



OGP at Ten:

Toward Democratic Renewal



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Special thanks

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Jessica Monaco, Web Manager
Amalia Pleake-Tamm, Copy-editor
Nicol Regan, Graphic Designer

CEO's Foreword

This report marks the ten year anniversary of the Open Government Partnership. Contained within it are highlights of what we have achieved together since OGP's launch in 2011.

It tells the story of our rapid growth, from eight governments and nine civil society leaders, to 78 national members and 76 local members today. It tells the story of dedicated reformers bringing hard work and innovation to bear to win hard-fought change in their governments. And it tells the story of critical reforms—from open contracting in Ukraine to social auditing in Nigeria—that are helping to improve people's lives. But while there is much to celebrate, there is also a darker and more troubling story to tell of a rising tide of populism and authoritarianism sweeping the globe over the past decade.

During OGP's lifetime, democracy has come under increasing threat from authoritarian and populist leaders who have been elected in a large number of countries—including OGP members. Democratic norms have been undermined; the media, civil society, rule of law, and oversight institutions have come under attack; and disinformation and political corruption have proliferated. And while citizens in the majority of countries continue to elect their governments, too often they perceive them to be—at best—disconnected and unresponsive to their needs, and—at worst—self-serving and corrupt.

As this report sets out, we are faced with a paradox. On the one hand, we have collectively built a global and well-functioning platform that, when used, is

demonstrated to work. On the other hand, democracy and open government are more at threat today than when we started out.

This paradox presents us with both an opportunity and a challenge for the decade ahead.

The opportunity lies in the innovative reforms that courageous reformers are advancing throughout OGP that show a hopeful way forward. Across the Partnership, individually we hold pieces of the puzzle that—when put together—form a picture of healthier and more vibrant democracies that can deliver better results for citizens. As the fourth part of the report outlines, four clusters of reforms stand out from across the OGP community that offer the promise of transforming the relationship between citizens and their governments:

1. Opening up opaque institutions to build citizen trust and combat corruption;
2. Engaging citizens to shape and oversee policies and services that impact their lives;
3. Tackling systemic inequalities and empowering marginalised groups; and
4. Confronting threats to democracy.

But not only can these clusters of reforms renew our democracies, they can also help us to tackle the four other societal challenges that face us. To recover from the pandemic and economic crisis, we need to make all COVID-19 stimulus, safety nets, and vaccines open for citizen monitoring. To tackle the crisis of inequality, we need to empower marginalized groups at the



bottom and rein in abusers of power at the top. And to tackle the climate crisis, we need to arm citizens with information on climate risks and empower them to shape bold climate actions.

The challenge that lies ahead of us is scaling these reforms across the Partnership and together turning back the tide of authoritarianism and populism. To achieve this, we must mobilize a much stronger collective effort through creating broader coalitions, stronger leadership, and bottom-up citizen pressure.

History teaches us that change is best achieved by broad (and often unlikely) coalitions of people working together toward a common vision. At the country level, we need to broaden coalitions to accelerate reforms where OGP needs to make greater progress. We need to build awareness and enthusiasm for open government reforms across a broader constellation of ministries, political parties, and civil society, such as those advocating for gender, climate, and civil liberties. And at the global level, we must coalesce a strong, renewed global coalition for democracy as an existential imperative to push back against the rise of authoritarian leaders, spreading the authoritarian playbook across national boundaries. We need to work together to connect with new groups, common causes, and movements.

Democracy is in peril, and we need bolder leadership from across our Partnership to collectively raise our game to renew it. At the country and local level, we need collective leadership across government and civil society to raise ambition, forge broader coalitions, and persist

against formidable obstacles. At an international level, at a time when authoritarian leaders like Hungary's Victor Orban proudly proclaim the end of liberal democracy, we need more heads of states, ministers, and mayors to speak out in democracy's defense and show through the power of example how a renewed, citizen-centred democracy can deliver better results. We need to work together to find, train, and support the next generation of open government leaders.

Bottom-up citizen pressure can be a huge accelerator of reform. We have seen the power of citizens in the Black Lives Matter movement and #EndSARS protests in Nigeria. Over the past 18 months, despite lockdowns, we have seen a huge upsurge in citizen protests globally—visceral demonstrations of citizens' loss of trust in governance. We must leverage these to demand change, to open government to citizens. Failing to engage citizens with open government reform not only misses the opportunity to build political power to overcome vested interests and secure reforms, but leaves the door open for populist leaders to win support for regressive agendas. In this collective endeavor, the role of civil society is vital in amplifying the voice and interests of citizens, pressing for broader social causes, and advocating for open government reforms.

The task ahead of us is great, but together we can transform OGP from a mechanism to a movement—from a global platform to a global movement to renew democracy for and with citizens, to deliver better outcomes for citizens in their countries and communities.

A stylized, handwritten signature of Sanjay Pradhan in black ink.

Sanjay Pradhan

Chief Executive Officer, Open Government Partnership

Nnenna Nwakanma and Rakesh Rajani participate at OGP's five-year celebration at the United Nations in 2016. Photo by OGP.



OGP at Ten: Toward
Democratic Renewal

OGP Executive Summary



When eight governments and nine civil society leaders launched OGP in 2011, no one expected it to reach its current size and scope. Over the last ten years, however, OGP has grown in ways that have exceeded expectations. Governments and thousands of civil society members have, together, co-created more than 4,500 commitments across 300 action plans in 78 countries. Hundreds of these commitments have already changed how the governments work despite a global political environment increasingly hostile to openness. Behind each and every commitment, there is a story of reformers and reform. When these reforms are taken together, they show that OGP works. They also provide us the seeds for a democratic renewal.

