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Open Response, Open Recovery

Building Trust as the Antidote to COVID-19

Executive Summary

The COVID-19 pandemic has compelled governments and citizens alike to take unprecedented, mitigating actions. In their shared struggle, mutual trust between government and citizenry can be key for successful, mutually-reinforcing response and recovery.

"Open Response, Open Recovery" can build mutual trust: transparent and accurate disclosure and directives by government empowers citizens to take responsible, mitigating action to curb contagion; citizens empower governments to unleash emergency powers, mobilize massive medical care and launch big stimulus packages, while governments act with integrity, open themselves to public scrutiny and roll back emergency powers after the pandemic.

In this review, we examine concrete and practical ways in which openness — through transparency, citizen engagement and oversight — can help tackle three stages of the pandemic response, recovery and longer-term reform. Our review is anchored in nearly a decade of experience with the Open Government Partnership (OGP), including over 4,000 open government reforms co-created by government reformers and civil society across 78 countries, as well as over 200 approaches crowdsourced in the ongoing COVID-19 response.

Open Response:

Curbing contagion: In China, Iran, and the U.S, the initial period of political denial delayed disclosure of threats to citizens, jeopardizing lives. In contrast, South Korea and Taiwan empowered citizens to take mitigating actions through proactive, transparent, and reliable information. In ongoing COVID-19 responses, we see OGP countries making such efforts through, for instance, dashboards with real-time data on infections, deaths, locations, and accurate and open daily press briefings.

Procuring emergency medical supplies: As governments scramble to procure scarce emergency supplies, open procedures can build trust. For example, Ukraine's anti-corruption reforms require emergency contracts be published and shared as open data. Civil society monitors medical procurement and tracks price differences for COVID-19 tests and supplies.

Providing safety nets for the vulnerable: Past OGP commitments: integrated budget disclosure for poverty programs (Indonesia); supported participatory budgeting for local poverty programs (Philippines); mobilized social audits and citizen feedback on national poverty program (Paraguay); solicited pain points from the homeless in designing city services (Austin, US); and disclosed data on domestic violence impacting women (Ecuador), relevant given its spike during COVID-19.

Open Recovery:

Stimulus Packages: Integrating open government practices can ensure that resources are used for intended purposes, building citizens' trust. Open contracting can empower citizens to search contracts and report violations; in Ukraine this saved $1 billion in two years and 82 percent of entrepreneurs reported reduced corruption. Transparency in company ownership (UK, Slovakia) and lobbying (Ireland, Chile) ensures public funds are not captured by the politically connected. Past OGP commitments: integrated fiscal transparency (US Recovery and Reinvestment

Act) and the needs of marginalized groups (South Africa Justice Coalition) in stimulus packages; and integrated citizen oversight (The Philippines) and participatory planning (post-Tsunami Aceh, Indonesia) in disaster relief.

Aid flows: As countries receive enhanced aid for recovery, transparency and civic oversight can build trust of citizens and donors alike. In Italy, the government disclosed, via an open online platform, the details of 1 million projects financed by 100 billion euros of EU funding, and empowered citizens to become on-the-ground monitors of the projects through a massive public awareness campaign. In Kaduna Nigeria, citizens use a mobile app to provide feedback on projects to the government for corrective action.

Open Reform Over the Long-Term:

As societies recover, they need to re-empower citizens by rolling back restrictions on civic freedoms and new surveillance mechanisms that were instituted to curb contagion. To build resilience in responding to the next disaster, they need to protect whistleblowers, scientists, and independent media.

As we move through the phases of this pandemic, we will share real-time, practical learnings from ongoing responses. This call-to-action provides a list of where stakeholders can start.

We hope you will join us in shaping a new governance model that places citizens at the heart of government, that builds trust – underpinned by openness – as the most powerful antidote to COVID-19.

COVID-19 CALL-TO-ACTION

Open Response

- ✔ Ensure proactive and accurate disclosure of information
- ✔ Facilitate open platforms to mobilize community assistance for healthcare workers and the vulnerable
- ✔ Make emergency procurement of medical supplies public and open
- ✔ Integrate transparency, inclusion and oversight in safety nets

Open Recovery

- ✔ Integrate transparency, citizen engagement and oversight in:
  - Economic stimulus packages
  - Health systems strengthening
  - Aid and budgetary flows
- ✔ Advance core open government practices through:
  - Open budgets
  - Open contracts
  - Beneficial ownership transparency
  - Lobbying transparency
  - Inclusive and gender-responsive approaches

Open Reform (over the long-term)

- ✔ Rollback state surveillance, establishing clear dates and protocols
- ✔ Restore citizens' freedom of speech, assembly and association, and access to information
- ✔ Protect whistleblowers, scientists, independent media and oversight institutions
- ✔ Introduce transparency, participations, inclusion and oversight in critical sectors

