Independent Reporting Mechanism (IRM): Czech Republic Transitional Results Report 2018–2020

This report was prepared in collaboration with Alexandra Dubova, independent researcher.

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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 an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their progress and determine if efforts have impacted people's lives.

The IRM has partnered with Alexandra Dubova to carry out this evaluation. The IRM aims to inform ongoing dialogue around the 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.

This report covers the implementation of Czech Republic's fourth action plan for 2018-2020. In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.[1] The IRM adjusted its Implementation Reports for 2018-2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

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[1] For more information, see: https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/.

II. Action Plan Implementation

The IRM transitional results report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit assessments for "verifiability," "relevance" or "potential impact." The IRM assesses those three indicators in IRM design reports. For more details on each indicator, please see Annex I in this report.

2.1. General Highlights and Results

Czech Republic's fourth action plan contained eight commitments. These included increasing judicial transparency, introducing whistleblower protections, better public management in the civil service, and commitments toward more openness and open data in the education system. Two (25%) of the commitments were fully completed, two (25%) were substantially completed, and four (50%) only achieved limited completion by the end of the implementation period. There were fewer fully completed commitments and more commitments with only limited completion than in the previous action plan.[2]

Commitments which saw complete or substantial implementation involved modifications or reforms to open existing systems, such as improving the detail of the annual statistical report of the judiciary (Commitment 2),[3] publishing data collected in the education sector (Commitments 6 and 7), and adjusting contracts to ensure open data licenses for publicly funded education research (Commitment 8). Authorities simplified implementation of Commitments 6 and 7, by using in-house capacity rather than through procuring external services.

In contrast, lengthy procurement process delayed the implementation of Commitment 5, which was incomplete at the end of the action plan. Other commitments which required cross-government action (e.g., Commitment 1 on introducing quality management principles in the civil service), or involved other branches of the state (e.g., Commitment 3 on publishing local court decisions, marked "noteworthy" in the design report) had limited completion by the end of the implementation period. A civil society representative also pointed to a lack of political support for the open government agenda as a reason for low willingness from state authorities to adopt the action plan measures.[4]

The design report noted Commitment 4 on whistleblower protection as noteworthy. However, the original commitment was tied to the expected adoption and transposition of the EU Directive on whistleblower protection, which was not passed until October 2019.[5] This did not leave enough time in the implementation period to finish the national legislative process.[6] The limited completion of this commitment and Commitment 3 means they did not produce early results for analysis and are therefore not included in Section 2.3, despite being "noteworthy."

2.2. COVID-19 Pandemic impact on implementation

In response to the COVID-19 pandemic, on 12 March 2020 the Czech Government introduced a state of emergency nationwide for the first time in its modern history.[7] This was extended until 17 May 2020 although there was a gradual reopening of shops and businesses from 24 March onward. The lockdown included a general curfew (with some exceptions), restrictions to freedom of movement, and social distancing measures.[8]

There was a six-month gap after the start of the pandemic in March 2020, before the multistakeholder forum (called the Working Commission) started holding meetings again (in September 2020). However, a positive consequence of the pandemic was that the meetings of the Working Commission introduced the option of remote participation via video conferencing.[9]

More specifically for the action plan commitments, the COVID-19 pandemic negatively affected implementation of Commitment 5 (open data in education) because it delayed evaluation for procuring the necessary online system.[10] In Commitment 1 (quality management in the civil service) the Civil Service Section requested an extension beyond the implementation period because of COVID-19, for completing the methodological guideline on introducing quality management principles.[11]

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[2] There were three fully completed commitments, one substantially completed commitment, and two commitments with limited completion. Vera Rihackova Pachta, *Independent Reporting Mechanism (IRM): Czech Republic End-of-Term Report 2016–2018* (OGP, 4 Sept. 2019), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-report-2016-2018/.

[3] This report has simplified the numbering of the commitments of the 2018–2020 Czech Republic action plan. For reference, in this report:

Commitment 4.1.1 is referred to as Commitment 1; Commitment 4.3.1 is referred to as Commitment 5,
Commitment 4.2.1 is referred to as Commitment 2; Commitment 4.3.2 is referred to as Commitment 6,
Commitment 4.2.2 is referred to as Commitment 3; Commitment 4.3.3 is referred to as Commitment 7; and
Commitment 4.2.3 is referred to as Commitment 4, Commitment 4.3.4 is referred to as Commitment 8.

