

Independent Reporting Mechanism (IRM): Finland Design Report 2019–2023

This report was prepared in collaboration with Maarja Olesk

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Executive Summary: Finland

Finland's fourth action plan focuses on promoting sustainable open government practices, lobbying transparency, and open data. The government involved a more diverse group of participants in the action plan co-creation and shared the agenda-setting power with civil society. At the mid-term review of the action plan in 2021, the government could consider expanding lobby regulation and registration obligation to the local and regional levels and improve the openness of key datasets on government transparency and anti-corruption.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Finland joined OGP in 2013. Since, Finland has implemented three action plans. This report evaluates the design of Finland's fourth action plan.

General overview of action plan

Finland's fourth action plan has a four-year duration, which aligns the action plan with the government program and strategies relevant to open government. It largely continues the priorities of previous action plans, mostly focusing on improving public access to information and the understandability of government information to societal groups with special needs. The action plan also addresses several gaps in Finland's open government landscape, notably the lack of information on which interest groups influence governmental decision making.

The government successfully broadened the circle of participants during the action plan's co-creation, including local and regional stakeholder consultations with groups who had not participated in previous OGP processes. The consultations resulted in new ideas being included in the action plan, such as the regional open government tours or the NGO Academy Day, which provides a platform for civil society actors and government officials to network and learn from each other.

The commitments' level of ambition is diverse. While some constitute incremental improvements to the existing situation, the action plan also includes the ambitious commitment of setting up a lobby register to track the participation of interest groups in the government's and Parliament's decision-making processes (Commitment 3). If the register that emerges in the planned legislation is an obligatory instrument, and encompasses regional and municipal government in its coverage, and if it is accompanied by proper training and mechanisms for sanctioning non-compliance, this commitment could transform government openness in Finland.

Table I. At a glance

Participating since: 2013
Action plan under review: 4
Report type: Design
Number of commitments: 4

Action plan development

Is there a multi-stakeholder forum: Yes
Level of public influence: Collaborate
Acted contrary to OGP process: No

Action plan design

Commitments relevant to OGP values: 4 (100%)
Transformative commitments: 1 (25%)
Potentially starred commitments: 1



Compared to the lack of verifiable milestones in the previous action plan, the fourth plan includes clearer descriptions of the planned activities along with timelines, responsibilities, and measures to assess their implementation. At the action plan’s mid-term review in 2021, the government could supplement activity-level indicators with outcome-level impact indicators to better monitor whether the activities help achieve the intended change in government practices.

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle
<p>Commitment 3: Transparency Register</p> <p>Develop a legal basis and an information system to set up Finland’s first lobby register after parliamentary preparation and consultation with civil society.</p>	<p>During implementation, the Ministry of Justice could devote particular attention to securing easy online public access to information from the register and to training officials and lobbyists to use the system. The Ministry could also expand the registration obligation to local and regional levels of government.</p>	<p>Note: this will be assessed at the end of the action plan cycle.</p>

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan. Please refer to Section V: General Recommendations for more details on each of the below recommendations.

According to the fourth action plan, the Government of Finland may consider including additional stakeholder suggestions in the action plan after the mid-term evaluation in 2021. Therefore, the key recommendations below aim to inform this mid-term evaluation of the current action plan, as opposed to the development and design of the fifth action plan.

Table 3. Five KEY IRM Recommendations

Continue and expand the broad stakeholder engagement model used in the co-creation of the fourth action plan.
Supplement activity-level implementation indicators of the commitments with outcome-level results and impact indicators.
Develop a more systematic approach to improving information understandability and accessibility for groups with special needs.
Expand lobby regulation and registration obligation to the local and regional levels.
Improve the openness of key datasets on government transparency and anti-corruption.

ABOUT THE IRM

OGP's Independent Reporting Mechanism (IRM) assesses the development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Maarja Olesk collaborated with the IRM to conduct desk research and interviews to inform the findings in this report. Maarja Olesk is an analyst at the Institute of Baltic Studies and PhD candidate at the Tallinn University of Technology. Her main research areas include e-government and ICT-driven public sector innovation, with a focus on the use of ICT for citizen participation and collaboration with external stakeholders. Maarja also works with the IRM on assessing the design and implementation of Estonia's OGP action plans.



I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments complete commitments. Civil society and government leaders use these evaluations to reflect on their own progress and determine if actions have impacted people's lives.

Finland joined OGP in 2013. This report covers the development and design of Finland's 4th action plan for 2019–2023.

The Independent Reporting Mechanism of OGP has partnered with Maarja Olesk to conduct this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology, please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

II. Open Government Context in Finland

Finland continues to rank high in international indices on access to information, civil liberties, and anti-corruption. The action plan was developed during a time of political uncertainty due to elections and changes in government. Due to the unclear status of Finland's planned healthcare and social services reform in 2019, this action plan no longer continues the previous plan's commitments related to that reform.

Transparency and access to information (legal framework and practice)

Finland has a longstanding track record in democracy and freedom of information. The 1999 Act on the Openness of Government Activities (*laki viranomaisten toiminnan julkisuudesta*)¹ amends the 1951 Act on the Openness of Public Documents. It stipulates the openness of government activities and information by default and provides a general framework for public information requests and provision of open government data, but also for data protection. The Global Right to Information Rating has given Finland's legal framework a relatively high score of 105 out of 150.² The law is mostly respected but the fourth OGP action plan points to compliance problems and undertakes to address them by issuing stricter obligations and explicit consequences for breaches of the law.³ The government is also assessing the possibility of expanding the scope of the law to private enterprises that receive public funding.⁴

Finland's constitution and legislation also grant linguistic rights to certain language groups. In addition to the national languages (Finnish and Swedish), speakers of the Sámi languages and sign language users have the right to receive information and services in their language.⁵ Additionally, OGP action plans have promoted the provision of public information in plain and easy language⁶ to address the needs of people who have difficulties reading and understanding standard Finnish. The fourth action plan continues this work. The new Act on the Provision of Digital Services, adopted in 2019, also contains requirements for the accessibility of government websites.⁷ However, the law's scope does not cover the accessibility of content, which would help people with special needs understand government information.⁸ Experts highlight the need for a more comprehensive approach to addressing the linguistic needs of different societal groups, especially linguistic minorities such as users of easy Swedish (approximately 30,000 to 40,000 people)⁹ or people who need pictures to communicate.¹⁰

Finland has a relatively strong baseline in open government data, ranking ninth in Europe according to the European Data Portal¹¹ and fifth in the Global Open Data Index.¹² However, the OECD's OURdata index shows a decline in data availability in 2017-2018 and points to gaps in government support to data reuse outside the public sector.¹³ Commitment 4 in the fourth OGP action plan aims to improve the availability and use of open data. The government will develop an operational framework helping government entities and publicly owned companies release public data more systematically in the form of open data, adopt quality criteria for the data, prepare national API guidelines, and establish an interoperability platform to support the technical and semantic interoperability of public data.¹⁴

Finland was affected by the global COVID-19 pandemic in early 2020, the current action plan's first year of implementation. To prevent the spread of the pandemic, the Finnish Government and the President of Finland invoked the Emergency Powers Act and declared a state of emergency on 16 March.¹⁵ Some constitutional law experts have commended Finland's emergency law for containing provisions that prevent the abuse of power and maintain the rule of law even in a state of emergency.¹⁶ They also highlight that parties such as the Chancellor of Justice, the Parliamentary Committee of Constitutional Law and non-governmental experts have ensured a systematic and pluralistic review of the emergency measures' constitutionality and conformity to fundamental rights throughout the crisis. However, the same experts criticize the government for rushing into declaring some emergency provisions, without properly specifying their legal basis and assessing their implications on human rights.¹⁷ In their view, measures such as mobility restrictions in Uusimaa (the country's most populous region which includes the capital, Helsinki)¹⁸ and work obligations for healthcare professionals aged 18–67 during the pandemic¹⁹ required a more thorough analysis. For example, the government did not assess how the health of medical professionals of more than 50 years of age with a higher risk of severe COVID-19 could be protected if they were invited to work during the pandemic.²⁰

The government has not curbed media freedom nor suspended the public's right to information during the pandemic. However, some problems regarding public access to information emerged. While the National Institute for Health and Welfare published the statistics on confirmed COVID-19 cases as open data, it initially denied the public access to the data models the government used for the basis of designing its response measures. The institute published the models only after the Chancellor of Justice and Prime Minister took a firm stance on the openness of this information (see Section IV, Commitment 4 for more information). However, it rejected Open Knowledge Finland's request to also publish the source code of the models.²¹

Civil Liberties and Civic Space

Finland ranks first in Freedom House's Freedom in the World index,²² boasting free and fair elections and high respect for freedom of speech, religion, and association. Women and ethnic minorities enjoy equal rights, although harassment and hate speech occasionally occurs.²³ Reporters Without Borders ranked Finland second out of 180 countries in the 2019 World Press Freedom Index with a score of 7.9.²⁴ The constitution guarantees individuals' rights to association and civic participation.²⁵ Finland has more than 106,000 associations and religious communities.²⁶ The law allows a group of a minimum of 50,000 Finnish citizens to bring an initiative before the Parliament and the Local Government Act stipulates local residents' right to submit initiatives to the local authority.²⁷ The government has developed several e-participation platforms to consult citizens, such as otakantaa.fi (platform for collecting citizens' ideas), lausuntopalvelu.fi (consultations on policy drafts), nuortenideat.fi (youth participation), kansalaisaloite.fi (platform for preparing citizens' initiatives), and kuntalaisaloite.fi (local-level initiatives). The portal demokratia.fi provides citizens with up-to-date information on various e-participation opportunities through a single window.²⁸ The city of Helsinki also implements participatory budgeting.²⁹

To engage the public during the COVID-19 pandemic, the Ministry of Finance, Timeout Foundation, and Dialogue Academy launched Lockdown Dialogues – a series of public discussions taking place in different locations all over the country where people could share their experiences and concerns about life under the coronavirus emergency. As of June 2020, 1100 people from different walks of life and age groups have participated in 162 events.³⁰ The summaries of the events are public, and the Ministry of Finance has promised to share the summaries with central and local governments.³¹

Accountability and anti-corruption

Finland consistently ranks high in government transparency and anti-corruption, being third in Transparency International's 2019 Corruption Perceptions Index³² with a score of 86 out of 100. Finland is generally characterized by an administrative culture of openness and a strong system of internal and external controls.³³ However, instead of street-level corruption, Finland struggles with structural corruption, which is deeply embedded in society and is difficult to detect.³⁴ Corruption risks are considered the highest in public procurement³⁵ and local-level decisions regarding construction permits and city planning.³⁶ Municipal officials often award contracts within short timeframes and regulations require only limited information about tenderers' background and work history.³⁷ These factors, along with the sometimes opaque and informal processes in smaller municipalities, make procurement processes vulnerable to inappropriate rent-seeking and corruption. Experts often refer to the influence of the so-called 'old boy networks' and informal personal ties with decision-makers in shaping public decisions.³⁸ While these practices are difficult to eradicate, the current action plan seeks to develop a legal regulation for lobbying and establish a public lobby register to improve the public's chances of detecting unhealthy forms of political influence. If the commitment were extended to cover the municipal and regional levels, it could also contribute to tackling the opacity in decision making outlined above.