Directions of growth

OGP has grown thanks to the contributions and dedication of reformers from all corners of government, civil society, and beyond. OGP expanded in three directions: its membership, its government stakeholders, and the diversity of its participants.

OGP's membership has expanded rapidly since its founding. OGP began as a partnership of just eight members and expanded to 78 national members by 2018. Today, the Partnership continues to grow, primarily thanks to the expansion of the local program, which now has 76 members.

OGP processes and commitments have increasingly included different branches and levels of government. While OGP began as an initiative of the executive branch, there have always been a considerable number of commitments from other branches of government. Legislatures, judicial institutions, and subnational government entities play a critical role, acting as checks on the abuses of the executive and as laboratories for innovation.

Participation in OGP is becoming more inclusive and equitable. Efforts to make action plans more inclusive have resulted in greater diversity in OGP processes and significant growth in the number of commitments that expressly focus on making governance more equitable.

The OGP model works

The OGP model, in short, is based on the idea that civil society and government co-create two year action plans with concrete, ambitious commitments. These commitments are then credibly implemented, helped by partner organizations from around the world and assessed by the Independent Reporting Mechanism (IRM). This results in more open governments, better policies, and improvements in people's lives.

An emerging body of evidence suggests that the various parts of the OGP platform work:

- **Joining OGP:** Several countries have implemented open government reforms to become eligible to join OGP. For example, OGP membership provided an important lever for Morocco to pass a long-awaited right to information bill in 2018. The eligibility criteria have also prevented non-democratic countries from joining.
- **Action plans:** Civil society is increasingly involved in the action plan process, and this is linked to stronger action plans and results. Meanwhile, commitments are covering more topics and are producing concrete changes in open government practices.
- **Beyond action plans:** OGP is driving the creation of new networks and peer-learning opportunities, showcasing innovative reforms and ensuring domestic implementation of high-level global pledges. OGP has also responded to threats to civil and political rights in several member countries.

Of course, not every OGP member follows the OGP process. This represents an area for continued improvement and investment.

Progress through policy areas

The OGP process outlined above creates a foundation on which reformers can work together to renew democracy across a range of policy areas. These reforms make governments more open and engage citizens and civil society every day, not just every few years when they cast their vote. In the last ten years, OGP members have made commitments in dozens of policy areas. This report focuses on four main clusters of reforms.

OGP commitments open up institutions to build trust and fight corruption by creating publicly accessible beneficial ownership registers and open contracting data. Open fiscal policy allows civil society groups to follow the money and inform decisions across a number of areas—from revenues and budgets, to spending and audits. For example, in Italy, a group of teenagers used data from the country's public contracting register to make sure public funds were being spent the right way.


OGP commitments engage citizens to shape public policies and services. This includes vital public services—such as access to water, healthcare, and education—through better transparency, deliberation, and accountability. Members are also using OGP action plans to increase citizen participation in environmental management and the use of natural resources as well. For example, in Ecuador, reformers used their country's first action plan to implement the Escazú Agreement, a regional treaty to protect environmental defenders, strengthen the right to information, and access to justice.

OGP commitments tackle inequality, including commitments that empower people that have been excluded from decisions before. For example, in Nigeria, the government and activists are working together to develop comprehensive guidance on use of force by police during peaceful protests. In the Philippines, women's rights organizations are demanding more relevant reform through its action plan. Tackling inequality requires reining in state capture as well as building solidarity, as Scotland has done with its national deliberation on inequality.

OGP commitments are building more resilient democracies, combating disinformation, protecting privacy, stopping illicit money in politics, reining in abuses by big tech, strengthening the media environment, and protecting free expression online. In Mexico, civil society organizations are working with the government to create oversight mechanisms for the use of surveillance in the wake of revelations about the government's improper use of surveillance software.

A changing global context for open government

Despite ten years of progress for OGP and open government efforts, democracy is backsliding. After fifteen years of decline in civil liberties, democratic decline has now spread; dozens of studies show erosion in rule of law and electoral integrity and a rise in discrimination. OGP countries have not been immune from this trend. Most OGP countries have seen a decline in civil liberties over the decade, and some, like Hungary, have even left the Partnership on this basis. Others, like Azerbaijan, have been suspended following documented harassment of civil society organizations. On the other hand, people are using their voice in unprecedented ways; public protests reached an all-time high just before the global pandemic and countries around the world are adopting deliberative approaches to hear from citizens about climate solutions, inequality, and constitutional reform.



Attendees at Civil Society Day at the 2018 OGP Asia-Pacific Regional Meeting in the Republic of Korea. Photo by OGP.

Where we go from here

Several challenges remain if OGP is to reach its full potential. The evidence shows that the OGP model delivers results when used as designed. However, more remains to be done. Three issues, in particular, have not improved or have declined over the course of the first decade of OGP:

- **Ambition at scale:** OGP commitments are supposed to change the way each government does business and delivers for citizens. But overall, levels of ambition have slightly declined over time. The data shows that ambitious commitments are the most likely commitments to produce concrete results, so this deserves collective attention and resources.
- **Implementation at scale:** While overall rates of implementation have remained steady, several OGP members struggle to fulfill their commitments, particularly low-income countries. Lack of resources may be a contributing factor in many cases, but improving implementation across the Partnership will need more than just funding.
- **Democratic fundamentals:** OGP could do more to address public accountability, civil and political rights, and political integrity. The number of OGP commitments that deal with public accountability has fallen to an all-time low of about five percent. Commitments that address civil liberties are similarly too few and far between. OGP members could also do more to address critical areas of political integrity, such as asset disclosure and political finance.