Introduction

The coronavirus pandemic has caused untold suffering in the lives of citizens across the world, causing loss of loved ones, loss of jobs, and loss of peace of mind. While essential workers are valiantly providing vital services – from health care to food supplies – on the frontlines, citizens also face the onus of taking life-saving mitigating actions, from home-quarantines and caring for their ill to making ends meet amidst layoffs. At the same time, the vital role of government in protecting and supporting its citizens has never been more compelling. Across North and South, across developed and developing countries, across ideological divides of left and right, there is consensus on the imperative for strong, decisive government action to stem contagion, mobilize massive medical treatment for the infected, protect the most vulnerable, and stimulate economic recovery to revive jobs.

But how are governments engaging and empowering citizens who they have a responsibility to protect and help, and how are citizens relating to their government in the spirit of mutual trust? How can governments and citizens work together in this shared struggle?

Globally we are witnessing a wide array of approaches that governments are adopting in this pandemic to control or empower their citizens – from totalitarian surveillance and control in China to laissez-faire reliance in Sweden on an informed citizenry to take responsible action. These approaches reflect a wide diversity of political regimes and different levels of civic engagement, social cohesion, and technological penetration. The effectiveness of these approaches will likely depend not on the type of regime as neither autocracies nor democracies have been unambiguously successful even in these early stages. Rather, effectiveness will ultimately depend on a range of underlying factors such as state capacity, including the strength of healthcare systems and the degree to which citizens trust the state and their leaders.

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> Tackling a social calamity is not like fighting a war which works best when a leader can use top-down power to order everyone to do what the leader wants — with no need for consultation. In contrast, what is needed for dealing with a social calamity is participatory governance and alert public discussion.
>
> NOBEL LAUREATE AMARTYA SEN

Across these pandemic responses, citizens represent not just passive subjects or beneficiaries of governmental action and control, but vital and active agents, partners, and allies in this shared struggle – taking responsible action to protect themselves and others to curb contagion, shaping and overseeing governmental recovery efforts to follow. Key to successful response and recovery lies in both catalyzing this widespread desire among citizens to be useful contributors and building trust in government action. Prior to the pandemic, citizen trust in institutions had plummeted to historically low levels in many countries, which risks undermining the potential of citizen engagement in the response and recovery. Open government approaches – "Open Response, Open Recovery" – can help build trust and empower citizens. It can create an environment in which: citizens trust and respond to transparent, trustworthy, and proactive disclosure and directives from government to stem contagion, and government trusts citizens to take responsible action; and, citizens empower governments to unleash emergency powers, big stimulus packages, and far-reaching safety nets, while governments act responsibly with integrity, open themselves to public scrutiny, and roll back emergency powers after the pandemic has subsided.

Trust – underpinned by openness – must be the basis of the new social compact necessary to drive a lasting and effective response to COVID-19. It can help tilt a longer-term shift to a governance model with citizens more at the center.

In this context, we will review early COVID-19 responses as well as lessons from past interventions to examine how open government approaches can build trust and enhance the effectiveness of pandemic response and recovery. The

Open Government Partnership (OGP) has already crowdsourced over 200 open government approaches in the ongoing COVID-19 response from our community of 78 countries, local governments and thousands of civil society organizations. Additionally, we considered relevant lessons from 4,000 commitments over the past nine years across over 250 OGP action plans co-created by government and civil society reformers to make governments more open, participatory, and responsive to its citizens.

In the following series, we examine how open government approaches – combining government transparency and citizen participation and oversight – can help tackle three different stages or components of the pandemic response and recovery:

• Open Response: curbing contagion, scaling medical treatments and care, providing safety nets to the vulnerable

• Open Recovery: advancing economic stimulus and recovery, strengthening health systems, enhancing transparency and accountability of aid flows

• Open Reform over the long-term: reforming institutions and re-empowering citizens by rolling back state surveillance and restoring civic freedoms and independent oversight
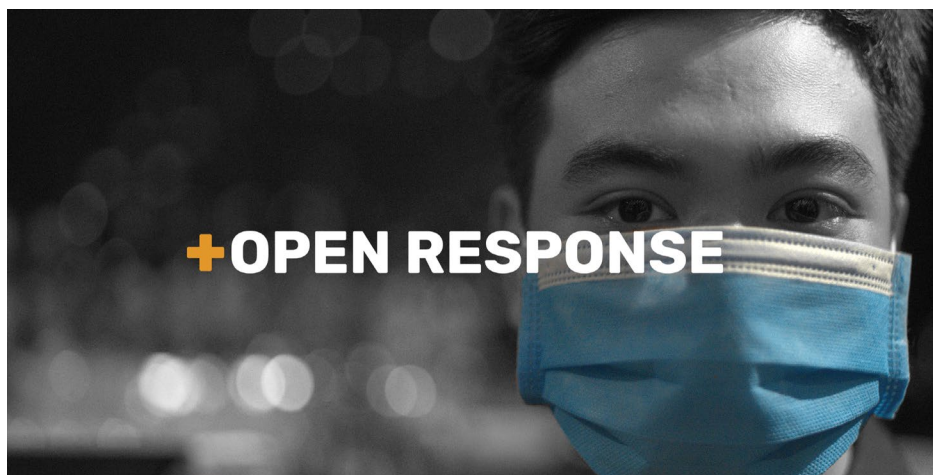
OPEN RESPONSE