Another issue of concern is the "revolving door" phenomenon, where people move between positions in public office and private industries. In a recent case, the former Defence Forces chief took up a consultancy position for the US aerospace company Lockheed Martin immediately after retirement. The company is now bidding for a EUR10 billion procurement of fighter jets in Finland.³⁹ Experts call for establishing clearer regulations to avoid similar situations in the future.⁴⁰

Finland implemented the EU's Fifth Anti-Money Laundering Directive in 2018⁴¹ and strengthened whistleblower protection following the EU whistleblower directive of 2018.⁴² New regulations governing beneficial ownership entered into force in summer 2019, requiring companies to register their beneficial

owners with the Finnish Trade Register. However, the details of the beneficial owners are not public information,⁴³ despite transparency organizations' calls for opening beneficial ownership data for corruption prevention purposes.⁴⁴

Ministers are required to present an asset and interest declaration immediately upon taking office and update the report in case of significant changes to declarable interests during their term in office.⁴⁵ The public can access information on ministers' interests on the government website, although the information is fragmented and mostly only available in a PDF format.⁴⁶ The Act on a Candidate's Election Funding regulates political party financing and requires candidates to report campaign donations if the value of an individual campaign contribution exceeds EUR 800 in municipal elections and EUR 1,500 in other elections.⁴⁷ The National Audit Office monitors compliance with the disclosure obligation. The public can access the information on the National Audit Office's website.⁴⁸ The Ministry of Justice is currently working to further amend the party financing legislation.⁴⁹

Budget Transparency

The Ministry of Finance provides detailed information on the national budget online with accessible visualizations.⁵⁰ Since the beginning of 2020, both municipal and state finances can be explored in more detail on the Explore Administration website.⁵¹ One of the major achievements of the previous OGP action plan was the publication of public procurement data as open data,⁵² along with the launch of an easy-to-use online interface for citizens.⁵³ As of 2020, the data covers all central government-level buyers as well as the municipalities of Helsinki and Vantaa. In addition to budgetary information, the government publishes up-to-date information on ongoing legislative drafting projects and policy initiatives, including members of working groups and documents regulating their work.⁵⁴

Changes in political context

After the April 2019 general elections, Finland formed a new coalition government led by the Social Democratic Prime Minister Antti Rinne. The previous Prime Minister, Juha Sipilä, had resigned before the elections due to the government's failure to implement the regional government, health, and social services reform.⁵⁵ However, the new government only lasted for six months. The Minister of Local Government and Ownership Steering, Sirpa Paatero, and Prime Minister Rinne were caught in a public scandal for not providing truthful information to Parliament about the state-owned postal company Posti's decision to shift 700 workers to its subsidiary company with a lower-paying collective agreement.⁵⁶ The scandal led both to resign. In December 2019, a new government headed by Prime Minister Sanna Marin took the oath. The coalition partners remained the same, involving the Social Democratic Party, Centre Party, the Green League, Left Alliance, and the Swedish People's Party. The new government plans to continue the health and social services reform to transfer the responsibility for service provision from local municipalities to counties. Whereas the reform plans have previously raised questions about transparency and accountability due to the likely increase of outsourcing of service provision to private companies⁵⁷, the new government program emphasizes that the public sector will remain the primary service provider in the counties.⁵⁸

¹ The 1999 Act on the Openness of Government Activities, <https://finlex.fi/fi/laki/ajantasa/1999/19990621>, and an unofficial English translation, https://finlex.fi/en/laki/kaannokset/1999/en19990621_20150907.pdf

² Centre for Law and Democracy & Access Info Europe, Global Right to Information Rating: Finland, <https://www.rti-rating.org/country-detail/?country=Finland> (last updated in 2017)

³ Finland OGP action plan 2019-2023, https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf

⁴ Ministry of Justice 2019, Julkisuuslain soveltamisalan laajentaminen, https://julkaisur.valtioneuvosto.fi/bitstream/handle/10024/161693/OM_31_19_Julkisuuslain_soveltaminen_180619.pdf (in Finnish)

⁵ Ministry of Justice, Linguistic Rights, <https://oikeusministerio.fi/en/linguistic-rights>

⁶ Selkokeskus's definition of easy language, <https://selkokeskus.fi/in-english/guidelines-and-instructions/>

⁷ The Act on the Provision of Digital Services, in Finnish, <https://www.finlex.fi/fi/laki/alkup/2019/20190306>

⁸ Interview with Sami Älli, Finnish Association on Intellectual and Developmental Disabilities, 23 April 2020.

⁹ Email from Johanna Rutenberg, LL-Center (Swedish-speaking centre for Easy to Read in Finland), 3 June 2020.

¹⁰ Interviews with Sami Älli (Finnish Association on Intellectual and Developmental Disabilities), 23 April 2020, and Leelaura Leskelä (University of Helsinki), 21 April 2020.

¹¹ European Data Portal, Open Data Maturity Report 2019, https://www.europeandataportal.eu/sites/default/files/open_data_maturity_report_2019.pdf

¹² Open Knowledge International, Global Open Data Index, Finland, <https://index.okfn.org/place/fi/>

¹³ OECD Open, Useful and Re-usable data (OURdata) Index 2019, <http://www.oecd.org/gov/digital-government/ourdata-index-policy-paper-2020.pdf>

- ¹⁴ Email from Riitta Autere, Ministry of Finance, 1 June 2020. A more detailed overview of the plans is in Section IV, Commitment 4.
- ¹⁵ Finnish Government, Decrees concerning the use of powers under the Emergency Powers Act to Parliament, https://valtioneuvosto.fi/en/article/-/asset_publisher/10616/valmiuslain-kayttoonottoasetus-eduskunnalle
- ¹⁶ Martin Scheinin, The COVID-19 Emergency in Finland: Best Practice and Problems, <https://verfassungsblog.de/the-covid-19-emergency-in-finland-best-practice-and-problems/>
- ¹⁷ Ibid.
- ¹⁸ On 25 March, the Finnish Government decided to impose restrictions on people's movement between the Uusimaa region and the rest of Finland due to the rapid spread of COVID-19 in the region. For more information, https://www.uudenmaanliitto.fi/en/news/finland_shuts_down_helsinki-uusimaa_to_fight_coronavirus.35889.news
- ¹⁹ The government decree stated that medically trained people working in public and private healthcare between the age of 18 and 67 may be required to work during the state of emergency to ensure the performance of the healthcare sector. The decree involved the government's right to take private healthcare capacity into public use if needed, as well as derogations of critical healthcare staff from normal working hours and holidays. For more information, https://tem.fi/en/article/-/asset_publisher/tyontekijan-tyovelvollisuus-turvaa-tyovoiman-riittavyytta-terveydenhuollossa and <https://www.borenius.com/2020/03/20/emergency-powers-and-subsidies-in-response-to-covid-19-pandemic/>
- ²⁰ Martin Scheinin, The COVID-19 Emergency in Finland: Best Practice and Problems, <https://verfassungsblog.de/the-covid-19-emergency-in-finland-best-practice-and-problems/>
- ²¹ Open Knowledge Finland, Tietopyyntö THL:n epidemialaskelmien lähdekoodeista, <https://www.okf.fi/fi/2020/05/13/tietopyynto-thln-epidemialaskelmien-lahdekoodeista/?fbclid=IwAR02ROsv2nG7niwKqw9orfPOudhkzHBwm8K7auNKWHGa6ERcpjf8z5GnlKO>
- ²² Freedom House, Freedom in the World 2020: Finland, <https://freedomhouse.org/country/finland/freedom-world/2020>
- ²³ Ibid.
- ²⁴ Reporters Without Borders, World Press Freedom Index 2019, <https://rsf.org/en/ranking>
- ²⁵ Constitution of Finland, Ministry of Justice, <https://oikeusministerio.fi/en/constitution-of-finland>
- ²⁶ Finnish Patent and Registration Office, <https://www.prh.fi/en/yhdistysrekisteri/statistics/numberofassociationsandreligiouscommunities.html>
- ²⁷ Parliament of Finland, Forums for civic engagement, https://www.eduskunta.fi/EN/naineduskuntatoimii/kirjasto/aineistot/yhteiskunta/Kansalaisvaikuttamisen_tietopaketti/Pages/Vaikuttamisen-areenat.aspx
- ²⁸ The portal Demokratia.fi, <http://www.demokratia.fi/en/home/>
- ²⁹ City of Helsinki, Participatory Budgeting, <https://www.hel.fi/helsinki/en/administration/participate/channels/participation-model/participatory-budgeting/>
- ³⁰ Poikkeusajan 162 dialogiin osallistui yli 1100 ihmistä, 17 June 2020, <https://www.eratauko.fi/poikkeusajan-162-dialogiin-osallistui-yli-1100-ihmista/>
- ³¹ Ministry of Finance, Discussions on life during lockdown, 27 April 2020, https://vm.fi/en/article/-/asset_publisher/suomalaiset-kokoontuivat-keskustelemaan-elamasta-poikkeusajassa
- ³² Transparency International, Corruption Perceptions Index 2019, <https://www.transparency.org/cpi2019>
- ³³ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf
- ³⁴ Ministry of Justice, Anti-corruption efforts, <https://oikeusministerio.fi/en/anti-corruption-activities>; interview with Salla Nazarenko, Transparency International Finland, 27 April 2020.
- ³⁵ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf
- ³⁶ Interview with Salla Nazarenko, Transparency International Finland, 27 April 2020.
- ³⁷ Transparency International Latvia, Transparency International Finland, BERO (2017), Corporate Engagement in Fighting Corruption and Tax Evasion, https://delna.lv/wp-content/uploads/2011/04/report_final_2017.pdf
- ³⁸ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf; interview with Salla Nazarenko, Transparency International Finland, 27 April 2020.
- ³⁹ Yle.fi, Defence Ministry bars external lobbyists from €10b fighter jet deal, 17 April 2020, https://yle.fi/uutiset/osasto/news/defence_ministry_bars_external_lobbyists_from_10b_fighter_jet_deal/11311492
- ⁴⁰ Email from Natalia Ollus, European Institute for Crime Prevention and Control (HEUNI), 5 May 2020.
- ⁴¹ Finnish Government, Legislation on combating money laundering and financing of terrorism enters into force, 28 June 2017, https://valtioneuvosto.fi/en/article/-/asset_publisher/1410869/rahanpesun-ja-terrorismin-rahoittamisen-estamista-koskeva-lainsaadanto-voimaan
- ⁴² The Trade Secrets Act (liikesalaisuuslaki), <https://www.finlex.fi/fi/laki/alkup/2018/20180595> (in Finnish)
- ⁴³ Finnish Patent and Registration Office, https://www.prh.fi/en/kaupparekisteri/beneficiaries_will_be_registered_from_1_july_2019.html
- ⁴⁴ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf
- ⁴⁵ Group of States against Corruption (GRECO), Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies. Evaluation report Finland, 2018, <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680796d12>
- ⁴⁶ For example, <https://valtioneuvosto.fi/rinteen-hallitus/ministerien-palkkiot>
- ⁴⁷ Ministry of Justice, The Finnish Election System, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/162011/OM_2020_3.pdf
- ⁴⁸ National Audit Office, Oversight of Election Campaign and Political Party Financing, <http://www.vaalirahoitusvalvonta.fi/en/index.html>