[4] Jan Dupak (Transparency International Czech Republic), email to IRM researcher, 14 Jun. 2021.

[5] European Parliament and the Council of the European Union, "Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law" (EUR-Lex, 23 Oct. 2019), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L1937.

[6] Dalibor Fadrný (Anti-corruption Unit, Ministry of Justice), interview by IRM researcher, 2 Mar. 2021.

[7] States of emergency at a regional level have been declared previously, for example during extreme flooding in 2002 and 2013.

[8] Ministry of Health, "The government has approved the rules for the easing up of the emergency measures from May 11, while the state of emergency is valid until 17 May" (30 Apr. 2020), https://koronavirus.mzcr.cz/en/the-government-has-approved-the-rules-for-the-easing-up-of-the-emergency-measures-from-may-11-while-the-state-of-emergency-is-valid-until-17-may/.

[9] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020* (OGP, 15 Dec. 2020), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-self-assessment-2018-2020/.

[10] *Id.*

[11] *Id.*

2.3. Early results

The IRM acknowledges that results may not be visible within the two-year timeframe of the action plan and that at least a substantial level of completion is required to assess early results. For the purpose of the transitional results report, the IRM will use the "***Did it Open Government?***" (DIOG) indicator to highlight early results based on changes to government practice in areas relevant to OGP values. Moving forward, new IRM results report will not continue using DIOG as an indicator.

Section 2.3 focuses on outcomes of commitments that had an ambitious or strong design, per the IRM design report's assessment or that may have lacked clarity or ambition but had successful implementation with "major" or "outstanding" changes to government practice.[12] Commitments considered for analysis in this section had at least a "substantial" level of implementation, as assessed by the IRM in Section 2.4.[13] While this section provides the analysis of the IRM's findings for commitments that meet the criteria described above, Section 2.4 includes an overview of the level of completion for all the commitments in the action plan.

Commitment 7: Opening data—aggregated findings from outcomes of Czech Schools' Inspectorate activities	
Aim of the commitment	This commitment aimed to publish selected aggregated findings from the Czech Schools' Inspectorate (CSI) InspIS system in open data formats. Inspection reports, thematic reports, and audit protocols were based on school evaluation reports and already publicly available. However, the individual evaluation information that is used in these reports (more than 10 million individual records are in the InspIS system) was not public. This commitment would make this data available in open format for public use.
Did it open government? **Marginal**	The Czech School Inspectorate published data on schools and inspection outcomes in the National Catalogue of Open Data.[14] There are 21 datasets, mainly observations of kindergarten, primary, and secondary schools and annual questionnaires to teachers. The InspIS database of school facilities (see Section 2.4, Commitment 6) and inspection reports are also available in an open data format (CSV format).[15] Despite ambitions in the action plan, greater openness than CSV (such as interconnectivity with other data sources[16]) was not achieved because the inspectorate used its own capacities rather than procure services for opening the data. A CSI representative stated that the CSI adopted internal methods and automated scripts for anonymization and aggregation of the data, which means it can be published more quickly and efficiently as it only needs one person to process and update the data, rather than five people.[17] According to the government self-assessment, this internal mechanism of preparing datasets is in routine operation. Usage statistics for the National Catalogue are not available, but CSI has observed an increase in the number of requests from academic institutions and education nonprofits for more datasets for secondary analyses or analysis against data from other areas. This observation is supported by representatives from EDUin, a civil society organization focusing on Czech education, although

	they cautioned that the requester must know which datasets are available in advance as there is no published list.[18] EDUin noted that the newly published data has only limited research potential as the data is no longer updated; only school years 2016–2017 and 2017–2018 are published and the released data is insufficient for longitudinal studies.[19] This apparent one-time publishing of data held by CSI means that this commitment has only had a marginal effect on increasing transparency of the education system. A commitment and implementation of sustained and continuing publishing of this data would provide a major change in opening the education system.

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[12] IRM design reports identify strong commitments as "noteworthy" if they are assessed as verifiable, relevant, and have transformative potential impact. If no commitments meet the potential impact threshold, the IRM selects noteworthy commitments from commitments with "moderate" potential impact. For a list of Czech Republic's noteworthy commitments, *see* Vera Riháčková Pachta, *Independent Reporting Mechanism (IRM): Czech Republic Design Report 2018–2020* (OGP, 7 May 2020), https://www.opengovpartnership.org/documents/czech-republic-design-report-2018-2020/.

