvet. Marek
Tiits, Hille Hinsberg (ed.), Tallinn, IBS, Praxis, 2013, http://bit.ly/I7ltBK

Anneli Sihver, Ethics Training for Public Officials, OECD Anti-corruption Network for
Eastern Europe and Central Asia (ACN), 2013,.http://bit.ly/1fJY45A

TNS Emor, Roles and Attitudes in Public Service, 2013, http://bit.ly/17yYBSC

Uuno Vallner, "Open Data—A Step Toward the Internet of the Future," *Information Society
Yearbook 2011–2012*, 2013, http://bit.ly/18l7pzj

Uuno Vallner, Open Data Repository, 2013, Information Society Yearbook 2011–2012,

http://bit.ly/17IYCc9

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close co-ordination with the researcher. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

---

1. Full research guidance can be found at http://bit.ly/120SROu