Curbing Contagion:
Empowering Citizens with Proactive,
Accurate Information

Even in the early stages of the virus' global spread, we have seen the devastating human cost of failures in government transparency and early action. We have seen some governments downplay or hide the seriousness of the pandemic, delaying disclosure of risks and threats to citizens, jeopardizing citizens' lives that could be saved with proactive disclosure and early actions.

In China, Iran, and the U.S., the initial period of political denial allowed the virus to spread unchecked. In China, those who attempted to blow the whistle early were threatened and critical information flows to the public were blocked. In contrast, governments like South Korea and Taiwan have taken the opposite approach – of proactive, clear, transparent, reliable information to empower citizens to take mitigating actions.

These diversity of approaches and results reflect different configurations of mutual trust between state and society and different degrees to which citizens have been empowered.

For example, in late January after its initial failure to curb contagion and inform the public, China unleashed massive state authority to impose lockdowns and deploy surveillance tools on its citizens, including monitoring people's smart-phones, using hundreds of millions of face-recognizing cameras, and obliging people to report their body temperature. At the same time, the state also mar-shalled huge numbers of citizen volunteers and healthcare volunteers.

In South Korea, the government's success is largely anchored in extensive test-ing which was used for isolation and widespread contact tracing to break chains of transmission. But South Korea also relied heavily on transparency, citizen engagement, honest reporting and the willing cooperation of a trusting public. Participation was secured through openness and transparency, including daily public briefings and an extensive information awareness campaign aimed at effective social distancing.

Taiwan has managed to maintain remarkably low levels of infections and deaths not through top-down control, but through government transparency, which built public trust and empowered social coordination. For example, through the Face Mask Map, the government disseminated real-time, location-specific data to the public on mask availability, empowering citizens to collaborate and reallocate rations through trades and donations to those who most needed them.

While these approaches are being deployed in real-time now in response to a unique pandemic, there is precedent we can draw upon on how openness and transparency can save lives. For example, in 2001 in the UK, a public inquiry found that the mortality rates of babies undergoing heart surgery at the Bristol Royal Infirmary were double that of similar procedures performed elsewhere. Following the inquiry, heart surgeons across the National Health Service started publishing data on mortality rates from heart surgeries so people could make better informed choices. As a result, the death rates of babies undergoing heart operations dropped dramatically by 33 percent. Empowering citizens with proac-tive and accurate disclosure of information can save lives.

In our crowdsourcing of the ongoing COVID-19 response in OGP countries, we see governments making efforts at clear, accurate, and transparent public com-munications to inform, educate, and partner with the public, anchored in robust scientific evidence and expertise. Illustrative examples that OGP stakeholders are reporting include:

• Dashboards with real-time data on COVID-19 cases on infections, deaths, loca-tion (Argentina, Canada, Côte d'Ivoire, Italy, Jordan, Peru, South Africa, Tunisia)

• Accurate and open daily press briefings to inform the public and combat disinformation (Singapore, South Korea)

• Whatsapp and Facebook Chatbots to answer frequently asked questions related to the pandemic (Buenos Aires – Argentina, Morocco, Ukraine)

• Virtual maps to allow the analysis of COVID-19 data, including quarantine places, number of sick and recovered persons, medical staff in each municipality (Lithuania)

Scaling Medical Treatments and Care: Mobilizing Civic Engagement and Oversight

Scaling medical treatment and care for an exponentially growing number of infected patients lies at the core of the societal challenge. The pandemic is pos-ing an excruciating strain on the health systems across nations. We are seeing two areas where open government approaches can help: (i) mobilizing commu-nity assistance for care; and (ii) making emergency medical procurement public and open.