[13] The following commitments, assessed as noteworthy in Czech Republic's design report, are not included in this section because their limited implementation means there is not enough progress to assess results:
Commitment 3 (publish lower courts' decisions) and Commitment 4 (raise awareness of whistleblowers).

[14] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020* (OGP, 15 Dec. 2020), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-self-assessment-2018-2020/.

[15] Government of the Czech Republic, "Nalezeno 30 datových sad na dotaz: Česká školní inspekce" (30 datasets found when asked: Czech school inspectorate) (Open Data Portal, accessed 11 Jun. 2021), https://data.gov.cz/datov%C3%A9-sady?str%C3%A1nka=2&dotaz=%C4%8Cesk%C3%A1%20%C5%A1koln%C3%AD%20inspekce&poskytovatel.

[16] CSV formats equate to three stars on the five-star scale. Open Knowledge Foundation, "Five stars of open data" *Open Data Handbook* (accessed 25 Jun. 2021), https://opendatahandbook.org/glossary/en/terms/five-stars-of-open-data/.

[17] Kamil Melichárek (director of Depart. of ICT and Economic Reporting, Czech School Inspectorate), interview by IRM researcher, 3 Mar. 2021.

[18] Štěpán Kment (analyst, EDUin), email to IRM researcher, 11 Jun. 2021.

[19] *Id.*

2.4. Commitment implementation

The table below includes an assessment of the level of completion for each commitment in the action plan.

Commitment	Completion:
	(no evidence available, not started, limited, substantial, or complete)
1. The introduction of quality management principles in service authorities	**Limited** The government regularly conducted meetings to provide information to quality managers; held trainings (including an e-learning platform); consulted and prepared relevant documentation; and started preparing a methodological guideline on developing quality management systems. Some service authorities are now reviewing implementation of quality management principles, others have begun to implement the methodological guideline for introducing quality management principles, and still others have not yet started.[20]
2. Improving the annual statistical report of the Czech judiciary	**Substantial** At the end of each calendar year, the Ministry of Justice collects suggestions from professionals and the general public for the judiciary's annual statistics report via the korupce.cz portal. The ministry received and evaluated 10 responses, although not all were incorporated into the annual report.[21] In 2018 and 2019, the ministry began publishing more detailed statistics in Excel tables including graphics and visuals.[22] These contain various data, such as the number of new cases and pending proceedings, that can be tracked for district and regional courts (the supreme court already publishes its own statistics).[23] A ministry representative said that the reports are mainly used by the courts to report their activities.[24]
3. Publishing the decisions of lower courts	**Limited** By the end of the implementation period, the Ministry of Justice had developed software for anonymization of court decisions. This included five testing rounds, which allowed the ministry to improve the software and gather feedback from the courts. According to the ministry, the final product works well, although it will always be necessary for a qualified person to verify the final texts. A technical challenge exists in completing this commitment because some courts have older or incompatible computer hardware and software. Civil society support the publishing of court decisions but have expressed frustration with the length of time taken for this commitment to be implemented.[25] While recognizing the important preparatory work, the commitment was not completed and cases from lower courts have yet to be published online. This commitment is carried forward into the 2020–2022 action plan.

4. Raising awareness of the issue of whistleblowers on illegal activity	**Limited** This commitment was linked to the adoption of a law on whistleblower protection. The draft law was paused while it was updated to satisfy the latest EU Directive on whistleblower protection. This law was not adopted by the end of the implementation period.[26] Although the Ministry of Justice had planned to raise awareness itself, ministry representatives instead participated in several public awareness activities that were organized by civil society and international organizations.[27] The commitment to pass the law and raise awareness about whistleblowing has been taken forward into the 2020–2022 action plan.
5. Open data on education and the education system	**Limited** The National Catalogue of Open Data includes the Register of Schools and School Facilities for national and regional levels, in open data (XML format) since January 2019 (see Commitment 6, below).[28] However, implementation of the MEYS DIS system—including tendering, implementation, piloting, and launching the system—was not complete by the end of the implementation period. The government acknowledged that next time, commitments need to factor in lengthy timeframes for public procurement.[29] According to the Ministry of Education, the temporary closure of schools and school facilities due to the COVID-19 pandemic impacted the tender process for the MEYS DIS system as the potential supplier could not have been expected to complete the activities in the original timeframe.[30] The timeline for the full operation of MEYS DIS has been extended to March 2023.[31]
6. Open data—information on schools and school facilities from the InspIS information system	**Complete** The Czech Schools Inspectorate (CSI) processed modifications to the InspIS system internally, rather than go through a tender process as initially planned. While the self-assessment explained that a successful tender process would have led to more extensive changes, a CSI representative said the internal modification facilitated the automatic aggregation and anonymization of data, making it easier and more efficient to publish than before.[32] The National Catalogue of Open Data now publishes this database from the InspIS portal containing Information about schools and facilities in open data format (CSV format). The data is provided and updated on a voluntary basis by schools but CSI does not validate this data.[33] There has been no significant change in the quality or quantity of available data