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- ⁴⁹ Interview with Niklas Wilhelmsson, Ministry of Justice, 20 April 2020.
- ⁵⁰ Ministry of Finance, Tutki budjettia, <https://tutkibudjettia.fi/etusivu>
- ⁵¹ State Treasury, Explore Administration, <https://www.exploreadministration.fi>
- ⁵² The open data, <https://www.avoindata.fi/data/fi/dataset/tutkihankintoja-data>
- ⁵³ Online interface for citizens, <https://openprocurement.fi>
- ⁵⁴ Finnish Government, Projects and legislation, <https://valtioneuvosto.fi/en/projects-and-legislation>
- ⁵⁵ BBC, Finland's government resigns over failed healthcare reform, <https://www.bbc.com/news/world-europe-47496326>
- ⁵⁶ Yle.fi, Finnish PM Rinne resigns, https://yle.fi/uutiset/osasto/news/finnish_pm_rinne_resigns/11100374
- ⁵⁷ The IRM 2017-2019 implementation report, <https://www.opengovpartnership.org/documents/finland-implementation-report-2017-2019-for-public-comment/>
- ⁵⁸ Section 3.6.1 of the Programme of Prime Minister Sanna Marin's Government, 10 December 2019, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161935/VN_2019_33.pdf

III. Leadership and Multi-stakeholder Process

The co-creation of Finland's fourth action plan involved a high level of stakeholder participation. The Ministry of Finance engaged new stakeholders by holding meetings in smaller towns and consulting civil society stakeholders beyond those involved in previous OGP processes. Several civil society proposals were included in the action plan, and the government plans to implement them in collaboration with the proposers.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Finland.

The Ministry of Finance coordinates the OGP process in Finland. Eight officials of the ministry's governance policy unit work in the OGP team. However, except for an administrative assistant who dedicates about 75 percent of her working hours on OGP, other experts' workload on OGP issues accounts for about 10 percent of their working time. In total, the ministry's OGP-related work effort is therefore equivalent to approximately 1.75 full-time positions.¹ The Ministry's authority includes coordinating the OGP process and encouraging other ministries to take on commitments. No high-level politicians or public officials are directly involved in the OGP process, but the Minister of Local Government (one of the two ministers leading the Ministry of Finance) formally approves all action plans. Action plan implementation is monitored by the Ministry of Finance's governance policy steering group, which involves several director-generals. The system during the fourth action plan has not changed significantly compared to previous action plans.² The main difference is that the governance policy steering group has begun to discuss OGP issues more often.³ The budget allocated to the governance policy unit for OGP activities has increased to EUR 80,000 per year for 2019 and 2020.⁴ Since the funds are allocated based on a yearly decision, it is unclear whether the higher level of funding will continue throughout the action plan.

The multi-stakeholder forum (MSF) overseeing the co-creation and implementation of action plans continues to involve different advisory bodies. The two key bodies are the Advisory Board for the Civil Society Policy (KANE)⁵ coordinated by the Ministry of Justice, and the Open Government Working Group (avoimen hallinnon työryhmä)⁶ working with the Ministry of Finance. KANE's mandate is broader, as it advises the government on general civil society related issues. The Open Government Working Group has a more specialized mandate to support and monitor the implementation of national OGP action plans and contribute to Finland's participation in the OECD Working Party on Open Government. Both bodies include an equal representation of public sector officials and non-governmental participants such as civil society organizations (CSOs), experts, and researchers. A representative of a CSO chairs KANE, whereas the working group is led by the head of the Ministry of Finance's governance policy unit. The Ministry of Justice and CSOs jointly appoint the members of KANE. CSOs become members of the Open Government Working Group through three main channels.⁷ First, the Ministry of Finance invites CSOs to join the working group based on the relevance of their expertise to the commitments. Second, CSOs can request membership at their own initiative. According to the point of contact to OGP at the Ministry of Finance, the ministry has promoted this opportunity at different events and has so far accepted all requests. Third, KANE nominates one CSO member to represent KANE in the working group. Therefore, at least one person always participates in both advisory bodies at once, although there are often more than one overlapping members.

3.2 Action plan co-creation process

The co-creation process for the fourth action plan saw several improvements compared to previous action plans. First, the Ministry of Finance dedicated several months— from March to September 2019 – for intense work on involving stakeholders and conducting discussions on the upcoming action plan.⁸ Second, the government made targeted efforts to reach out to CSOs that operate in more remote areas and had not participated in the OGP process before. The final action plan text includes several new ideas that were proposed by CSOs, raising the level of public influence in the action plan co-creation to 'Collaborate' in Table 4 below.

While some preliminary ideas had been gathered before, the official co-creation process was launched at the Openness Market, a public event held on 13 March 2019 where citizens could propose ideas for the fourth action plan. According to the action plan, 85 people participated in the event. The Ministry of

Finance then conducted a survey among central government agencies to receive feedback on the third action plan and solicit ideas for the goals of the next action plan. 88 organizations responded to the survey. The government then held a public consultation on the website otakantaa.fi from 15 April to 15 June 2019, asking citizens to select the most important themes for the new action plan and propose specific measures under the themes. The consultation received 20 comments, which ranked understandability, inclusion, open procedures, and open data as the most important issues.⁹ The government then organized dialogue events with CSOs and municipality officials in three medium-sized cities away from the capital – Forssa (6 May), Kotka (17 May) and Jyväskylä (6 June). The ministry’s aim was to discuss the action plan priorities with stakeholders who do not usually participate in OGP activities.¹⁰ Participation opportunities were advertised among broader stakeholder groups via the ministry’s electronic newsletters for CSOs, civil servants’ and municipalities’ networks.¹¹ The ministry also used their website and Twitter account to promote the opportunities.¹² In parallel, the ministry interviewed 15 stakeholders (including CSO representatives and individual experts) in May and June to discuss their priorities and collect ideas for the action plan.¹³

The ministry then held a discussion workshop with the Advisory Board on Civil Society Policy (KANE) on 10 June.¹⁴ The opinions and ideas assembled through these different meetings and consultations were summarized in a memo, which was published in the OGP repository.¹⁵ The ministry considers the regional meetings and stakeholder interviews as a valuable source of input for the action plan. Several activities under Commitment I came from CSO stakeholders, including the idea to conduct regional tours and set up an annual NGO Academy Day. The latter idea was proposed by the Finnish Federation of the Visually Impaired.¹⁶ According to Katju Holkeri from the Ministry of Finance, the co-creation process also resulted in involving a CSO from Jyväskylä as a new member of the Open Government working group.

Based on the input, the Ministry of Finance compiled a draft action plan and put it up for public consultation on the online platform lausuntopalvelu.fi from 1-31 August 2019. The draft received 66 comments from a diverse group of participants, including public agencies as well as civil society and businesses. Stakeholders strongly supported the ideas but also proposed additional activities and edits to the text. All comments were published on the OGP repository, along with responses justifying their inclusion or exclusion.¹⁷ Based on the comments, the Ministry of Finance published an edited version of the action plan with all changes tracked.¹⁸ According to the action plan, the government may consider including additional stakeholder suggestions to the action plan after the action plan’s mid-term evaluation in 2021. The final text was sent to the Open Government working group for comments. According to the Ministry of Finance, both KANE and the working group were consulted in writing several times during the co-creation process.¹⁹

CSO stakeholders are satisfied with how the government took their input into account in the final action plan and find that the action plan reflects their priorities.²⁰ At the same time, both the ministry and the chair of KANE admit that even more diverse stakeholders could be involved in the OGP process in the future.²¹ During the co-creation period, the ministry’s ability to conduct stakeholder meetings was also limited by the Finnish Presidency of the Council of the European Union. Since three of the eight OGP team members in the Ministry of Finance worked full time on the presidency, the OGP team was not able to consult as many stakeholders as they would have liked to.²² However, Kristiina Kumpula, a representative of the Finnish Red Cross on KANE, notes that the engagement of smaller organizations operating in more remote areas is a challenge more broadly due to such organizations’ lack of resources and capacity to participate.

Table 3.2: Level of Public Influence

The IRM has adapted the International Association for Public Participation’s (IAP2) “Spectrum of Participation” to apply to OGP.²³ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborate.”

Level of public influence		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	✓
Involve ²⁴	The government gave feedback on how public input were considered.	
Consult	The public could give inputs.	
Inform	The government provided the public with information on the action plan.	
No Consultation	No consultation	

OGP Participation and Co-Creation Standards

In 2017, OGP adopted OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

The following table provides an overview of Finland's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Key:

Green = Meets standard

Yellow = In progress (steps have been taken to meet this standard, but standard is not met)

Red = No evidence of action

Multi-stakeholder Forum	Status
1a. Forum established: Two bodies oversaw the co-creation of the action plan: the government's Advisory Board on Civil Society Policy KANE (at a more strategic level) and the Open Government working group at a more operational level.	Green
1b. Regularity: KANE and the Open Government working group discussed the plans several times during the seven-month co-creation process.	Green
1c. Collaborative mandate development: The Ministry of Finance drafts the mandate for the Open Government working group and the Minister of Local Government has the final decision. MSF members have the possibility to comment on the draft.	Yellow
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the Ministry of Finance's website, ²⁵ which is linked to the government's OGP repository.	Green
2a. Multi-stakeholder: The forum includes both governmental and nongovernment representatives.	Green
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives.	Green

2c. Transparent selection: Members of KANE are selected based on applications from non-governmental actors based on a transparent process that has been described in detail on KANE's website. ²⁶ Non-governmental members of the working group are appointed by the CSO members of KANE.	Green
2d. High-level government representation: The forum does not include high-level representatives with decision-making authority from government.	Red
3a. Openness: The forum accepts input on the action plan process from stakeholders outside the forum. The government proactively involved CSOs beyond the MSF in the co-creation process.	Green
3b. Remote participation: Online participation opportunities are always provided at MSF meetings. The government has also covered travel costs for long-distance participants to support their participation in physical meetings.	Green
3c. Minutes: The minutes of the MSF meetings are published online on the Ministry of Finance's website. ²⁷ The information is linked to the OGP repository. ²⁸	Green

Action Plan Development	
4a. Process transparency: The government publishes information on all aspects of the national OGP process in its OGP repository. ²⁹	Green
4b. Documentation in advance: The government shares information about OGP to stakeholders in advance to facilitate informed participation at all stages of the process.	Green
4c. Awareness-raising: During the co-creation, the government proactively contacted stakeholders, including those who had not participated in the OGP process before, to inform them of the OGP process.	Green
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions.	Green
4e. Reasoned response: The government published the reasoning behind decisions and responded to major categories of public comment.	Green
5a. Repository: The government publishes a repository on the domestic OGP website in line with <u>IRM guidance</u> .	Green

¹ Interview with Katju Holkeri, Head of the Governance Policy Unit at the Ministry of Finance and national point of contact for OGP, 21 April 2020.