<u>Mobilizing community assistance for medical care</u>: Across countries, brave but overstretched doctors, nurses, therapists, and other frontline responders battle selflessly to care for patients. The pandemic has unleashed a new sense of community support, often facilitated by technology and apps. In early, ongoing COVID-19 responses crowdsourced from the OGP community, we see various open platforms to mobilize community assistance for healthcare workers and the vulnerable. Illustrative examples that OGP stakeholders are reporting include:

- App and open source platform for doctors and hospitals to monitor remotely at-home patients with suspected or actual infection (France, Italy)

- Platform to support healthcare workers with day care of their children (France)

- Volunteer platforms to serve the elderly who are ill (Bulgaria, Georgia)

- Country hackathons to mobilize critical workers, community care, and civic-tech innovations (Colombia, Estonia, Germany, Latvia)

- Worldwide crowdsourcing of solutions to address the diminishing stock of medical equipment through Open Source COVID-19 Medical Supplies (global Facebook group)

<u>Making emergency medical procurement public and open</u>: Procurement has become a life or death issue in many countries' response to the coronavirus pandemic. Shortages of personal protective equipment for frontline workers, ventilators, and testing capacity have hampered the response. Governments rushing to procure these vital resources, forgoing normal safeguards used in procurement contracts, can lead to bid rigging, kickbacks, and counterfeit supplies. For instance in 2010, the Global Fund paid millions of dollars to procure 6 million insecticide-treated nets against malaria in Burkina Faso, but nearly 2 million nets turned out to be counterfeit.

To tackle these challenges as governments scramble to procure emergency supplies quickly, they must make these procedures public and open to maintain public trust. For example, Ukraine's anti-corruption reforms oblige all emergency contracts to be published in full and shared as open data. Civil society has developed a <u>business intelligence tool</u> to monitor medical procurement and emergency spending. Now they can track price differences for COVID-19 tests and other critical medical supplies to ensure that authorities are committed to filling treatment centers, not private pockets. Civil society is serving as a valuable ally in ensuring resources are used for their intended purpose, even while some elements within government are accused of malpractice.

In Latin America, Transparency International has convened a taskforce from 13 countries to identify risks in emergency public procurement in response to COVID-19 — opacity, hidden contracts, overpricing, collusion, and lack of competition — and measures to mitigate them.

Providing Safety Nets for the Vulnerable: Including and Empowering the Excluded

The economic shutdown related to COVID-19 has devastated the lives of the poor and vulnerable who are least able to weather the shock. Already vulnerable groups are now losing their jobs without money to survive beyond the next few days. In India, the biggest lockdown in history of 1.3 billion people has left many millions of migrant workers unemployed and stranded in megacities, forced to take risky, long journeys back to their remote villages. For such vulnerable groups, poverty and hunger risk killing them before COVID-19 does.

In response, governments are already putting in place emergency measures to provide safety nets – from feeding programs and payroll subsidies to unemployment insurance. Illustrative examples that OGP stakeholders are reporting include:

• Converting state-issued IDs into debit card to provide basic support for medicines and groceries for the vulnerable (Panama)

• Simplified application forms for unemployed workers affected by the shutdown (Ireland)

• Creation of a special fund to help families in need (Lithuania)

• Citizen-driven voluntary committees to deliver food to vulnerable groups (Jordan)

A central priority must be to ensure transparency and civic oversight of these programs to ensure that they actually reach people in need. Examples from earlier OGP commitments include:

• Publication of budget allocation and results of targeted poverty reduction programs, with provisions for citizens to monitor and request information (Indonesia)

• Citizen participation and monitoring of the National Program for Poverty Reduction, including through social audits and citizen feedback mechanisms (Paraguay)

• Participatory budgeting for local poverty action plans in 595 municipalities (Philippines)

• Public dissemination of more than 1,600 indicators on welfare programs to allow journalists and citizens to monitor progress (Uruguay)

• Homelessness mapping systems to crowdsource inputs from the homeless and impacted communities on quality of services (City of Austin, United States)

Efforts to protect the vulnerable during the pandemic must include preserving open public discussion and an independent media as vital oversight mechanisms to amplify the plight of those most at risk. As Amartya Sen notes, building on his path-breaking work on how famines were averted in post-independence India, "even though only a minority may actually face the deprivation of a famine, a listening majority, informed by public discussion and a free press can make a government responsive."

Any agenda supporting those left vulnerable by COVID-19 must not be limited to the economically disadvantaged, but also those socially impacted. For instance, one devastating impact of COVID-19 shelter-in-place orders is a significant rise in family and domestic partner violence around the world, which disproportionately impacts women. Stakeholders can draw upon past OGP commitments to enhance services for survivors of domestic violence, such as Ecuador collecting data on the prevention and eradication of violence against women and gender communities.