	available via the InspIS portal and National Catalogue of Open Data.
7. Opening data – aggregated findings from outcomes of Czech Schools Inspectorate activities	**Complete** For details regarding the implementation and early results of this commitment, see section 2.3.
8. Ensuring the publication of digital content of a wide variety of natures, supported by public funds, under a Creative Commons open license	**Substantial** The rules for applicants and recipients of public funding from the Research, Development and Education program of the Ministry of Labour and Social Affairs state that products created during the implementation of projects must be unrestricted and freely accessible to the public (such as via a Creative Commons 4.0 license).[34] Under the new system, products must now be available on the Project Output Database (https://databaze.opvvv.msmt.cz/) and on the RVP.cz portal (https://rvp.cz/), which is provided as part of the Support for Teachers' Work project. This additional information includes digital education sources, methodical tools, educational programs, and educational materials.[35] While there is no data on visits from beforehand, the RVP.cz website received over 6 million visits over the two-year implementation period.[36] The Ministry of Labour and Social Affairs adopted the obligation to publish digital content with an open license in 2020. This applies only for institutional support to departmental research organizations (these are not contracts but decisions of grant provision), and agreements on grant provision in accordance with Section 320a of the Labour Code for representatives of social partners of the Council of the Economic and Social Agreement (an institutionalized tripartite platform for social dialogue among the government, trade unions, and employers).[37]

[20] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020* (OGP, 15 Dec. 2020), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-self-assessment-2018-2020/.

[21] David Pánek (Ministry of Justice), interview by IRM researcher, 12 Mar. 2021.

[22] Ministry of Justice, "Statistiky z oblasti justice" (Statistics in the field of Justice), (accessed 14 Jun. 2021), https://justice.cz/web/msp/statisticke-udaje-z-oblasti-justice.

[23] Pánek, interview.

[24] *Id.*

[25] Jan Dupak (Transparency International Czech Republic), email to IRM researcher, 14 Jun. 2021.

[26] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020.*

[27] Dalibor Fadrný (Head of the Anti-Corruption Unit, Ministry of Justice), interview by IRM researcher, 2 Mar. 2021.

[28] Ministry of Education, Youth, and Sports, "Rejstřík škol a školských zařízení – celá" (Register of schools and school facilities - the whole Czech Republic) (Open Data Portal, accessed 11 Jun. 2021), https://data.gov.cz/datov%C3%A1-sada?iri=https%3A%2F%2Fdata.gov.cz%2Fzdroj%2Fdatov%C3%A9-sady%2Fhttps---data.msmt.cz-api-3-action-package_show-id-rejstrik-skol-a-skolskych-zarizeni-cela-cr.

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[29] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020.*

[30] Petra Voráčková (Dept. of Informatics and Statistics, Ministry of Education, Youth, and Sports), interview by IRM researcher, 3 Mar. 2021.

[31] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020.*

[32] Kamil Melichárek (Czech School Inspectorate), interview by IRM researcher, 3 Mar. 2021.

[33] Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020.*

[34] *Id.*

[35] Miroslav Navrátil (Ministry of Education, Youth, and Sports), email to IRM researcher, 16 Mar. 2021.

[36] There were 2,747,448 visits to the dum.rvp.cz module, and 3,634,711 visits to the clanky.rvp.cz module between 1 January 2018 and 31 December 2020. Navrátil, interview.

[37] Pavel Dudek (Ministry of Labour and Social Affairs), emails with IRM researcher, 4 Mar. 2021.

III. Multistakeholder Process

3.1 Multistakeholder process throughout action plan implementation

In 2017, OGP adopted the OGP Participation and Co-Creation Standards to support participation and cocreation 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.