² The previous IRM design report provides a more detailed overview of the OGP coordination process, <https://www.opengovpartnership.org/documents/finland-design-report-2017-2019/>

³ Interview with Katju Holkeri.

⁴ Finland's OGP action plan 2019-2023, https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf; interview with Katju Holkeri.

⁵ Information about KANE's mandate and composition, <https://oikeusministerio.fi/kane>

⁶ Information about the working group's mandate and composition, <https://vm.fi/hanke?tunnus=VM153:00/2019>

⁷ Interview with Katju Holkeri. Further details on the process of selecting CSO members to the Open Government Working Group were provided in an e-mail from Katju Holkeri on 5 August 2020 during the pre-publication review.

⁸ For a detailed description of the co-creation process, see Finland's OGP action plan 2019-2023, (https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919.pdf), pp 17-20

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- ⁹ Citizens' comments, <https://www.otakantaa.fi/fi/hankkeet/364/osallistuminen/694/kysely/>
- ¹⁰ Interview with Katju Holkeri.
- ¹¹ An example of a newsletter promoting the Openness Market, <https://uutiskirje.vm.fi/a/s/29185089-f6c7aefa9d737a2a5b458ca785dc52f3/303562>
- ¹² Interview with Katju Holkeri.
- ¹³ The interviewed CSOs include the Finnish Center for Easy Language, Finnish Federation of Hard of Hearing, National Council of Women of Finland, Finnish Federation of the Visually Impaired, Folktinget – the Swedish Assembly of Finland, Fingo – Finnish Development NGOs, the National Forum for Cooperation of Religions in Finland, the Finnish branch of Amnesty International. Source: memo of the Ministry of Finance, https://avoinhallinto.fi/assets/files/2019/07/Mitäkuulimme_Heinäkuu2019.pdf
- ¹⁴ The meeting agenda on KANE's website, https://api.hankeikkuna.fi/asiakirjat/eaf7f5a2-1d22-4a2f-8988-be3b7a797626/735df300-4297-4d1b-847f-2d1acd590d18/KUTSU_20191220124651.pdf
- ¹⁵ The memo, https://avoinhallinto.fi/assets/files/2019/07/Mitäkuulimme_Heinäkuu2019.pdf
- ¹⁶ Interview with Katju Holkeri.
- ¹⁷ All stakeholders' comments and responses, https://avoinhallinto.fi/assets/files/2019/09/Lausuntoyhteenveto_Avoimenhallinnon-4.-toimintaohjelma-2019-2023.pdf
- ¹⁸ The edited version of the action plan with the tracked changes, https://avoinhallinto.fi/assets/files/2019/09/MUOKKAUSVERSIO_Avoinhallinto_IV_toimintaohjelmaluonnos-PDF.pdf
- ¹⁹ Interview with Katju Holkeri.
- ²⁰ Interviews with Kristiina Kumpula (Finnish Red Cross, member of KANE), 17 April 2020; Sami Älli (Finnish Association on Intellectual and Developmental Disabilities), 23 April 2020; Leealaura Leskelä (University of Helsinki, former member of Open Government working group), 21 April 2020.
- ²¹ Interviews with Katju Holkeri (Ministry of Finance) and Kristiina Kumpula (Red Cross/KANE).
- ²² Interview with Katju Holkeri.
- ²³ "IAP2's Public Participation Spectrum" (IAP2, 2014), https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf.
- ²⁴ OGP's Articles of Governance also establish participation and co-creation requirements a country must meet in their action plan development and implementation to act according to OGP process. Based on these requirements, Finland did not act contrary to OGP process during the development of the 2019-2023 action plan.
- ²⁵ Ministry of Finance's website, <https://vm.fi/hanke?tunnus=VM153:00/2019>
- ²⁶ The application form and information on the selection process, <https://oikeusministerio.fi/kane-aineistot-ja-kokoonpano>
- ²⁷ Ministry of Finance's website, <https://vm.fi/hanke?tunnus=VM153:00/2019>
- ²⁸ The OGP repository, <https://avoinhallinto.fi/toimeenpano/>
- ²⁹ Information on the OGP process, <https://avoinhallinto.fi/>

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹ Indicators and method used in the IRM research can be found in the IRM Procedures Manual.² A summary of key indicators the IRM assesses can be found in the Annex of this report.

General Overview of the Commitments

Finland's fourth action plan differs from earlier action plans due to its longer, four-year duration (2019-2023), which was chosen to align its implementation with the term of the Government Program. The action plan reflects stakeholder priorities³ and includes four commitments: 1) Sustainable openness, 2) Open government strategy, 3) Transparency register, and 4) Open data. Several activities continue from previous action plans, such as improving public access to information, open data, and promoting the use of clear and easy-to-understand language in government administration. The action plan also follows up on the second action plan (2015-2017)'s commitment related to increasing lobby transparency in Finland. While the second action plan involved assessing the need for a lobby register, the current action plan takes an ambitious step forward by developing a legal basis and a technical solution for a transparency register that would allow the public to monitor who influences public decision making.

Compared to the lack of verifiable milestones in the previous action plan,⁴ the fourth action plan includes much clearer descriptions of the planned activities along with timelines, responsibilities, and measures to assess their implementation. In future action plans, the government could supplement activity-level indicators with outcome-level results and impact indicators to better monitor whether the activities help achieve the intended change in government practices.

¹ "Open Government Partnership: Articles of Governance", <https://www.opengovpartnership.org/articles-of-governance/>

² "IRM Procedures Manual" (OGP), <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

³ This assessment is based on the available materials on the co-creation process and stakeholder interviews conducted for the report (see Section VI. Methodology and Sources for the full list of interviews).

⁴ The IRM Finland Design Report 2017-2019, <https://www.opengovpartnership.org/documents/finland-design-report-2017-2019/>

I. Sustainable Openness

Main Objective

“Sustainable openness means that openness penetrates all government actions and development measures. Genuine openness is impossible to achieve if the activities of the government are incomprehensible. In international comparison, Finland is a model country of openness. However, the changing world brings about new challenges. Citizens’ demands towards government openness are increasing due to technological development, among other reasons. It is important to ensure that comprehensive development of openness continues and that all those involved in government operations are duly competent in this respect. When fulfilling this commitment, special attention should be paid to the opportunities of participation for people in the most vulnerable position.”

Milestones

- 1) **Understandability – Training and support for the use of good administrative language.** Introducing guidelines and a program to ensure the participation of public officials in a training course in good administrative language.
- 2) **Understandability – Improving plain language skills in government.** Organization of an online course on plain language, preparation of marketing material for the course that could be used as an introduction to plain language.
- 3) **Understandability – Wire frames.** Production of a package of support materials containing the practices of good visualization of information and examples of successful cases.
- 4) **Understandability – Boosting the accessibility competence among public officials.** Preparation of a short course on the eOppiva platform on how accessibility and plain content are connected.
- 5) **Inclusion – NGO Academy – public officials to gain competence and NGO connections.** Co-organization of an NGO Academy Day by the central government and NGOs with the goal to provide public officials more in-depth competence on the work of NGOs, and to help public officials make new NGO contacts in their sector.
- 6) **Inclusion – The day of the Elderly Citizens Council and the day of Children’s Rights will be complemented with the introduction of a day of the Council for People with Disabilities.** The Councils for People with Disabilities will be offered an annual event for sharing competence and experiences at a national level and for carrying out development activities together.
- 7) **Enforced compliance with the Act on the Openness of Government Activities.** Enhancing compliance with the Act on the Openness of Government Activities by issuing stricter obligations for government officials to comply with the Act in a manner that promotes openness and by determining more explicit consequences for breaches of the law.
- 8) **Openness – Strengthening commitments.** Updating the existing **support package** for open government activities with materials on supporting youth participation, linguistic groups and linguistic rights, equality, accessibility, public officials’ participation in social media debates and ways to increase citizen participation. The commitment also involves marketing and making a Swedish-language version of the “**Openness Game**”. A **training course on openness** will be produced for the eOppiva platform in Finnish and Swedish. The contents will also feature basic information on the Act on the Openness of Government Activities and topics such as personal data protection.
- 9) **Communications – Supported by management commitment.** Organizing a regional tour to offer a forum of dialogue for the local government management, public officials and government officials in the region for promoting openness, inclusion and trust.
- 10) **Communications – Sharing best practices.** Collecting and highlighting Finnish and international best practices and tools for promoting open government.

Editorial Note: For the complete text of this commitment, please see Finland’s action plan at https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Access to Information, Civic Participation, Public Accountability
Potential impact:	Moderate

Commitment Analysis

This commitment aims to promote sustainable government openness in order to prevent the erosion of trust in society and fight polarization.¹ It focuses on building government officials' know-how of open government and stronger relationships between government and civil society, in particular with more vulnerable groups of society.² The commitment involves a number of activities which fall into four general categories: 1) civil service training, 2) networking and capacity-building events, 3) guidelines and support materials, and 4) strengthening the legal basis of government openness. It pays particular attention to improving the understandability of government information for groups who need information in simplified language. Such groups include people with developmental disabilities, people suffering from dementia, or people of migrant backgrounds, among others.³ Another dominant theme is increasing the inclusion of different societal groups through joint events for government and civil society. The planned activities are generally relevant to the OGP values of access to information and civic participation. In addition, the planned enforced compliance with the Act on the Openness of Government Activities under milestone 7 makes it relevant to public accountability.

Several activities (e.g. improving the understandability and accessibility of government information – milestones 1-4) continue the government's long-time priorities addressed in several previous OGP action plans. For example, the Administrative Procedure Act⁴ requires the use of clear administrative language since 2003 and strengthening clear language skills among civil servants has been promoted in all OGP action plans. Previous action plans have also tried to advance the use of plain language (simplified Finnish, which is different from clear administrative language) through training, guidelines, and ontologies. However, the activities have had limited impact on improving information accessibility.⁵ The Finnish Centre for Easy Language has emphasized a need for more plain-language information on decisions that directly affect citizens⁶ as well as up-to-date information on current issues such as the global COVID-19 pandemic, which is unfolding in Finland at the time of writing.⁷ While the accessibility of government websites is improving thanks to the requirements in the new Act on the Provision of Digital Services, the scope of the law does not include the understandability of web content for groups with special linguistic needs.⁸ Sami Älli of the Finnish Association on Intellectual and Developmental Disabilities (FAIDD) also points out that efforts to improve the understandability of government information have mostly focused on online information, while many users of easy language do not use the internet and would need information to be produced in printed formats.⁹ Although this action plan's focus on civil servants' training is an important way to improve public officials' skills in understandability and accessibility, it does not address the full spectrum of gaps in this area. Moreover, participation in the courses will not be mandatory for officials.¹⁰ At the same time, the fact that all courses will be offered online for free makes them easily accessible for anyone interested, including local government officials.¹¹

Similarly, milestone 8 (the open government support package¹² and Openness (Trust) Game¹³) involve updating or marketing information resources that already exist. This is important to ensure their use but only constitutes an incremental improvement to the existing situation. The collection and dissemination of open government best practices¹⁴ could strengthen the impact of this set of activities.