Toward democratic renewal

OGP works. The last decade has seen hundreds of meaningful reforms that make government more open, more participatory, and more accountable. This happened because people—whether politicians, activists, civil servants, or international organizations—made it happen, working together. It happened because they chose to take part in an experiment, to join an unproven international partnership.

Over the course of the decade, that experiment paid off and the results have multiplied. Civil society groups have fought for hard-won change and governments have had political cover to undertake difficult reforms. Most importantly, they brought tangible gains and concrete opportunities for real people.

The challenges the world faces, however, are no ordinary challenges. Taking full advantage of the power and potential of the Partnership, therefore, requires doubling down on what works and squarely facing what does not. The seeds of a better democracy are evident across OGP, but we will need to do more if we are to solve our simultaneous health, economic, social, environmental, and democratic crises.

We have spent a decade growing our strength. Now is the time to use it.

Report road map

This report tells the story of the first ten years of OGP. It tells the stories of reformers and innovators from around the world fighting corruption, improving public services, and making democracies more democratic. It is dedicated to telling their stories, through features, through data, and through narrative.

First and foremost, then, this report is for the community of OGP reformers. It exists to capture the hard work, smart ideas, and challenges ahead of the community. Every story could not possibly be told, but the stories that are told aim to represent the community. The authors hope reformers see themselves in this document and forgive any oversights.

This report is also a “milemarker.” It lays out what has been achieved and what remains ahead of OGP. In that sense, it marks progress, but also strives for honesty about what still remains to be accomplished. To that end, it will ideally be useful for donors, evaluators, and other multilaterals who wish to learn from OGP or who have ideas about how to improve it. Most importantly, it will allow the OGP community to strengthen what works and tackle what remains to be done.

This report musters a broad base of evidence. In the spirit of OGP, much of it is drawn from OGP’s large stockpile of open data. A large portion of that comes from the hundreds of reports from the Independent Reporting Mechanism (IRM) published over the decade and analyzed in a series of technical papers, most recently *OGP Vital Signs—10 Years of Data in Review*. Some of the evidence is based on emblematic or notable case studies. Another portion comes from third-party evaluations of how OGP works and online surveys of the public.

The report proceeds as follows:

- **Part I, “Ten Years of Reform,”** looks at how OGP has grown in a context of democratic recession.
- **Part II, “Growing Our Strength,”** gives a historical overview of the development of OGP and its growth in multiple dimensions: membership, open states, and inclusion.
- **Part III, “The OGP Model Works,”** looks at the growing body of evidence of what effects OGP has, from joining to action planning and beyond.
- **Part IV, “Seeds of Democratic Renewal,”** looks at the many reforms that OGP has accomplished across its lifespan.
- **Part V, “Three Frontier Challenges,”** looks at three of the biggest remaining challenges in OGP: ambition at scale, implementation at scale, and renewing democracy.
- **Part VI, “Conclusion,”** is a call to action for the next decade.

Throughout, there are features about citizens using OGP reforms. These are highlighted in a special feature, “Why We Work,” and through other reforms throughout.

OGP mini-glossary


OGP, like most organizations and communities, has evolved its own language to allow community members to talk to one another. For those new to OGP or those wanting a refresher, here is a list of the most common terms.

- An **action plan** is the product of a co-creation process in which a multistakeholder forum (composed of government and civil society) develops ambitious commitments to address urgent public problems by fostering transparency, accountability, and public participation. OGP members create and implement **commitments**, initiatives which address urgent public problems by fostering transparency, accountability, and public participation.
- During the **action plan cycle**, the multistakeholder forum leads the co-creation process and implementation of action plans. Throughout the process, there are opportunities for learning about the quality of the process, and the ambition and completion of the commitments.
- The multistakeholder forum leads the action plan **co-creation process**, with engagement of stakeholders such as government, civil society, academia, and the business sector. The **Independent Reporting Mechanism (IRM)** monitors the development and implementation of action plans and provides distinct products to contribute to learning and accountability of OGP processes.
- OGP commitments should clearly advance at least one of these three **OGP values** to be deemed **relevant**: transparency, civic participation, or public accountability.
- **Transparency** initiatives include the publication of all government-held information; proactive or reactive releases of information; mechanisms to strengthen the right to information; and open access to government information.
- **Civic participation** initiatives include those that create or improve processes or mechanisms for the public to influence decisions; that create or improve participatory mechanisms for underrepresented groups; or that enable a legal environment that guarantees civil and political rights.
- **Public accountability** initiatives include those that create or improve opportunities for the public to hold officials answerable for their actions, and those that create or improve legal, policy, and institutional accountability frameworks to foster accountability. Importantly, public accountability implies that mechanisms are not only internal but can also be accessed and triggered by members of the public.
- **Ambition** captures the potential of a commitment to have a transformative effect on the status quo of governance practices. An ambitious commitment is one that, if fully implemented, will achieve demonstrable improvements in or through access to information, civic participation, and/or public accountability.
- **Civil society** describes all non-state, non-multilateral organizations and individuals acting collectively or individually. It includes the formal and the informal, the secular and the religious, mass social movements and interested individuals. It includes service-oriented organizations, advocacy organizations, and watchdog groups.
- **Reformers** are at the heart of OGP. They are the individuals and institutions seeking to do things differently. They work in government, outside of government, between governments, and in multilateral organizations. (See the special feature, “The Reformers at the Heart of Open Government,” later in this report.)