OGP's Articles of Governance also establish participation and cocreation requirements a country or entity must meet in their action plan development and implementation to act according to the OGP process. Czech Republic did not act contrary to OGP process.[38]

Please see Annex I for an overview of Czech Republic's performance implementing the Co-Creation and Participation Standards throughout the action plan implementation.

Table 3.2: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply it to OGP.[39] In the spirit of OGP, most countries should aspire to "collaborate."

Level of public influence		During development of action plan	During implementation 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	The government gave feedback on how public inputs were considered.	✔	✔
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

During the implementation period of the 2018–2020 action plan, the multistakeholder forum—the Working Commission on Open Government and State Administration Transparency—met nine times.[40] Most meetings updated members on the implementation of the action plan until the COVID-19 pandemic disrupted the rhythm of meetings.

After the COVID-19 pandemic began, attention turned toward the cocreation period for the next action plan (2020–2022). The drafting of the self-assessment offered an opportunity to consult on the final implementation updates of the 2018–2020 action plan.

Both government and civil society members attended meetings of the Working Commission and there was at least one time that non-members from civil society joined as guests. The minutes of the Working Commission show that there were opportunities for members to monitor and question progress on commitments. A civil society representative from the Working Commission said that there were enough opportunities to discuss any aspect of

implementation at the meetings.[41] In this sense, the level of engagement during implementation continued in a similar fashion to engagement during the cocreation process.

However, meetings outside the Working Commission on specific commitments were more productive than Working Commission meetings, which could be a little too formal.[42] Although officials within the Czech administration were interested in the open government agenda, they did not necessarily have the political or senior support that would help them enforce implementation of commitments. This made it difficult for the Ministry of Justice to encourage or enforce implementation in other ministries.

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[38] Acting Contrary to Process: Country did not meet (1) "involve" during the development or "inform" during implementation of the action plan, or (2) the government fails to collect, publish and document a repository on the national OGP website in line with IRM guidance.
[39] IAP2, "IAP2's Public Participation Spectrum" (2018), https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf.
[40] Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy" (Working Commission on Open Government and State Administration Transparency) (accessed 11 Jun. 2021), https://korupce.cz/rada-vlady/pracovni-komise-predsedy-rady-vlady-pro-koordinaci-boje-s-korupci/komise-k-otevrenemu-vladnuti-a-transparentnosti-statni-spravy/.
[41] Jan Dupak (Transparency International Czech Republic), emails with IRM researcher, 14 Jun. 2021.
[42] Id.

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3.2 Overview of Czech Republic's performance throughout action plan implementation

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

Multistakeholder Forum	During Develop-ment	During Implement-ation
1a. Forum established: The dedicated multistakeholder forum is called the Working Commission on Open Government and State Administration Transparency.[43]	Green	Green
1b. Regularity: The Working Commission held nine meetings, every 2–4 months, over the course of the action plan implementation period.[44]	Green	Green
1c. Collaborative mandate development: This was assessed in the design report.	Green	N/A
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the Korupce.cz webpage.[45]	Green	Green
2a. Multistakeholder: The Working Commission includes representatives from both civil society and government ministries.	Green	Green
2b. Parity: Eight nongovernment organization representatives and eight government representatives compose the Working Commission.[46]	Green	Green
2c. Transparent selection: This was assessed in the design report.[47] There were no changes to the Working Commission during the implementation period.	Yellow	N/A
2d. High-level government representation: The Chair of the Working Commission is filled by Dr. Jeroným Tejc, Deputy Minister for the management of the Anti-Corruption Coordination Section.[48]	Green	Green
3a. Openness: Meetings of the Working Commission were open to non-members who expressed interest in participating, according to the self-assessment.[49] A stakeholder for one of the action plan commitments participated in meetings several times even though they were not formal members of the Working Commission.[50]	Green	Green
3b. Remote participation: Due to the COVID-19 pandemic, Working Commission meetings have been held online. Although not the same	Red	Green

as remote participation, it is worth noting that written contributions are accepted after meetings are held (known as "per rollam").[51]	Red	Green
3c. Minutes: Detailed minutes are published on the korupce.cz website.[52]	Yellow	Green