At the same time, milestones 5, 6, and 9 (NGO Academy Day, regional open government tour, and the Day of the Council for People with Disabilities) constitute new activities, originally proposed by CSOs.¹⁵ The annual NGO Academy Day aims to expand ministries' knowledge of the diversity of CSOs in Finland through joint seminars and networking. According to the Ministry of Finance, the annual event is expected to complement more regular forms of interaction between the central and local administrations and CSOs.¹⁶ The ministry is preparing the first NGO Academy Day jointly with NGOs. According to Kristiina Kumpula (KANE), initial planning meetings have discussed ways of ensuring the activity's sustainability and creating a training system around the annual event.¹⁷ The Day for People with

Disabilities and the regional openness tours are also new activities. The Local Government Act¹⁸ requires all municipalities to establish councils for people with disabilities. However, the councils have lacked opportunities to exchange best practices and develop their model of operation.¹⁹ This commitment comprises a survey of councils to learn about councils' needs and piloting the first event in 2021. The regional open government tour's main goal is to enhance dialogue between the central government and municipalities and develop common goals around open government. The tour will visit a number of regions across Finland and involve two events in each: one for civil servants and another for CSOs. Meetings with CSOs will be used to solicit civil society input for the open government strategy (Commitment 2 of this action plan). Overall, these activities may lead to more continuous forms of government-civil society collaboration. However, their format as annual or one-off events does not allow them to make a major impact on their own.

A different activity under this commitment concerns the enforcement of the Act on the Openness of Government Activities. The law stipulates that information on all public sector activities is public and open by default (unless legal restrictions apply)²⁰ but frequent complaints to the Chancellor of Justice point to enforcement gaps in practice.²¹ The commitment aims to issue stricter obligations for compliance with the Act and determine consequences for breaches of the law. However, the action plan does not specify how this will be done. According to the Ministry of Justice, work on this commitment has been postponed due to the COVID-19 pandemic and further details are still to be specified.²² It is thus difficult to assess how this activity might improve the enforcement of the Act in practice.

Civil society stakeholders see the goals of this commitment as more pragmatic than ambitious.²³ However, since the commitment involves a variety of activities that may reach a large number of public officials and CSOs, their cumulative impact will likely lead to moderate changes in openness. Interviewed stakeholders had several suggestions for increasing this commitment's ambition. The position of plain and easy language in public administration and society could be strengthened by appointing a ministry that would be responsible for promoting easy language.²⁴ The national Institute for the Languages of Finland (Kotus) could also do more to promote the use of easy language in addition to clear administrative language. So far, the development of easy language and production of materials in easy language has often been the voluntary work of NGOs. According to Johanna Rutenberg from the LL-Center, information in easy Swedish has been largely missing during the COVID-19 pandemic and the government seems to expect NGOs to take care of the translations without providing them with additional resources for the task.²⁵

The government could also contribute to building better expertise in easy language by supporting university-level research and expert training. Finland's current pool of experts in easy language is limited to five freelancers working with the Finnish Centre for Easy Language. The lack of experts is a limitation that may adversely affect civil servants' training.²⁶ Stronger scientific research on the topic would also help develop evidence-based guidelines for producing understandable visual information for groups who rely on visual communication.²⁷ The impact of trainings could be enhanced by adopting common rules on easy language at the central government level, clarifying who should provide what information in easy language, and ensuring that information is available both in easy Finnish and Swedish. The government could increase the impact of trainings by making participation obligatory at least for central government officials. Lastly, the goals related to strengthening government-civil society relations could be further supported by sharing best practices of continuous collaboration between government and CSOs. A good example is the working model of the Digi Arkeen advisory board, where CSOs and government organizations discuss the development of digital services and digital inclusion.²⁸

¹ Interview with Katju Holkeri, Ministry of Finance, 21 April 2020.

² Ibid.

³ Interview with Leealaura Leskelä, University of Finland (former employee of the Finnish Center for Easy Language), 21 April 2020.

⁴ The Administrative Procedure Act, <https://www.finlex.fi/fi/laki/kaannokset/2003/en20030434.pdf>

⁵ The IRM end of term reports 2013-2015, <https://www.opengovpartnership.org/documents/finland-2013-2015-irm-end-of-term-report/>; 2015-2017, <https://www.opengovpartnership.org/documents/finland-end-of-term-report-2015-2017-year-2/> and 2017-2019, <https://www.opengovpartnership.org/documents/finland-implementation-report-2017-2019-for-public-comment/>

⁶ The IRM 2017-2019 implementation report, <https://www.opengovpartnership.org/documents/finland-implementation-report-2017-2019-for-public-comment/>

⁷ Interview with Leealaura Leskelä, University of Finland, 21 April 2020.

⁸ Interview with Sami Älli, Finnish Association on Intellectual and Developmental Disabilities, 23 April 2020.

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- ⁹ Ibid.
- ¹⁰ Interview with Katju Holkeri, Ministry of Finance.
- ¹¹ Ibid.
- ¹² The open government support package in Finnish, <http://avoinhallinto.fi/tukipaketti/> and in English, <https://avoinhallinto.fi/en/support-pack/>
- ¹³ The Openness Game in the OGP repository, <https://avoinhallinto.fi/tyon-tueksi/avo-in-hallinto-peli/>
- ¹⁴ The best practices will be published in the OGP repository, <https://avoinhallinto.fi/kokemuksia/>
- ¹⁵ Interview with Katju Holkeri.
- ¹⁶ Interview with Katju Holkeri.
- ¹⁷ Interview with Kristiina Kumpula (Red Cross/KANE), 17 April 2020.
- ¹⁸ Unofficial English translation, <https://www.finlex.fi/en/laki/kaannokset/2015/en20150410.pdf>
- ¹⁹ Interview with Katju Holkeri.
- ²⁰ Act on the Openness of Government Activities, <http://www.finlex.fi/fi/laki/ajantasa/1999/19990621>; English translation, https://www.finlex.fi/en/laki/kaannokset/1999/en19990621_20150907.pdf
- ²¹ Open Government National Action Plan for 2019-2023 Finland, https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avo-in-hallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.
- ²² Interview with Niklas Wilhelmsson, Ministry of Justice, 20 April 2020.
- ²³ Interview with Kristiina Kumpula (Red Cross/KANE), 17 April 2020.
- ²⁴ The recommendations on easy language are based on interviews with Leelaaura Leskelä (University of Finland) and Sami Älli (Finnish Association on Intellectual and Developmental Disabilities).
- ²⁵ Email from Johanna Rutenberg, LL-Center, 3 June 2020.
- ²⁶ Interview with Leelaaura Leskelä, University of Finland.
- ²⁷ Interview with Sami Älli, Finnish Association on Intellectual and Developmental Disabilities.
- ²⁸ Ibid.

2. Open Government Strategy

Main Objective

“Open government actions have previously been taken in Finland based on two-year action plans. The action plans have been founded on commitments and practical support measures. The Open Government Strategy will determine the direction of the work in the long term and the objectives that will be used as the basis of building future action plans. The Open Government Strategy will be used to promote stronger trust between citizens and the government.”

Milestones

Preparation of Open Government Strategy of Finland. The Open Government Strategy will be prepared as part of the public administration strategy and alongside the Action Plan on Democracy Policy. As part of the strategic work, it will also be explored how improved strategic observation of civil society in the work of the various ministries could be realized. Support is offered for the preparatory work of the ministries’ NGO strategies and their updates. The regional rounds and openness trainings mentioned in Commitment I will be used for dialogue on the open government strategy.

Editorial Note: For the complete text of this commitment, please see Finland’s action plan at https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Civic Participation
Potential impact:	Minor

Commitment Analysis

The action plan states that open government activities in Finland have so far been driven by practical support measures in two-year OGP action plans but lack a long-term strategic vision. The government, therefore, plans to adopt an open government strategy as part of its public administration strategy, which would become the basis for future OGP action plans. This is the first time an overarching open government strategy would be created in Finland. According to the Ministry of Finance, the strategy is planned for a 10-year timeframe, but the strategy may be renewed and updated in five years depending on developments in society.¹ As the strategy’s goals and priorities will be determined as a result of consultations with different ministries, government agencies, and civil society stakeholders, the commitment is relevant to the OGP value of civic participation.

According to the action plan, several ministries have civil society strategies to guide their cooperation with CSOs and citizens. The new open government strategy is intended to support these ministry-level strategies by setting common longer-term goals for the development of open government more broadly.² The Ministry of Justice regards a coherent strategy as a useful tool for the whole administration. According to Niklas Wilhelmsson, the Ministry of Justice regularly engages external stakeholders in their work but still has room for improvement in developing public services in closer collaboration with the public.³ Wilhelmsson believes a common strategy would facilitate disseminating good engagement practices more widely within the administration and help find new ways of communicating with citizens and stakeholders. The development of a common open government strategy, therefore, could support a more systematic approach to fostering government openness. However, the impact of this strategy will largely depend on the issues that it will address, the ambition of the goals set for the next 10 years, and the monitoring mechanisms that are put in place to ensure implementation.

Although the priorities of the strategy and its mechanics of implementation are yet to be determined at the time of writing, the Ministry of Finance has started collecting stakeholder input for the strategy. A public consultation has been launched on the otakantaa.fi platform⁴ and ideas are being solicited from

CSOs during the regional meetings conducted as part of Commitment I. The strategy will also be discussed in the Open Government working group.⁵

¹ Email communication with Katju Holkeri, 26 April 2020.

² Ibid.

³ Interview with Niklas Wilhelmsson, Ministry of Justice, 20 April 2020.

⁴ The otakantaa platform, <https://www.otakantaa.fi/fi/hankkeet/444/osallistuminen/826/keskustelu/>

⁵ Email communication with Katju Holkeri, 26 April 2020.

3. Transparency Register

Main Objective

“There is a good legal foundation for openness in Finland. As the world changes, the legal foundation also requires supplementation. An international comparative study on lobby registers was carried out based on a commitment in the II Action Plan of open government. A parliamentary committee was established after the study and it issued an unanimous proposition recommending the establishment of the transparency register. The transparency register will offer citizens information on the parties that seek to influence decision making. Decision-makers will be provided more in-depth information on the roles of the parties that seek to influence them. The register will help lobbyists to provide more information about their lobbying and influencing activities in an increasingly open manner.”

Milestones

Establishment of transparency register. A law on the transparency register will be enacted after parliamentary preparation and consultation with civil society. It will be established whether it will be possible to include data on the outside employment and private interests of public officials. It will furthermore be explored whether it will be possible to collect records of the parties invited to parliamentary committee hearings in a single transparency register. It could also be possible to append a list of the post-employment waiting period agreements as referred to in the State Civil Servants Act. It will also be established whether it will be possible to collect private interests data on a municipal level into a national transparency register.