OPEN RECOVERY

Transparency & Accountability
in Stimulus Packages

The pandemic will likely cause a significant global depression, which will inevitably require a massive stimulus to revive economies. Speed and responsiveness appropriately take center stage in jumpstarting recovery. However, transparency and public oversight of stimulus packages are key to ensuring that resources are put to good use and citizens' trust in government is sustained. In practice this means that internal control mechanisms in public spending may be made more flexible, while audit trails are kept and public funds are audited. But this also requires transparency in terms of who gets the bailouts and subsidies, how the decisions were made, and whether the money is being used to reward the political elite or contributors to political campaigns. Stimulus and recovery programs must also address ongoing inequality challenges which have been exacerbated under COVID-19, such as inequities in those who are tested and those who are not, in the wealthy retreating into their homes while workers who don't get paid sick leave deliver their food, or in the children from lower-income households struggling to connect to online digital classrooms so they may learn with the rest of their peers, among many others.

In designing stimulus packages to respond to these considerations, stakeholders can draw upon lessons from two sets of experiences in OGP: an accumulated body of core open government reforms and specific experience from past OGP commitments on stimulus packages and disaster-relief programs in particular.

Turning first to <u>integrating core open government practices</u> from past OGP commitments in the massive fiscal spending programs and the award of subsidies and bailouts:

• To sustain citizen trust, it is vital for the award of procurement contracts financed by massive stimulus packages to follow open contracting practices. For instance, to tackle the capture of public procurement by oligarchs, reformers in Ukraine built two online platforms (ProZorro and DoZorro) wherein all contracts are now disclosed in open data standards so citizens can search them and, importantly, report violations. In just two years, citizens cited more than 14,000 violations, resulting in $1 billion in government savings, 82 percent of entrepreneurs reporting reduced corruption, and a 50 percent increase in businesses bidding for public contracts. Seventy OGP governments have committed to open contracts.

• Building trust also requires transparency in company ownership to ensure subsidies are not being pocketed by the politically connected. For instance, the Panama Papers unmasked rampant stashing of stolen assets in anonymous companies; today 20 OGP countries, such as the UK and Slovakia, are opening

up who really owns and controls companies – allowing journalists and citizen activists to follow the money and report illicit funds.

- Lobbying transparency will also enhance citizen trust by curbing influence peddling. In Ireland, where backroom deals contributed to their financial crisis, all meetings and gifts between lobbyists and public officials are now disclosed on a public register, which all lobbyists are required to join. More broadly, it is also vital to ensure that businesses and interest groups supported by stimulus packages – such as pharmaceutical companies, airlines, and the food industry – adopt these practices of lobbying transparency and beneficial ownership transparency.

Beyond core open government practices, stakeholders can look specifically to past OGP commitments on how transparency, accountability and citizen engagement, including amplifying the voice of those traditionally excluded, have been integrated in post-disaster relief and stimulus packages. Notable examples of this work include:

- In the U.S. as an element of the $800 billion American Recovery and Reinvestment Act, the budget was made available in an open source format on recovery.gov, providing groundbreaking transparency on federal spending in one searchable location with interactive maps.

- In Fuerza Mexico, a digital platform was set up following the earthquakes in 2017 as a means to disclose data from agencies involved in emergency relief and reconstruction.

- In 2017, the Philippines committed to greater transparency and citizen oversight of disaster management, including a digital portal with comprehensive data on disaster response and a citizens' complaints system on disaster management services.

- In Aceh, Indonesia after the 2004 Tsunami, community-led recovery through participatory mapping of risks and local planning enabled local communities to become safer and more resilient.

- In South Africa, the Budget Justice Coalition with civil society made recommendations on designing stimulus packages to focus on the needs of marginalized groups.

Health Systems Strengthening

The pandemic has exposed weak health systems in developing and developed countries alike. As countries move from emergency response to recovery, there will be a growing imperative to strengthen health systems. To that end, it will be vital to integrate transparency as well as citizen participation and oversight into these reforms so citizens receive the intended benefits, drawing on earlier OGP commitments such as:

- Facing shortages of safe drugs in government hospitals, Sri Lanka strengthened oversight by a multi-stakeholder advisory group; institutionalized a monitoring system on drug availability; and established a rating system for private pharmacies.

- North Macedonia committed in 2018 to improving its reporting standards for health programs, including user-centric impact assessments.

- In 2019, Mongolia disclosed data about health service contractors, empowered CSOs to oversee tender evaluations, and published healthcare information in a digital format.

Transparency and Accountability of Aid Flows

An integral part of recovery assistance in at least developing countries will come from enhanced aid flows. It becomes imperative for countries to put in place transparency and accountability measures to ensure that the aid truly reaches the

intended beneficiaries. For developing countries, the aid may come in the form of budget support for which core open government practices referred above such as fiscal transparency, participatory budgeting, and open contracting become vital to build trust of donors and citizens alike.