Richard “Bon” Moya was an OGP champion and envoy who embodied OGP values throughout his career in public service and beyond. He was a brilliant, kind, and down-to-earth reformer and an inspiration to many in the open government community in the Philippines and around the world. He will be truly missed.



I. Ten Years of Reform



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8-20 Septem

“More open government brings more trust. In the future in an interconnected shared economy trust is one of the biggest commodities that we need to have. It’s not just money. When people believe you there’s less cost of governance, there’s less cost of audit, there’s less cost of going through courts. So, trust is something that we feel we need to build and the only way to do that is to be open and transparent.”

—Richard “Bon” Moya, 2015



Gwanghwamun Square became a physical manifestation of anti-corruption when, in October 2016, the “Candlelight Demonstrations” brought tens of thousands into the street to demand the resignation of Park Geun-Hye after the extortion of millions from major industrial interests. Since the Candlelight Movement, the Republic of Korea has expanded the citizen proposal platform from in-person to [online](#). Photo by sinsy via iStock.

Prologue: Korea’s symbolic heart becomes a symbol of openness

Once the gateway to the palace of the Joseon Dynasty, Gwanghwamun Square has held a place in the national imagination of Koreans for centuries. Destroyed by the Korean War, the plaza was replaced by a 16-lane thoroughfare for cars. This previously thriving democratic space stood inaccessible until 2010. In recent years, it has been reinvented to become a civic and cultural touchstone for a renewed democratic spirit in Korea and a sustained and thriving example of the influence of open government and participatory democracy.

The square became a physical manifestation of anti-corruption efforts when, in October 2016, the “Candlelight Demonstrations” brought tens of thousands into the street to demand the resignation

of Park Geun-Hye after the extortion of millions from major industrial interests. The Candlelight Movement grew, leading to a reformist government taking power in 2017, led by President Moon Jae-In.

During the transition, Gwanghwamun Square became both a literal and metaphorical place where citizens could have their voices heard in the policy-making process. Specifically, the government set up a tangible space where people could submit proposals and petitions for improvements. Citizens proposed reforms ranging from freight shipping safety to municipal consolidation, many of which have been incorporated into policy and practice.¹

In a 2017 interview, Former Minister for Interior and Safety Chin Young explained:

The Government of the Republic of Korea has transformed Gwanghwamun Square to a place called Gwanghwamoon 1st Street where citizens voice themselves and the government listens to them. Citizens of all ages, from children to the elderly, participated in the policy-making process as members of a transition office for a new government.²

Once again, citizens could make their voices heard, but this time through the Gwanghwamoon 1st Street platform. Sungyeol Shin, the former Director of the Public Participation Policy Division in the Ministry of the Interior and Safety, detailed the response from citizens shortly after the new government took office in 2017:

In just 49 days, 180,705 suggestions for the new government were submitted on the Gwanghwamoon 1st Street website or at one of the temporary PTO [People's Transition Office] offices. Of these, just over 1,700 of the very best proposals were integrated into government policies.³

Since the Candlelight Movement, the Republic of Korea has expanded the citizen proposal platform from in-person to online. The expansion has increased engagement from citizens of all ages, including a group of third grade students at Jeju Jungang Elementary School in Jeju City. When the students learned about the harmful impacts disposable ice packs from delivery services were posing to their environment, they wanted to take action. With the support of their teacher, Ji-eun Kim, they wrote to their mayor and entered national competitions to share their idea for a recycling program. However, after seeing no concrete progress, they decided to submit a proposal to the Gwanghwamoon 1st Street Initiative online platform.

Thanks to this participatory platform, the idea from Ji-eun's class reached government leaders and was selected to become a new pilot recycling program. After learning that damaged ice packs are hard to recycle, the government then shifted their focus to regulating the contents of the ice packs to ensure they don't contain microplastics and harmful chemicals. Volunteer advocacy can turn into meaningful and sustained engagement, as the government continues to keep Ji-eun up to date on the latest developments in the regulation policy.



Third-grade students at Jeju Jungang Elementary School in the Republic of Korea listen as their teacher gives a lesson. Photo by OGP.

The government has also expanded the communication and participatory aspects of the platform using their OGP action plan. In 2018, the government established an open communications forum⁴ and a public diplomacy system⁵ to facilitate public opinion sharing and participation in foreign policy. The government continues to further develop the platform in their latest action plan,⁶ and has taken this innovation global, integrating it into their vision for OGP, as chairs, with the aim of: “promoting participatory democracy at all levels, pursuing public values toward an inclusive state, and renewing trust through government innovation.”⁷

For Ji-eun and her class, the process has been a great learning experience. “It’s important for citizens to take part in these policies. As kids, we think we can do anything. As we get older, we become more indifferent.” The project has given her students more confidence to take action on causes they care about and be attentive to common issues of society. She suggests that instilling these values at a young age is important for the future of Korea, as it helps to create a lifetime of meaningful citizen engagement.

Citizens, domestic open government activists, and reformers inside and outside of government are working together to solve difficult, often re-emerging and growing problems—real-world problems. In the case of Korea, the story of the ever-changing meaning of Gwanghwamun Plaza shows just how open government works when it is at its best, and how OGP can be an important tool to implement and improve reforms.

Panelists at the 2019 OGP Global Summit Session on the future of the open government movement discuss data on democratic trends. Photo by OGP.