Editorial Note: For the complete text of this commitment, please see Finland’s action plan at https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Access to Information, Civic Participation
Potential impact:	Transformative

Commitment Analysis

This commitment aims to improve the transparency of public decision-making processes in Finland. It builds from Commitment 3 in Finland’s second action plan (2015-2017), which assessed the need for establishing a lobby register and produced a comparative report on lobby register systems in selected countries.¹ After the publication of the report, the Finnish Parliament established a parliamentary committee, which supports setting up a transparency register (avoimuusrekisteri) in Finland to regulate and document lobbying activity.² Creating a lobby regulation is also one of the goals in Finland’s National Democracy Program 2025.³ According to the Ministry of Justice, the commitment aims to open up the central government’s and Parliament’s decision-making process for public scrutiny and improve the detection of potentially unhealthy forms of lobbying.⁴ To this end, the Ministry of Justice will spearhead the development of a legal basis and design a technical solution for a public transparency register to allow systematic registration of actors seeking to influence decision making. It will also enable public monitoring of communication between lobbyists and government officials.

The commitment is relevant to the OGP value of access to information as it intends to provide the public with comprehensive information on who has influenced public decision-making processes and how. According to Niklas Wilhelmsson from the Ministry of Justice, the register’s planning process will also involve discussions on possible sanctions to be applied in case of non-compliance with the obligation to register or record meetings with lobbyists. Experts from Transparency International Finland (the national chapter of Transparency International) consider the enforcement of sanctions as crucial for achieving greater accountability.⁵ Such sanctions could include fines or denying organizations that have not registered the right to meet government officials. If such sanctions are specified in the law, the

commitment may improve public accountability. This, however, can only be determined once the law has been adopted. According to the planned timeline, this is expected to happen by 2023.⁶

Some general measures supporting the transparency of public decision making already exist at the national level. These include the Act on the Openness of Government Activities, the Administrative Procedures Act, and the Ministry of Justice's instructions for legislative drafting.⁷ The ministry and the government's Advisory Board for Civil Service Ethics have also raised public officials' awareness of ways to avoid conflicts of interest. The ministry recently launched a portal where citizens can monitor ongoing policy initiatives and see the mandate and compositions of policy working groups.⁸ However, to date, Finland has no clear rules to regulate lobbying activity,⁹ no reporting requirements on communication between lobbyists and public officials,¹⁰ no open lobbying data¹¹ nor other possibilities for the public to monitor the policy-making process.¹² Transparency experts also cite the "revolving door" phenomenon, deeply rooted structural corruption, and the strong influence of informal "old boys' networks" as problems that affect the transparency of decision making, particularly in city planning and construction.¹³ Transparency International Finland has stated that lobby regulation would be an important step towards making decision-making processes more transparent and helping ensure that different parties have equal opportunities to exert influence on policy-making.¹⁴ At the same time, it is also expected to contribute to advancing a broader culture of transparency.¹⁵ The commitment therefore addresses a clear gap in the country's transparency landscape.

If implemented as planned, this commitment could transform the transparency of government decision-making practices in Finland. The government has already set up a broad-based participation process to include different stakeholders in shaping the legislation and technical solutions. A parliamentary committee representing all political parties steers the work and the Ministry of Justice has convened a governmental working group involving ministries, researchers, civil society, and lobby groups to conduct the operational work.¹⁶ The ministry conducted an online consultation with the general public in April-May 2020 to solicit citizens' ideas,¹⁷ and will launch a more targeted consultation process involving up to 100 key stakeholders (CSOs, lobby organizations, labor market organizations, law firms, and expert organizations) to agree on the requirements and details of the transparency register.¹⁸ These details will include which organizations should be obligated to register, which institutions would be subject to the obligation of recording their meetings with lobbyists, what types of data should be recorded in or linked to the register, which organization would be responsible for maintaining the register and monitoring compliance, and what sanctions would apply for non-compliance. The government intends to make use of the register compulsory and extend the obligation both to executive and legislative branches of government.¹⁹

The Ministry of Justice also wishes to develop a user-friendly interface for citizens to follow the decision-making process. The aim is to connect existing information on draft legislative projects²⁰ with data from the lobby register in a single portal to allow the public to easily follow the status of policy initiatives and see which organizations have influenced the process. If deemed legally and technically feasible, the portal may also include data on decision-makers' private economic interests. According to the current plans,²¹ the legislative proposal should be ready by the summer of 2021, sent to Parliament in 2022 and enforced in 2023. The government aims to develop the technical system in parallel and, if possible, launch it shortly after the law enters into force.

To maximize the transparency register's impact on access to information and public accountability, the IRM researcher recommends establishing clear consequences for non-compliance in the underlying regulation and extending the registration obligation to local municipalities in future action plans. According to Salla Nazarenko from Transparency International Finland, it is also important to train officials and lobbyists on understanding the regulation and using the system once it exists.²² Further, experts hope the development of the regulation will also involve discussions on how to address the issue of revolving doors and public officials' conflicts of interest in municipal decision making.²³ During the current action plan period, the government could devote particular attention to developing an easily accessible citizen interface for the lobby register. The government could prioritize the accessibility of the interface and use language and visuals that are understandable to citizens with different linguistic needs.

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- ¹ The research report, https://vm.fi/en/article/-/asset_publisher/10616/selvitys-tarkasteli-lobbarirekisterin-kansainvalisia-esimerkkeja-rekisteroitava-tieto-toimivuuden-perusta
- ² Finland's OGP national action plan for 2019-2023, https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.
- ³ The National Democracy Program, <https://oikeusministerio.fi/hanke?tunnus=OM036:00/2019>
- ⁴ Interview with Niklas Wilhelmsson, Ministry of Justice, 20 April 2020.
- ⁵ Interview with Salla Nazarenko, Transparency International Finland and member of the governmental lobby register working group, 27 April 2020.
- ⁶ Interview with Niklas Wilhelmsson, Ministry of Justice.
- ⁷ Ministry of Justice, <https://oikeusministerio.fi/en/bill-drafting-instructions>
- ⁸ Finnish Government, <https://valtioneuvosto.fi/en/projects-and-legislation>
- ⁹ Group of States against Corruption (GRECO), Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies. Evaluation report Finland, 2018, <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680796d12>
- ¹⁰ Transparency International Finland, <https://korruptiontorjunta.fi/en/lobbying>
- ¹¹ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf
- ¹² Interview with Niklas Wilhelmsson, Ministry of Justice, 20 April 2020.
- ¹³ Interview with Salla Nazarenko, Transparency International Finland, 27 April 2020; email from Natalia Ollus, European Institute for Crime Prevention and Control (HEUNI), 5 May 2020.
- ¹⁴ Transparency International Finland, <https://korruptiontorjunta.fi/en/lobbying>
- ¹⁵ Interview with Salla Nazarenko, Transparency International Finland, 27 April 2020.
- ¹⁶ The composition of the working group, <https://oikeusministerio.fi/en/project?tunnus=OM033:00/2019>
- ¹⁷ The consultation, <https://www.otakantaa.fi/fi/hankkeet/448/osallistuminen/831/kysely/>
- ¹⁸ Interview with Niklas Wilhelmsson, Ministry of Justice.
- ¹⁹ Interview with Niklas Wilhelmsson, Ministry of Justice.
- ²⁰ The projects and legislation portal, <https://valtioneuvosto.fi/en/projects-and-legislation>
- ²¹ As of April 2020, based on the interview with Niklas Wilhelmsson, Ministry of Justice.
- ²² Interview with Salla Nazarenko, Transparency International Finland, 27 April 2020.
- ²³ Email from Natalia Ollus, European Institute for Crime Prevention and Control (HEUNI), 5 May 2020.

4. Open Data

Main Objective

“The commitment and measures on open data contribute in particular to the OGP initiatives of transparency and technology & innovation. The measures are in line with the Act on Data Management in Public Administration, data policies and implementation thereof.”

Milestones

- 1) **Open data:** The public sector promotes government openness by opening public interfaces if there are no specific reasons to keep them restricted. The process will prioritize the most influential data resources. Easy-to-use, developer-friendly interfaces that follow the outlines of standard architecture will be developed to access public administration data resources. The data available on the interfaces will be recorded using standard procedures into a machine-readable and -interpretable format in order to make it easier to benefit from. The guidance needed in order to open the data and create the interfaces will be provided.
- 2) **Quality criteria: Quality criteria intended to facilitate the utilisation of data will be prepared.** Quality improvement measures following the quality criteria will be primarily applied to the most significant data resources in the data opening process. Setting quality criteria and the extent of their validity will be planned to make up part of putting the quality criteria into practice.
- 3) **Ethical guidelines: A general set of guidelines on the ethical use of artificial intelligence will be prepared in order to ensure that the artificial intelligence will not utilise directly or indirectly discriminatory operational models in the AI systems.** The measures to open public sector data will promote a data and AI policy that is ethically, financially and socially sustainable. Metadata that contributes to data resources management of high quality will also contribute to the creation of unified information resources required by machine-learning and AI in our linguistic area and, subsequently, the realisation of linguistic rights in an indirect manner. Special groups will be consulted and the standards laid down in international human rights conventions and UN recommendations on the ethics of AI as well as data security questions will be acknowledged as a part of the preparatory process.

Editorial Note: For the complete text of this commitment, please see Finland’s action plan at https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Access to Information
Potential impact:	Minor

Commitment Analysis

This commitment seeks to enhance public access to information by improving the quality and usability of open data. It also aims to foster the ethical use of artificial intelligence (AI) systems and prevent the use of discriminatory operational models in AI systems.

Open data has been an ongoing priority in Finland’s OGP action plans. During previous action plans, Finland launched a national open data portal (avoindata.fi) and developed guidelines for open data publication and use, as well as open data capabilities in new IT systems. As part of the current action plan, the government is starting a new open data project (2020-2022), which involves, among other goals, formulating strategic objectives for opening up and using public data, developing quality criteria for open data, and establishing an interoperability platform along with tools to support the semantic

interoperability of open data.¹ As the commitment focuses on releasing more and better-quality public data, it is relevant to the OGP value of access to information.