Stakeholders can draw upon past OGP commitments to enhance transparency and civic oversight over aid or budgetary flows. For example:

• In Italy in 2014, when an investigative journalist revealed that only 9 percent of EU funds were being utilized, the government leveraged OGP to disclose, via an online Open Coesione platform, the details of 1 million projects, from large infrastructure to individual student grants, financed by 100 billion euros of EU funding. The transparency effort was complemented with a massive public awareness campaign to empower citizens, including high school students through school competitions to become on-the-ground citizen monitors of projects they cared about. For example, in Bovalino, a student-led initiative ensured funds were used to equip and reopen an abandoned community shelter to serve refugees and immigrants.

• In Kaduna, Nigeria, when an audit revealed that a health clinic existed only on paper, the State Budget Director partnered with citizens to become the eyes and ears of the government. Using a mobile app, people upload photos and provide feedback on projects like roads and health clinics. This feedback goes directly to the Governor's Office and State Legislature for corrective action. In just two years, Kaduna reports record completion of 450 schools and 250 health clinics, and a 20 percent reduction in maternal mortality.

OPEN REFORM

Restoring Civic Freedoms and Rolling Back State Surveillance

Even prior to COVID-19, we were witnessing an alarming rise in authoritarianism and attacks on basic civic freedoms in over 100 countries. The pandemic has further enabled a range of governments to rapidly centralize executive power, expand state surveillance, and restrict basic civic freedoms. A glaring example is Hungary, where Prime Minister Viktor Orbán has used COVID-19 to renew a state of emergency that prescribes five-year prison sentences for those purport-edly disseminating false information or obstructing the state's crisis response. The new law allows him to rule by decree indefinitely.

As countries move from response to recovery and beyond, attention will need to focus on deeper institutional reforms to re-empower the citizens, reversing restrictions on civic freedoms and new surveillance mechanisms that have been put in place to battle the pandemic, but risk staying ensconced over time.

Two key reforms have already emerged that must be advanced to re-empower citizens post COVID-19: restoring civic freedoms and independent oversight, and rolling back state surveillance.

Restoring Civic Freedoms and Independent Oversight: A clear trend in the COVID-19 response is heightened control over free expression and the media, under the guise of fighting "misinformation" about the virus. Another concerning risk is that governments may use the current need to restrict public gatherings as a pretext to crack down on anti-government protests.

Even as governments enact emergency powers, the enabling environment to hold elected officials accountable needs to be protected. If we are to create societies that can respond to the next disaster, we need to protect the truth-tellers, the whistleblowers, and oversight institutions. We need to ensure that scientists and experts have the ability to speak to oversight bodies and the public about their concerns. Independent media organizations play a critical role in holding governments accountable, but they too face cutbacks and shutterings during the pandemic. We need to protect citizens' access to information to ensure oversight and accountability.

It is therefore critical that citizens and civil society continue to ask whether there is a specific time period after which restrictions on civic space will be reviewed and rolled back. Even prior to the pandemic, a priority in OGP was to push back against shrinking civic space – to protect and enhance citizens' basic ability to freely speak, associate, and assemble, as well as journalists and activists' ability to serve as vital intermediaries and watchdogs for citizens. Examples of OGP countries protecting or enhancing civic space:

• In South Korea, the government invited millions of citizens back to Gwanghwamun Square where candlelight protests had brought down the previous corrupt regime in 2017, asking citizens to propose policies that respond to their needs. The government continues to make concerted efforts to allow public spaces to be open to protestors.

• At a time when journalists have been harassed or killed in several parts of the world, Croatia has committed to strengthening protection mechanisms for journalists, and Mongolia committed to ensuring the independence of the media.

• Estonia has developed a national strategy for civic engagement and built the capacity of civil society to participate in policy making.

These examples are encouraging, but they are too few and far between. They need to be scaled up, particularly in the context of closing civic space in the response to COVID-19.

Rolling Back State Surveillance: Technology is playing a dominant role in the pandemic, most notably in its life-saving impact of allowing people to stay connected and work remotely to avoid getting infected or spreading infection. It has also allowed states to do contact tracing and curb the spread of the virus through state surveillance, which has saved lives. But given these enhanced state powers, how do we ensure responsible use of this state power? When will enhanced state surveillance be rescinded?

Three dimensions of risk to individual privacy and data protection that are important to mitigate include:

• *Collection and Use of Health Data:* Data collection, use, and sharing should be limited to what is strictly necessary for the fight against the virus.

• *Tracking and Geo-Location:* These can help track and curb contagion, but without proper safeguards, these tools can enable ubiquitous surveillance.