A decade of growth in troubling times

Just like Gwanghwamun Square, OGP is also a meeting place—both real and virtual—where people come together to improve how decisions are made. Also like Gwanghwamun, the shape and the meaning of the Partnership have changed over time. Since its founding in 2011, OGP has brought together reformers inside and outside of government to promote greater transparency, participation, and accountability in government. OGP was always intended to be more than a talk shop. Instead, it was meant to be a platform for action. Consequently, OGP’s results have happened primarily through each members’ action plans and, perhaps equally importantly, through the interactions and relationships between reformers. (See the “OGP Mini-Glossary” earlier in the report for an explanation of commonly used terms such as “action plan.”)

OGP’s first decade can be summarized in a seeming paradox. OGP has blossomed—as a community, as

a shared set of practices, and as an organization. Meanwhile, the world increasingly struggles with democracy, openness, and integrity. The challenge of the next decade will be in how OGP can be useful in reversing this trend.

The evidence for the first part of the paradox grows by the month. Membership in OGP has grown more quickly than its founders could have expected. Members have made more meaningful reforms than could likely have been imagined ten years ago. Over the last ten years, government and civil society have together co-created more than 4,500 reforms across 300 action plans. Of the 2,000 OGP reforms reviewed by IRM, over 20 percent were assessed to have made government significantly more open. While no one would contend that action plans have neared perfection, many indicators of what makes a “good” action plan are improving.



Perhaps equally important, growing evidence presented in this paper shows the OGP model works. Better consultation, collaboration, and exchange during the OGP action planning process link closely to better action plan results.

Despite OGP's success, the current environment seems to be the toughest in recent memory. The past decade has been a difficult time for democracy. A growing share of the world's population live under authoritarian rule, and liberal values and electoral democracy are under threat. Kleptocratic governments enrich themselves at the expense of their citizens, and authoritarian movements in the world's most established democracies erode social foundations.

OGP members have not been immune from this trend. It is now clear that rights in the vast majority of OGP countries have declined in the same time period. Figure 1 shows the baseline and starting point for civil liberties—expression, assembly, and association—as captured by the Economist Intelligence Unit.⁸ This measure

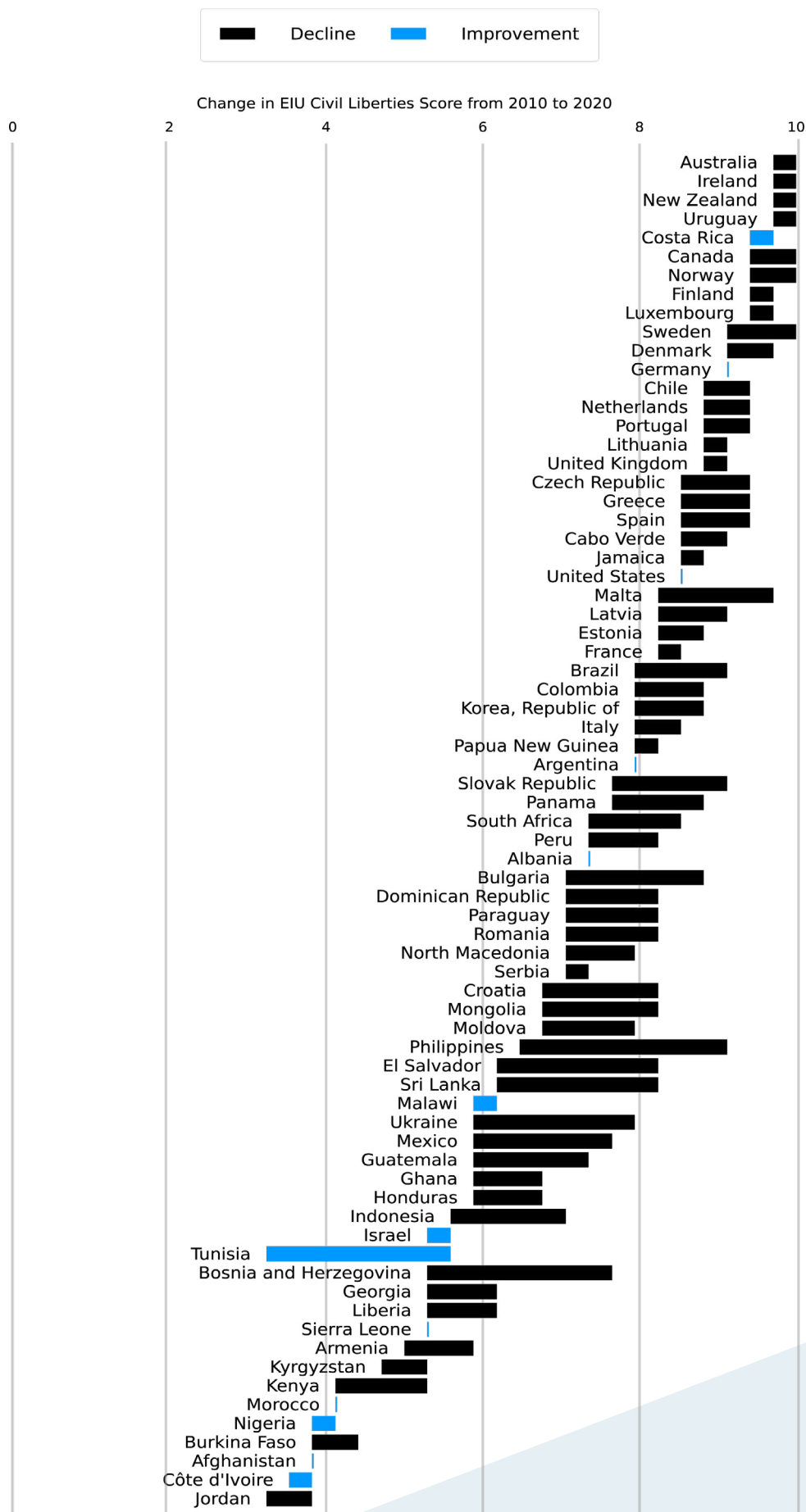
is produced annually and is one of OGP's eligibility indicators. As the graph shows, of 78 national members:

- 6 countries have expanded civil liberties over the decade;
- 7 have stayed the same; and
- 65 have declined.