Finland generally performs well on open data. The Act on the Openness of Government Activities² lays out the basic legal framework for publishing government data and further measures have been taken through government open data programs. During the third action plan (2017-2019), the publication of high-value open datasets, such as public procurement data, improved government openness in a major way.³ The third action plan also sought to expand the access to information principle to publicly funded enterprises, but the implementation was delayed due to legal obstacles.⁴ However, the Ministry of Justice published a report outlining possible models for amending the law⁵ and the government program adopted in December 2019 envisages continuing to broaden the scope of the law. The new EU Open Data Directive, which Finland needs to transpose to its national law by 2021, also encourages EU member states to extend open data publication requirements to public undertakings and private companies providing services of general interest.⁶

Finland's national open data portal currently has more than 1700 datasets from 793 publishers⁷ and 6700 monthly visits.⁸ Stakeholders say the portal works very well,⁹ although some organizations prefer to publish data on their own repositories.¹⁰ The European Data Portal's (EDP) 2019 Open Data Maturity survey ranks Finland 9th in Europe.¹¹ However, in the 2019 OECD's OURdata index, Finland's scores decreased in data availability and government support to reuse. According to the OECD, this decrease was due to a reduction in stakeholder engagement and lack of government's attention to fostering data reuse outside the public sector.¹² Teemu Ropponen from Open Knowledge Finland (OKFI) notes that one of the key problems is the lack of continuous dialogue mechanisms between open data providers and users, which would help data providers better understand the value of their data and adapt their data publication efforts to users' needs.¹³

Finland also has room for improvement regarding accessibility of key datasets. A 2018 report by Transparency International Latvia and OKFI found that only five out of 10 key anti-corruption datasets could be accessed through the central open data portal.¹⁴ In addition to lobbying data, which will be addressed in Commitment 3, the public currently lacks access to beneficial ownership data.¹⁵ Furthermore, the government has not proactively opened all relevant data on the COVID-19 pandemic. OKFI raised the issue and filed several Freedom of Information requests asking the National Institute for Health and Welfare (THL) to publish the source codes of the models the government used for forecasting the progress of the pandemic in Finland.¹⁶ THL eventually only published the models after the Chancellor of Justice¹⁷ began investigating the issue¹⁸ and the Prime Minister called for respecting the principle of openness in publishing data related to government decisions.¹⁹ However, THL rejected the FOI requests to publish the source code of the models.²⁰ According to Teemu Ropponen (OKFI), the crisis has revealed the need to increase government officials' awareness of the benefits of government openness. Due to the adoption of the General Data Protection Regulation in 2018, public officials have generally become more cautious about opening data for fears of breaching privacy regulations.²¹

If implemented as planned, this commitment could improve the quality and accessibility of datasets with high economic and societal value. The government plans a comprehensive package of measures, from agreeing on common strategic objectives and quality criteria to providing guidelines and tools for enabling data interoperability. The new EU Open Data Directive will likely strengthen the impact of these activities, as it involves defining high-value datasets at the EU level by 2021, which all member states need to publish as open data. The data categories defined as having high value also include information on company ownership. This may give an impetus to the Finnish Government to also open beneficial ownership data. According to Riitta Autere from the Ministry of Finance, the government will engage stakeholders in defining additional priority datasets at the national level to promote the use of public data in decision making, business, research, and civic engagement.²² However, the current plans do not include any activities to promote the actual use of the published data or a dialogue between data providers and users. Since stakeholders see the lack of two-way communication as a major gap, the overall impact of this commitment on access to information will likely remain minor. To fill this gap, the government could consider implementing the Helsinki region's "Helsinki Loves Developers" (Hel<3Dev) model at the central government level. Hel<3Dev is an initiative providing an open platform for discussion and co-creation between data providers and users, comprising a dedicated website, Facebook discussion group, and regular meetups.²³ OKFI highlights this as a successful case of bringing data holders and users together around shared goals.²⁴

Regarding the responsible use of AI, the Ministry of Finance initially planned to prepare guidelines to support the ethical use of AI solutions.²⁵ Although existing law protects equality and non-discrimination,²⁶ the government's first AI Program²⁷ in 2017 produced a report which called for the adoption of ethical guidelines for developing algorithms and architectures to avoid biases and adverse effects on human dignity and equality.²⁸ Due to the COVID-19 crisis, the ministry has postponed development of the ethical guidelines for the time being.²⁹

The Finnish Center for Artificial Intelligence (FCAI) Society, an interdisciplinary group of experts on AI, considers the adoption of ethical guidelines as useful but not sufficient to ensure the ethical development of AI.³⁰ They see a need for adopting new methods of data collection and use, provision of more high-quality open government data, revision of regulations, funding for long-term interdisciplinary research on the risks of AI, better AI awareness among government employees, and involvement of the public in discussions around AI. According to the FCAI Society, it is important to involve critical perspectives from civil society in the regulatory design. To enable this, the government should provide CSOs with the necessary resources to participate. Moreover, the FCAI Society believes a more balanced view of AI is needed: while AI entails risks, it could also be an enabler of open government goals such as understandability, participation, and transparency, and could help detect discriminatory practices. The Society, therefore, recommends the government to provide CSOs access to high-quality open government data and tools to use the data for developing AI solutions. They also recommend the government investigate how to provide access to background data behind algorithm-based decisions. In further work on AI ethics, the government could consult the ethical guidelines of the EU High-Level Expert Group on Artificial Intelligence³¹ and follow a sandboxing approach to test ideas before going forward.³²

¹ Ministry of Finance, Opening up and using public data, <https://vm.fi/en/opening-up-and-using-public-data>

² An unofficial English translation of the act, https://www.finlex.fi/en/laki/kaannokset/1999/en19990621_20150907.pdf

³ IRM 2017-2019 Implementation Report, <https://www.opengovpartnership.org/documents/finland-implementation-report-2017-2019-for-public-comment/>

⁴ Ibid.

⁵ Ministry of Justice 2019, Julkisuuslain soveltamisalan laajentaminen, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161693/OM_31_19_Julkisuuslain_soveltaminen_180619.pdf

⁶ Directive (EU) 2019/1024 of the European Union and of the Council of 20 June 2019 on open data and the re-use of public sector information, <http://data.europa.eu/eli/dir/2019/1024/oj>

⁷ Dataset counter, <https://www.avoindata.fi/>, as of 26 April 2020.

⁸ Statistics from avoindata.fi, https://www.avoindata.fi/data/en_GB/report/google-analytics-location

⁹ Interview with Teemu Ropponen, Open Knowledge Finland, 2 June 2020.

¹⁰ Email from Jouni Tuomisto, Open Knowledge Finland, 19 May 2020.

¹¹ European Data Portal, Open Data Maturity Report 2019, https://www.europeandataportal.eu/sites/default/files/open_data_maturity_report_2019.pdf

¹² OECD Open, Useful and Re-usable data (OURdata) Index 2019, <http://www.oecd.org/gov/digital-government/ourdata-index-policy-paper-2020.pdf>

¹³ Interview with Teemu Ropponen, Open Knowledge Finland, 2 June 2020.

¹⁴ Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf

¹⁵ The report also found gaps in public procurement data but these seem to have been solved recently. Public procurement data on the national portal, <https://www.avoindata.fi/data/fi/dataset/tutkihankintoja-data> and analytical visualizations, <https://openprocurement.fi>

¹⁶ Interview with Teemu Ropponen, Open Knowledge Finland, 2 June 2020.

¹⁷ The Chancellor of Justice supervises that authorities, civil servants, and bodies performing public tasks comply with the law and fulfil their assigned obligations. See <https://www.okv.fi/en/> for more information.

¹⁸ Helsingin Sanomat, Oikeuskansleri pyytää selvitystä korona-tietojen panttaamisesta – ”Peruslähtökohtana on viranomais-toiminnan avoimuus”, 14 May 2020, <https://www.hs.fi/politiikka/art-2000006507477.html>

¹⁹ Helsingin Sanomat, Pääministeri Marin kehottaa luovuttamaan korona-koordinaatio-ryhmän asiakirjoja – STT kertoi aiemmin, että suuri osa tiedoista oli salattu, 23 May 2020, <https://www.hs.fi/politiikka/art-2000006516664.html>

²⁰ Open Knowledge Finland, Tietopyyntö THL:n epidemialaskelmien lähdekoodeista, 13 May 2020, <https://www.okf.fi/fi/2020/05/13/tietopyynto-thln-epidemialaskelmien-lahdekoodeista/?fbclid=IwAR02RQsv2nG7niwKqw9orfPOudhkzHBwm8K7auNKWHGa6ERcpjf8z5GnlKQ>

²¹ Interview with Teemu Ropponen, Open Knowledge Finland, 2 June 2020; email from Jouni Tuomisto, Open Knowledge Finland, 19 May 2020.

²² Email from Riitta Autere, Ministry of Finance, 1 June 2020.

²³ More information on the initiative is available on the Helsinki Region Infoshare website, https://hri.fi/en_gb/support/how-to-use-data/helsinki-loves-developers/

²⁴ Interview with Teemu Ropponen, Open Knowledge Finland, 2 June 2020.

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- ²⁵ Finland's OGP national action plan for 2019-2023, https://avoinhallinto.fi/assets/files/2019/09/ENGLANTI_Avoinhallinto_IV_toimintaohjelma_FINAL_240919-1.pdf
- ²⁶ Emails from the Ethical Board of FCAI Society, 8 May 2020, and Riitta Autere, Ministry of Finance, 1 June 2020.
- ²⁷ The program website, <https://tem.fi/en/artificial-intelligence-programme>
- ²⁸ Government report on information policy and artificial intelligence (2018), https://vm.fi/documents/10623/7768305/VM_Tiepo_selonteko_070219_ENG_WEB.pdf
- ²⁹ Email from Riitta Autere, Ministry of Finance, 1 June 2020.
- ³⁰ Email from the Ethical Board of FCAI Society, 8 May 2020.
- ³¹ High-Level Expert Group on Artificial Intelligence, Ethics Guidelines for Trustworthy AI (2019), https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=60419
- ³² Email from the Ethical Board of FCAI Society, 8 May 2020.

V. General Recommendations

This section aims to inform the development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country, and, 2) an assessment of how the government responded to previous IRM key recommendations.

According to the fourth action plan, the Government of Finland may consider including additional stakeholder suggestions in the action plan after the mid-term evaluation in 2021. Therefore, the IRM key recommendations below primarily aim to inform this mid-term evaluation of the current action plan, as opposed to the development and design of the fifth action plan.

5.1 IRM Five Key Recommendations

Recommendations for the consultation process	
1	Continue and expand the broad stakeholder engagement model used in the co-creation of the fourth action plan.
2	Supplement activity-level implementation indicators of the commitments with outcome-level results and impact indicators.

1. Continue and expand the broad stakeholder engagement model used in the co-creation of the fourth action plan

The co-creation process of Finland's fourth action plan was carried out in a collaborative and inclusive manner, with targeted efforts to engage stakeholders beyond those already involved in the OGP process. Holding meetings in regions and localities outside the capital and individually interviewing CSOs and experts to learn about the needs of different societal groups is a good practice that could be continued and further expanded in the mid-term review of this action plan and the development of the next action plans. The government could use the events that take place during the implementation of the current action plan (e.g. NGO Academy Day, regional tour) to start collecting civil society priorities for the next action plans and, if need be, adapt the commitments in the ongoing action plan for the second part of the term based on stakeholders' feedback. As the next target, the government could consider giving CSOs a greater share of power in the agenda-setting and final decision making for the next action plan to reach the level "Empower" on the IAP2 Spectrum of Participation (see Table 4 in Section 3.2).

2. Supplement activity-level implementation indicators of the commitments with outcome-level results and impact indicators

Most commitments in this action plan, with the exception of Commitment 4, contain specific indicators in terms of outputs and time schedules for measuring their timely implementation. However, the commitments tend to lack outcome-level indicators (and baselines against which to measure results) that would allow for understanding to what extent these activities contribute to the expected changes and improvements in different aspects of government openness. The action plan could specify clear outcome-level indicators for each commitment to enable monitoring of the commitments for the intended qualitative results.