- *Tech Platforms – Apps & Websites:* While governments and tech companies work together on solutions during the pandemic (video-conferencing or disease-tracking apps), safeguards are needed to mitigate attendant risks to privacy and data protection.

These issues in the context of COVID-19 come on top of challenges that were already emerging in digital governance such as external meddling in elections, the online spread of disinformation, and threats to individual privacy. We are already seeing nascent efforts in OGP countries to tackle these, such as: Canada committing to strengthen electoral laws to increase transparency around how voters are targeted by traditional and online advertising; Australia protecting citizen rights related to how data about them is collected and used; France, the Netherlands, and New Zealand improving government's accountability to citizens with regard to using artificial intelligence and algorithms; and Mexico, following the earlier illegal surveillance of activists and journalists in 2017, committing to strengthen transparency of the surveillance systems. A group of OGP countries have joined forces to advance norms on digital governance. This could be leveraged to tackle new issues related to state surveillance, data protection, and privacy in relation to COVID-19.

Implications for OGP: Country, Thematic, and Global Levels

OGP provides a global platform that could be leveraged to advance open response, open recovery and open reform at the country, thematic, and global levels.

Country level: The pandemic has disrupted OGP co-creation processes. Fifty OGP countries were due to co-create new action plans in 2020, and that will likely be reduced to a handful at most. Even during this period, reformers involved in the OGP process, including OGP multi-stakeholder forums, can come together to work on concrete projects to make the response and recovery more open, including by adding reforms to current OGP action plans or preparing new plans. As countries resume economic activity, they can advance "open response, open recovery" by adding COVID-related commitments in action plans. This will require that civil society extend its base to broader groups of citizens impacted by COVID-19. On the side of governments, too, this will require broadening the base to ministries dealing with health, safety nets, and stimulus packages. Integrating COVID-19 related commitments in OGP action plans also holds the promise of enhancing learning and accountability through OGP's Independent Reporting Mechanism which then assesses whether governments did what they said they would.

Thematic policy level: Prior to the pandemic, OGP was seeking to advance global norms of open government in key policy areas, such as open contracting, public service delivery, access to justice, digital governance, gender, and civic space. Each of these thematic priorities remain relevant and important today. As they relate to COVID-19, they now take on additional dimension, for example:

- Ensuring open procurement of emergency medical supplies;

- Transparency and accountability in fiscal stimulus and health systems strengthening;

- Strengthening data and digital governance and tackling state surveillance;

- Tackling inequality in public services, fiscal measures and inclusion policies;

- Ensuring access to justice for the vulnerable adversely impacted by the pandemic; and

- Tackling the gender implications of the spike in domestic violence.

Global level: There will inevitably be debate about which type of political system – democracies or autocracies – would have been more effective at managing the crisis. While assessments will invariably be mixed and reliable data likely hard to come by, especially from authoritarian systems, we are already seeing

the accelerating trend towards expanding executive powers and closing civic space during the pandemic. In this context, it will be vital for stakeholders committed to openness to join forces and advocate for open government practices in the recovery and reform efforts to follow. The pandemic underscores the importance of core values of transparency and citizen empowerment, collaboration across borders, and bringing in different perspectives including scientific expertise to solve collective challenges. It therefore becomes ever more pressing for stakeholders to forge a stronger global coalition for openness, pushing for and showcasing the value of open recovery and reform efforts to follow, to make open the way of the world post-COVID-19.

Call-to-Action:
Building Trust – Through Openness – as the Antidote to COVID-19

Successful, and sustained, response and recovery to COVID-19 must include both efforts that leverage an engaged and empowered citizenry as well as those that build trust in government action. Trust in our public institutions has already suffered greatly in recent years. And a lack of trust during a crisis poses an existential risk. Indeed, building trust has never been more important – and, to that essential end, a new social compact, rooted in openness, can be the foundation for successful response and recovery.

Our review of early COVID-19 responses as well as lessons from past OGP commitments show concrete and practical ways in which openness – through transparency, citizen engagement and oversight – can build trust in response, recovery, and reform efforts. Building on these, we call on all stakeholders across government, civil society, parliamentarians, and the private sector to join forces and implement concrete actions – including through OGP action plans – to advance open response, open recovery, and open reform over the long-term. Specifically:

• For Open Response:
  ◦ Ensure proactive and accurate disclosure of information
  ◦ Facilitate open platforms to mobilize community assistance for healthcare workers and the vulnerable
  ◦ Make emergency procurement of medical supplies public and open
  ◦ Integrate transparency, inclusion, and oversight in safety nets

• For Open Recovery:
  ◦ Integrate transparency, citizen engagement and oversight in:
    · Economic stimulus packages
    · Health systems strengthening
    · Aid and budgetary flows