However, the decline has not been absolute. The world has seen other manifestations of democracy: growing exercise of civil liberties with record numbers of protests; a wave of deliberative democratic reforms, including climate assemblies around Europe; and increasing referendums around the world. But, as of yet, these reforms, inside and outside of OGP have not reached scale and impact enough to reverse the trends of autocratization and polarization.

This decline is of a dual concern. The first, and most cited reason is that OGP needs civil liberties in order to function. The free flow of ideas, the ability to seek information, to organize for and advocate for better ideas is necessary if action plans are to become more ambitious.

FIGURE 1. The OGP civil liberties score shows widespread declines



Equally importantly, it speaks directly to the goals of the OGP model. The aim of OGP is to strengthen democratic norms by creating a space—the action planning process—where civil society can advocate for change and engage with their counterparts in government. In this sense, OGP does not just require some amount of democracy, it aims to enable it.

It has become clear that democratic decline has infected the roots of democracy—not only civil liberties, but increasingly elections and independent accountability institutions. As experts, such as Thomas Carothers and Saskia Brechenmacher of the Carnegie Endowment for International Peace, have noted, what was once considered a narrow problem of CSOs receiving funding has unequivocally broadened:

*While the issue of closing civic space initially appeared to be a discrete challenge, consisting primarily of restrictive NGO laws and a backlash against cross-border civil society funding, it now appears to be just one part of a much broader pattern of global democratic recession and authoritarian resurgence.*⁹

Experts at the Varieties of Democracy (V-Dem) Institute ring the alarm, noting that, “Autocratization typically follows a similar pattern. Ruling governments first attack the media and civil society, and polarize

societies by disrespecting opponents and spreading false information, only to then undermine elections.”¹⁰

This decline in democracy and the rule of law does not occur equally for all people. Traditionally, marginalized groups often feel democratic decline first. The World Justice Project’s 2021 *Rule of Law Index* highlights the critical fact that governments most frequently attack the free expression of marginalized groups first. Minority and marginalized groups are among the first to see oppressive tactics, especially around mass mobilization.¹¹ Further, experts now consistently report that discrimination is increasing and equal protection under the law is declining around the world.¹²

OGP’s ten year milestone is at once a celebration of the reformers and reforms led by individuals, organizations, and movements, and a call to the OGP community to tackle the challenges before it: recovering from the pandemic, tackling the crisis of inequality, and avoiding catastrophic climate change. Each of these problems is worsened by a lack of democracy. Solutions to each can be found with stronger transparency, participation, and accountability.

The evidence in this report shows that OGP works. The challenge is: will it be and can it be used to shift the power balance to solve these difficult problems?

Endnotes

¹ Sungyeol Shin, “Exclusive: Inside South Korea’s massive new inclusion initiative” (*GovInsider*, 14 Dec. 2017), <https://govinsider.asia/smart-gov/exclusive-inside-south-korea-massive-new-inclusion-initiative/>.

² OGP, “Faces of Open Government: Minister Young Chin” (22 Oct. 2019), <https://www.opengovpartnership.org/stories/faces-of-open-government-minister-young-chin/>.

³ Sungyeol Shin, “Exclusive: Inside South Korea’s massive new inclusion initiative” (*GovInsider*, 14 Dec. 2017), <https://govinsider.asia/smart-gov/exclusive-inside-south-korea-massive-new-inclusion-initiative/>.

⁴ Korea, “Open Communication Forum (KR0041)” (2021), <https://www.opengovpartnership.org/members/republic-of-korea/commitments/KR0041/>.

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⁶ Korea, “Engaging Citizens in Policy Making (KR0052)” (2021), <https://www.opengovpartnership.org/members/republic-of-korea/commitments/KR0052/>.

⁷ OGP, “Faces of Open Government: Minister Young Chin.”

⁸ Economist Intelligence Unit, *Democracy Index 2020*, <https://www.eiu.com/n/campaigns/democracy-index-2020/>.

⁹ Saskia Brechenmacher and Thomas Carothers, “Accountability, Transparency, Participation, and Inclusion: A New Development Consensus?” (Carnegie Endowment for International Peace, 20 Oct. 2014), <https://carnegieendowment.org/2014/10/20/accountability-transparency-participation-and-inclusion-new-development-consensus-pub-56968>.

¹⁰ Nazifa Alizada et al., *Autocratization Turns Viral: Democracy Report 2021*, (V-Dem Institute, Mar. 2021) 7, 10, and 18, https://www.v-dem.net/static/website/files/dr/dr_2021.pdf.

¹¹ *Id.* at 4.

¹² World Justice Project, “4. Fundamental Rights” in WJP Rule of Law Index (2021), <https://worldjusticeproject.org/sites/default/files/documents/WJP-INDEX-21.pdf>.

The Reformers at the Heart of Open Government

People Are the Heart of OGP

The OGP community is passionate and dedicated. That has remained unchanged.

OGP's founders believed in democracy. They also believed that democracies deliver better results for everyday people. The end goal of the Partnership has always been to empower people to observe, inform, and influence official decisions and to hold leaders to account.

Over time, this effort has stretched considerably beyond the elite non-governmental organizations that once used OGP processes most acutely. In many places, individuals who would not always have had their voice heard can now influence and shape solutions to some of the toughest problems. They empower themselves with information and to hold decision-makers to account for their work.