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

Action Plan Implementation	
4a. Process transparency: The korupce.cz website details the progress of individual commitments.[53] Updates are also published on the news section of the website, Facebook, and Twitter.	Green
4b. Communication channels: The korupce.cz website contains a webpage with the email and phone number of the Government Point of Contact.[54] There was a public consultation on the draft self-assessment report, but the website does not allow the public to leave comments on action plan progress (unless via email with the Point of Contact).	Yellow
4c. Engagement with civil society: There were no open meetings to discuss implementation of the action plan, but civil society representatives could attend the Working Commission meetings. There is at least one example of a civil society organization joining the Working Commission meetings although they are not an official member.[55]	Yellow
4d. Cooperation with the IRM: The IRM design report was shared with the leads for the individual commitments. The final IRM reports are published on the korupce.cz website.	Green
4e. MSF engagement: The Working Commission monitors and discusses implementation of the action plan commitments.[56]	Green
4f. MSF engagement with self-assessment report: The Working Commission was invited to provide comments and feedback to the draft self-assessment.[57]	Green
4g. Repository: The korupce.cz website contains a repository with documentation on the OGP process in the Czech Republic.[58]	Green[59]

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[43] Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy" (Working Commission on Open Government and State Administration Transparency) (accessed 11 Jun. 2021) https://korupce.cz/rada-vlady/pracovni-komise-predsedy-rady-vlady-pro-koordinaci-boje-s-korupci/komise-k-otevrenemu-vladnuti-a-transparentnosti-statni-spravy/.
[44] Id.
[45] Id.
[46] Id.

47 Vera Riháčková Pachta, *Independent Reporting Mechanism (IRM): Czech Republic Design Report 2018–2020* (OGP, 7 May 2020), https://www.opengovpartnership.org/documents/czech-republic-design-report-2018-2020/.

48 Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020* (OGP, 15 Dec. 2020), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-self-assessment-2018-2020/.

49 *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020* (OGP, 15 Dec. 2020), https://www.opengovpartnership.org/documents/czech-republic-end-of-term-self-assessment-2018-2020/.

50 *Id.*

51 *Id.*; Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy."

52 Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy."

53 Ministry of Justice, "Fáze implementace" (Implementation phase) (accessed 11 Jun. 2021), https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-akcni-plany-nap/ctvrty-akcni-plan-2018-2020/faze-implementace/.

54 Ministry of Justice, "Národní kontakt (POC)" (National Contact (POC)), (accessed 11 Jun. 2021), https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/narodni-kontakt-poc/.

55 Minister of Justice, *End-of-Term Self-Assessment Report for Action Plan of the Czech Republic Open Government Partnership for 2018 to 2020*,

56 *See* Minutes of the 16th Meeting of the Working Committee. Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy."

57 *See* Minutes of the 23rd Meeting of the Working Committee. Ministry of Justice, "Komise k otevřenému vládnutí a transparentnosti státní správy."

58 Ministry of Justice, "Knihovna dokumentů" (Document library) (accessed 11 Jun. 2021), https://korupce.cz/partnerstvi-pro-otevrene-vladnuti-ogp/knihovna-dokumentu/.

59 *Id.*

IV. Methodology and Sources

Research for the IRM reports is carried out by national researchers. All IRM reports undergo a process of quality control led by IRM staff to ensure that the highest standards of research and due diligence have been applied.

The International Experts Panel (IEP) of the IRM oversees the quality control of each report. The IEP is composed 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

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual[60] and in Czech Republic's 2018–2020 design report.

About the IRM

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

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[60] IRM, *IRM Procedures Manual* (OGP, 16 Sept. 2017), https://www.opengovpartnership.org/documents/irm-procedures-manual.

Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[61] A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - o Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - o Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text, the guiding questions to determine the relevance are:
  - o Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
  - o Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
  - o 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:
  - o Identify the social, economic, political, or environmental problem;
  - o Establish the status quo at the outset of the action plan; and
  - o 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 IRM *Implementation Report.*
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how 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 IRM Implementation Report.

Results-oriented commitments?
A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design is one that 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 particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. To receive a star, a commitment must meet several criteria:

- The commitment's design should be **Verifiable**, **Relevant** to OGP values, and have **Transformative** potential impact. As assessed in the Design Report.
- The commitment's implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete.**

This variable is assessed at the end of the action plan cycle, in the IRM Implementation Report.

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61 IRM, *IRM Procedures Manual* (OGP, 16 Sept. 2017), https://www.opengovpartnership.org/documents/irm-procedures-manual.