  ◦ Advance core open government practices through the recovery program
    · Open budgets
    · Open contracts
    · Beneficial ownership transparency
    · Lobbying transparency
    · Inclusive and gender-responsive approaches

• For Open Reform over the long-term:
  ◦ Roll back state surveillance, establishing clear dates and protocols
  ◦ Restore citizens' freedom of speech, assembly and association, and access to information
  ◦ Protect whistleblowers, scientists, independent media and oversight institutions
  ◦ Introduce transparency, participation, inclusion and oversight in critical sectors

Not only will this approach be more effective in the near term in curbing contagion, mobilizing care, and ensuring that the massive stimulus packages and safety nets reach the vulnerable, this lays the groundwork for stronger, more resilient systems over time. Decades of research have shown that more open, inclusive, and accountable societies are more resilient societies — better able to adapt to shocks, to build consensus among sectors of society, and to address the inequality at the root of so many of the disparate effects of disasters.

At its core, all of this calls for a longer-term shift to a governance model which puts citizens at the heart of government. Citizens have a vital role to play in this emergency, as they do in everyday life. And this belief is also at the heart of open government: bringing together government leaders with citizen groups from all walks of life to co-create plans and solutions so citizens are empowered to shape and oversee decisions that impact their lives. Citizens are bearing the brunt of the pandemic. Let us empower them to respond and recover. Joining forces to build trust — underpinned by openness — will prove to be the most powerful antidote to COVID-19.

Bibliography

Access Now. "Recommendations on Privacy and Data Protection in the Fight Against COVID-19." March 2020.

Brown, Frances Z, Saskia Brechenmacher, and Thomas Carothers. "How Will the Coronavirus Reshape Democracy and Governance Globally?" Carnegie Endowment for International Peace, April 6, 2020.

The Economist. "Let Taiwan Into the World Health Organization." March 26, 2020.

The Editorial Board. "The America We Need." *The New York Times*, April 9, 2020.

Francis Fukuyama. "The Thing that Determines a Country's Resistance to the Coronavirus: The Major Dividing Line in Effective Crisis Response Will Not Place Autocracies on One Side and Democracies on the Other." *The Atlantic*, March 30, 2020.

Gebrekidan, Selam. "For Autocrats, and Others, Coronavirus Is a Chance to Grab Even More Power." *The New York Times*, March 30, 2020.

Harari, Yuval Noah. "Yuval Noah Harari: The World After Coronavirus." *Financial Times*, March 20, 2020.

Harding, Andrew. "South Africa's Ruthlessly Efficient Fight Against Coronavirus." BBC News, April 3, 2020.

Hayman, Gavin. "Emergency Procurement for COVID-19: Buying Fast, Open and Smart." Open Contracting Partnership, March 25, 2020.

Kavanagh, Matthew. "Transparency and Testing Work Better Than Coercion in Coronavirus Battle." *Forign Policy*. March 16, 2020.

Kirk, Donald. "South Korea is Beating the Coronavirus. Mass Testing is Key. But There's More." *The Daily Beast*, March 13, 2020.

Kleinfeld, Rachel. "Do Authoritarian or Democratic Countries Handle Pandemics Better?" Carnegie Endowment for International Peace, March 31, 2020.

Kupperman Thorp, Tammy. "To Defeat the Coronavirus, Stop Corruption." *Foreign Policy*, April 6, 2020.

Lanier, Jaron and E. Glen Weyl. "How Civic Technology Can Help Stop a Pandemic – Taiwan's Initial Success Is a Model for the Rest of the World." *Foreign Affairs*, March 20, 2020.

Rivero Del Paso, Lorena. "Fiscal Transparency in Times of Emergency Response: Reflections for Times of COVID-19." Global Initiative for Fiscal Transparency, March 19, 2020.

Sen, Amartya. "Overcoming a Pandemic May Look Like Fighting a War, But the Real Need is Far from That." *The Indian Express*, April 13, 2020.

Tharoor, Ishaan. "Coronavirus Kills Its First Democracy." *The Washington Post*, March 31, 2020.

Tennison, Jeni. "Why Isn't the Government Publishing More Data About Coronavirus Deaths?" *The Guardian*, April 2, 2020.

Tisdall, Simon. "Power, Equality, Nationalism: How The Pandemic Will Reshape the World." *The Guardian*, March 28, 2020.

Torres, Liv. "SDG16+ – The Key to Managing the COVID-19 Crisis." Pathfinders for Peaceful, Just and Inclusive Societies, March 18, 2020.

Transparency International. "In Times Like These, Transparency Matters More Than Ever." March 19, 2020.

Wright, Nicolas. "Coronavirus and the Future of Surveillance: Democracies Must Offer an Alternative to Authoritarian Solutions." *Foreign Affairs*, April 6, 2020.