This report tries to capture this through a series of stories called, "Why OGP Works." These stories highlight the people who use the reforms from around the world, some of whom are unlikely characters to use open government to change their world for the better. (These stories are also covered in videos available at ogpstories.org.) They include:

- **Korea's Symbolic Heart Becomes A Symbol of Openness**, which began this report, highlights how a historic plaza became the symbol of the struggle against corruption and

for democracy. (See page 16.) This reform is one of many examples of OGP commitments that involve citizens in policy-making and service delivery. See "Citizens Shaping Public Policies and Services" in Part IV "Seeds of Democratic Renewal" for more information about OGP commitments in this area.

- **Steven: Austin's Homeless Advisory Committee** shows one case where OGP helped raise the profile of an ongoing innovation that made a huge difference in the day-to-day lives of people who are too often ignored, the United States' massive population without homes. (See page 40.) This is one example of how reformers can use the OGP platform to empower groups of citizens who are often excluded from government to participate in policy-making and public service delivery. For more, see "Empowering Excluded Groups" in Part IV: Seeds of a Better Democracy.
- **Jimmy: COVID Contracts in Colombia** tells the story of a citizen watchdog who was worried that COVID funds were not reaching their intended recipients and how he used an OGP commitment to find the missing money. (See page 92.) Open contracting has always been an important area of work for OGP reformers and are important parts of OGP's work on "Opening Institutions to Fight Corruption." For more, see Part IV "Seeds of Democratic Renewal."



(Above) Citizens in Paraguay participate in a municipal council meeting about budget allocations. Photo by OGP.

(Right) From fixing broken chairs to fighting for brighter futures, parents work together to improve schools in Mongolia. Photo by Sarosh Hussain for OGP.



- **Alessandra: Following the Money for a Better Italy** tells the story of a teenager who has volunteered to track missing expenditures that were supposed to help clean up the environment and fight organized crime. (See page 84.) This is another of the many OGP reforms in open contracting that have enabled citizens to monitor government spending. For more, see “Opening Institutions to Fight Corruption” in Part IV “Seeds of Democratic Renewal.”

In addition, it is worth pointing out that none of this would be possible without the civil servants, civil society, political leaders, and international experts from around the world who are working to advance OGP reforms. To show the diversity of their voices and all of their work, see the following “Faces of Open Government” feature.

Faces of Open Government

Reformers are at the heart of OGP. Through out the years, the OGP Support Unit has interviewed dozens of reformers to learn about how they are using OGP as part of “Faces of Open Government.” Here are a few. Below are just a few of the reformers from both inside and outside of government who are pushing for ambitious reforms.

United States



Suneeta Kaimal

President and Chief Executive Officer of the Natural Resource Governance Institute and former OGP Co-chair

“A society where all people have agency and a voice requires the presence of a legal and policy environment that strengthens civil society, advances the freedoms of association, expression and assembly, and enables public participation around the world.”

United Kingdom



Thom Townsend

Executive Director of OpenOwnership

“Democracy shouldn’t [be], and isn’t, just about voting every few years, it’s about everyday participation and you need an open government to make that feasible.”

Ecuador



Danilo Manzano

*Director of *Diálogo Diverso* and LGBTQ+ advocate*

“We cannot talk about democracy if it does not include meaningful participation of sex and gender diversity as relevant stakeholders for decision making and better planning of the country’s strengthening.”

Senegal



Fatou Jagne Senghore

Director for Article 19 West Africa

“Open government champions should work in tandem to create an enabling environment for media to be free from undue interference and harassment. Meanwhile, governments should provide the legal and regulatory frameworks for independent media to prosper and be sustainable.”

Argentina



Silvana Fumega

Research and Policy Director of the Latin American Initiative for Open Data (ILDA)

“Gender-disaggregated data (not just binarily) is a key element in understanding how different policies affect specific groups. Without disaggregation, we will continue to marginalize many groups and ignore their positions.”

Ghana



Isaac Aidoo

Lead at the Sekondi-Takoradi Metropolitan Assembly (STMA) as the OGP Point of Contact

“Hearing from diverse perspectives at the local level is now leading to more innovative ideas, better decision-making and stronger public support of outcomes of interventions.”

Latvia



Inese Voika

*Member of the
Parliament of Latvia*

"Latvia has a track record of learning across continents. Our now rather well functioning system of political party finance oversight was created through an inspiration from Argentina... So we know that it is the partnerships that bring knowledge, energy and momentum together."

Republic of Moldova



Veronica Cretu

*OGP Envoy and open
government advocate*

"Co-creating local strategies, being part of the decision-making processes, knowing that one's voice is being heard, makes people become more confident, better informed and prepared to scrutinize their elected officials."

Philippines



Annalyn Sevilla

*Undersecretary for
Finance for
the Department of
Education (DepEd) in
the Philippines*

"Ultimately, education systems work better when citizens have access to information and the opportunity to participate and influence decision-making processes through, for instance, participatory platforms that democratize access to information on programs and school needs and provide a feedback mechanism."

Georgia



Kety Tsanava

*Head of the Public
Administration Unit, Policy
Planning and Coordination
Department of
Government of Georgia*

"Open government principles denote that the governments declare themselves ready to open a dialogue with citizens, to listen to them and to build the transparency and accountability in response to their needs."

Kenya



Ruth Kendagor

*Economics lecturer at the
University of Eldoret, and
serves as the IRM researcher
for Elgeyo Marakwet*

"One notable achievement at the local level of open government is the two-way communication between government and citizens. Compared to the national government, the feedback process is shorter and less bureaucratic at the local level. Citizen voices are better heard and responded to by the local government."