Recommendations for the action plan's design	
1	Develop a more systematic approach to improving information understandability and accessibility for groups with special needs.
2	Expand lobby regulation and registration obligation to the local and regional level.
3	Improve the openness of key datasets on government transparency and anti-corruption.

According to stakeholders, this action plan's priorities generally reflect the needs and gaps in government openness. However, the ambition and scale of the commitments could be further increased following the mid-term review in 2021, and in future action plans, to make a stronger impact on open government practices. The COVID-19 pandemic has also revealed some issues which could be addressed within the timeframe of the current action plan. For example, the government could dedicate more resources to publishing up-to-date information on the epidemiological situation, the government's decisions, restrictions, and recommendations in easy language, including easy Swedish. The government could also ensure that the public's right to access information is respected during times of crisis. Whenever legally and technically feasible, the IRM researcher recommends proactively publishing the information that the government uses to make pandemic-related decisions as open data to save the public from the need to submit freedom of information requests to acquire public information.

1. Develop a more systematic approach to improving information understandability and accessibility for groups with special needs

Stakeholders working with groups of people with special linguistic needs appreciate the government's continued attention to the use of plain and easy language in government communication. However, the existing measures have not yielded major results and large discrepancies exist in the capacity and practices of government agencies. The government could consider developing a more systematic and comprehensive approach to build the administration's capacity to provide information in easy language. To this end, the government could assign a responsible government agency (such as Kotus, the Institute for the Languages of Finland) to promote the use of, and develop public officials' capacity for, easy language. It would also be beneficial to develop clear government-wide guidelines specifying which types of information should be published in easy language and which government organizations should be obliged to provide certain categories of information in easy language. The government could also strengthen collaboration and allocate funding to universities for the development of expertise and scientific knowledge in easy language. A stronger professional expertise would support future training and capacity-building efforts in public administration.

A systematic approach to improving information understandability could also involve ensuring the availability of up-to-date government information in Finnish and Swedish sign language and other forms of communication (e.g. those involving the use of pictures and visual cues) that may be needed by people with hearing or vision impairments, developmental disabilities, or other needs.

2. Expand lobby regulation and registration obligation to the local and regional levels

If implemented as a mandatory mechanism, Commitment 3 in the current action plan could constitute a major step forward in addressing gaps in decision-making transparency at the level of national administration and legislature. However, transparency experts point to the widespread problem of structural corruption and opaque decision making, which is particularly evident at the local government level where most decisions about urban planning, construction, and land use are made. The current action plan could thus explore the possibilities for expanding the lobby regulation and registration system to local administrations. However, due to the strong local autonomy in Finland, this may likely involve legislative complexities. Therefore, Commitment 3 could pay special attention to a thorough legal analysis, so that a commitment on expanding the obligation to the local level could be included in the next action plan.

As a next step, the government could also consider expanding the scope of the law to central government-level public agencies and oversight bodies beyond ministries, as well as to regional-level administrations, depending on the progress of the planned social and healthcare reform.¹ Regardless of the final scope of the law, it is highly recommended to enforce clear sanctions for non-compliance to strengthen public accountability.

3. Improve the openness of key datasets on government transparency and anti-corruption

Finland’s efforts in promoting government openness could be strengthened by releasing key transparency and anti-corruption datasets as high-quality, easily accessible, and usable open data. Transparency International has proposed a list of datasets that are key to anti-corruption efforts.² Out of the listed datasets, experts have particularly highlighted the value of open access to beneficial ownership data.³ As of 2020, basic company information from the Trade Register is available as open data but beneficial ownership information is not accessible to the public nor to civil society. The Patent and Registration Office provides the data for a fee to a limited set of actors with legitimate interests for the purpose of preventing money laundering and terrorist financing.⁴ As part of the mid-term review, OGP stakeholders could consider expanding Commitment 4 to include the proactive publication of these datasets in open formats. For easier public access, the data could be published in the form of human-understandable and machine-readable datasets on the central open data portal <https://avoindata.fi> and via application programming interfaces (APIs). The data could thus also be linked to other transparency initiatives, such as the citizen portal planned as part of Commitment 3, which would aggregate comprehensive information on who participates in policy-making processes and what interests they represent.

5.2 Response to Previous IRM Key Recommendations

Previous IRM Report Key Recommendations

Recommendation		Did it inform the OGP Process?
1	Improve commitment quality through better problem-solution framing, clarifying relevance to OGP values, and identifying verifiable milestones.	✓
2	Increase high-level government representation in multi-stakeholder forum for a more ambitious action plan.	X
3	Allow for greater civil society participation in shaping the final scale and scope of commitments.	✓
4	Extend commitments related to the Regional Government, Health and Social Services Reform to cover several action plans.	X
5	Assess the feasibility and legal status of proposed commitments during the action plan development process.	X

Out of the five recommendations made in the 2017-2019 IRM Design Report, the government addressed two (recommendation 1 and 3). In the current action plan, the government has stated the problem or issue that any given commitment aims to address, the commitments’ relevance for OGP values, and the activities involved in the implementation, along with the timeline. The co-creation process included meetings and interviews with individual civil society stakeholders in addition to a broader online public consultation round. Several ideas that stakeholders posed during the interviews and public consultation ended up in the final action plan text (e.g. the NGO Academy Day).

Three recommendations (2, 4, and 5) were not addressed. The representatives of the civil society advisory board KANE (which forms part of the multi-stakeholder forum) regularly meet the Minister of Local Government,⁵ but the minister does not have a formal position in the MSF. The forum also does not include any high-ranking government officials. Recommendation 4 was not addressed due to the stall of the Regional Government, Health and Social Services Reform and its unclear status at the time of drafting the action plan. The government did not assess the legal feasibility of commitments during the co-creation but may take this up during the mid-term evaluation of the action plan.⁶ However, commitments involving major legal changes, such as the development of the lobby register (Commitment 3), already involve legal feasibility analyses by design.

¹ Yle.fi, Gov't unveils 13-region social and healthcare reform model, 5 June 2020,

https://yle.fi/uutiset/osasto/news/govt_unveils_13-region_social_and_healthcare_reform_model/11387295

² Transparency International Latvia, Open Knowledge Finland (2018), Open data and the fight against corruption in Latvia, Sweden and Finland: FINLAND, https://delna.lv/wp-content/uploads/2018/11/OD4AC_FI_Final6.pdf

³ Transparency International Latvia, Transparency International Lithuania, and Open Knowledge Sweden (2019), Open Data and Political Integrity in the Nordic Region, https://delna.lv/wp-content/uploads/2019/11/NB7_OD4PI_Final_cmp.pdf

⁴ Finnish Patent and Registration Office, Information services and details on beneficial owners,

https://www.prh.fi/en/kaupparekisteri/beneficiaries_will_be_registered_from_1_july_2019/information_services_and_details.html

⁵ Email from Katju Holkeri, Ministry of Finance, 28 April 2020.

⁶ Ibid.

VI. Methodology and Sources

IRM reports are written in collaboration with researchers for each OGP-participating country. All IRM reports undergo a process of quality control 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, observation, and feedback from non-governmental stakeholders. The IRM report builds on the evidence available in Finland's online OGP repository (<https://avoinhallinto.fi>), findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations.

Each IRM researcher conducts stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reserves the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.¹

Interviews and stakeholder input

The report uses input from stakeholder interviews representing both the Finnish Government and non-governmental organizations and experts. The selection was based on two kinds of considerations. First, interviews were conducted with both ministries that are responsible for the implementation of the commitments in the action plan. Second, interviewees from outside the government were chosen based on their experience and expertise in the issues addressed in the commitments. For some civil society interviewees, their previous experience of participating in the OGP process served as an additional argument for selection to inform the report's assessment of the co-creation process.

Altogether, the IRM researcher conducted seven interviews with the following stakeholders:

- Kristiina Kumpula, Finnish Red Cross (also a member of SOSTE and the government's civil society advisory board KANE), 17 April 2020, online interview. Topics discussed: all commitments, co-creation;
- Niklas Wilhelmsson, Ministry of Justice, 20 April 2020, online interview. Topics discussed: Commitments 1-3;
- Katju Holkeri, Ministry of Finance (national point of contact for OGP), 21 April 2020, online interview. Topics discussed: all commitments, OGP leadership and multi-stakeholder process, action plan co-creation;
- Leealaura Leskelä, University of Helsinki (former employee of the Finnish Centre for Easy Language of the Finnish Association on Intellectual and Developmental Disabilities and member of the open government working group), 21 April 2020, online interview. Topics discussed: Commitment 1, co-creation;
- Sami Älli, Finnish Association on Intellectual and Developmental Disabilities, 23 April 2020, online interview. Topics discussed: Commitment 1, Commitment 4;
- Salla Nazarenko, Transparency International Finland, 27 April 2020, online interview. Topics discussed: Commitment 3;
- Teemu Ropponen, Open Knowledge Finland, 2 June 2020, telephone interview. Topics discussed: Commitment 4.

Additionally, five stakeholders provided their comments by email:

- Natalia Ollus, The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), email 5 May 2020. Topics discussed: Commitment 3.
- Leo Kärkkäinen, on behalf of the Ethical Board of Finnish Center for Artificial Intelligence (FCAI Society), email 8 May 2020. Topics discussed: Commitment 4.
- Jouni Tuomisto, Open Knowledge Finland, email 19 May 2020. Topics discussed: Commitment 4.
- Riitta Autere, Ministry of Finance, email 1 June 2020. Topics discussed: Commitment 4.
- Johanna Rutenberg, LL-Center, Inclusion Finland FDUV, email 3 June 2020. Topics discussed: Commitment 1.

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

Current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

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

¹ IRM Procedures Manual, V.3, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

Annex I. Commitment Indicators

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹ The indicators and method used in the IRM research can be found in the IRM Procedures Manual.² A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: Do the written objectives and proposed actions lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment?
 - Specific enough to verify: Are the written objectives and proposed actions sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
 - Public Accountability: Will the government create or improve public-facing opportunities to hold officials answerable for their actions?
- **Potential impact:** This variable assesses the potential impact of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the country's IRM Implementation Report.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the country's IRM Implementation Report.

What makes a results-oriented commitment?

A results-oriented commitment has more potential to be ambitious and be implemented. It clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem rather than describing an administrative issue or tool? (E.g., "Misallocation of welfare funds" is more helpful than "lacking a website.")
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan? (E.g., "26 percent of judicial corruption complaints are not processed currently.")
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation? (E.g., "Doubling response rates to information requests" is a stronger goal than "publishing a protocol for response.")

Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria.

- Potential star: the commitment’s design should be **verifiable, relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **substantial or complete** implementation.

These variables are assessed at the end of the action plan cycle in the country’s IRM Implementation Report.

¹ “Open Government Partnership: Articles of Governance” (OGP, 17 June 2019), <https://www.opengovpartnership.org/articles-of-governance/>

² “IRM Procedures Manual” (OGP), <https://www.opengovpartnership.org/documents/irm-procedures-manual>