Sri Lanka



Shyamaia Gomez

*Executive Director at
the Centre for Equality
and Justice*

"...civic participation, a cornerstone of OGP, is critical for bringing about reform to discriminatory laws and policies against women."

For a complete list of reformers included in the Faces of Open Government feature see:

<https://www.opengovpartnership.org/topic/faces-of-open-government/>.

Former President Barack Obama meets with open government leaders during the OGP Global Summit in Canada in 2019. Photo by The Obama Foundation.



II. Growing Our Strength



"And when we gather back [at the United Nations General Assembly] next year, we should bring specific commitments to promote transparency, energize civic engagement, fight corruption, and leverage new technologies so that we strengthen the foundation of freedom in our own countries, while living up to ideals that can light the world."

— Former U.S. President Barack Obama, 2010



Global leaders at the UN General Assembly during the launch of OGP in 2011. Photo by Vos Iz Neias.

OGP was born in a moment of enthusiasm and urgency, a coming together of innovators and activists, and a mixing of ideas and solutions.

The Partnership came into a world where secrecy led to disastrous war, where action to prevent climate change saw delay after delay, and weak institutions and corruption continued to erode trust in government, leading to the biggest global recession since the Great Depression. At the same time, new civic technologies, new democratic players on the global stage, and the Arab Spring provided hope. There was great enthusiasm to fix problems using the tools of democracy.

OGP was a place for this pent-up demand for change. The scale of this demand is reflected in just how quickly national membership grew during OGP's first few years. But the Partnership grew in other ways too.

Over the decade, OGP has increasingly seen a move to the "Open State." While there have always been legislative, judicial, and local commitments in national

action plans, the emphasis remained mostly in the executive. In recent years, this emphasis has begun to shift.

Just who is participating in open government reform has evolved too. While there have always been attempts at more inclusive processes and reforms, it was not until partway through the decade that an explicit effort was made to foster participation by women and women's organizations. The same can be said for other marginalized groups.

But enthusiasm alone cannot drive an initiative with growth like OGP. Rules and processes were necessary to make sure that the Partnership rewarded risk takers, policy entrepreneurs, and innovators, while limiting the free-riding of those who might use membership to burnish their image. Over time, OGP processes became clearer, more transparent, and credible.

Each of these moments and trends across the decade—beginnings, expanding membership, open state, and inclusion—are told in the remainder of this part.



Beginnings

OGP did not emerge from thin air. Rather, the first decade of the 21st century saw a number of trends that would shape the decisions to form OGP:

- **Responding to secrecy:** Within the United States, presidential candidates John McCain and Barack Obama ran on platforms that included significant commitments to opening government. When Obama—a former community organizer steeped in traditions of public participation—won, he began his first day in office with a number of directives to make the federal government more transparent. This was, to a large degree, in response to secrecy during the Bush administration and disinformation during the War on Terror and around environmental governance. This most famously culminated in the Open Government Directive, which compelled U.S. executive agencies to develop action plans to publish high-value data in open-data format and to identify new opportunities for collaboration and participation.
- **Changing global dynamics:** Following the 2008 financial crisis, other powers emerged stronger as their economies grew. Brazil, Russia, India, China, and South Africa (BRICS) all had differing democratic traditions, with India's being the most established. At the time, their economies were growing at significant rates, but their democratic trajectories seemed divergent. It increasingly felt important to combine forces to share innovations between newer, innovative democracies like Brazil, Indonesia, and South Africa and more established democracies. In addition, despite a boom of treaty-making in the 1980s and early 1990s, new formal treaties, especially around governance, were seeing a marked decline in popularity in the new millennium. Other forms, such as voluntary partnerships, were taking the place of legally-binding international instruments.

- **Fighting persistent corruption:** In a number of countries, especially those democratized in the 1980s and 1990s, corruption continued to persist, threatening to undermine newer governance structures and their newly liberalized economies. The problem of corruption was hardly limited to former Soviet republics or satellites. The latter half of the decade would begin to see a decline in a number of countries once thought to be moving toward “democratic consolidation.”

Given these three emerging challenges, it was important to create a partnership that treated membership across the organization as equals. “Open government” could not be treated as a “North to South” export product. Innovation could come from anywhere. In fact, countries such as Brazil, South Africa, India, and the Philippines were leaders in many open government reforms.

But what was “open government” and why did OGP see such demand for membership at its launch?

The open government convergence

Why was open government a concept that caught on? How has it been so adaptable? Part of the answer lies in the fact that different communities could agree on a rough set of concepts and carry out their work on different issues. The ideas of transparency, civic participation, and public accountability were specific enough approaches that they could get results, but broad enough that they could be adapted to new ideas and used by reformers in new ways over time.

Over time, there has been increasing consensus around just what constitutes open government and its associated concepts. OGP is one of a number of international initiatives that put principles and

concepts of open government at their center.¹ What looks like broad consensus can mask significantly different policy preferences and approaches that can help explain the continuing search for relevant reforms and ambition within OGP action plans. This quest for consensus on the values of open government and which policies and practices best manifest those values is central to the first decade of OGP.

Without going into too much detail or suggesting that boundaries exist where they do not, it is worth noting that OGP is as much a community as it is an organization. At its founding, it brought together reformers from a variety of overlapping communities:

- **Democratic oversight:** Probably the longest-established community are good governance reformers, many of whom worked closely on the wide-scale adoption of right to information laws at the turn of the millennium. These “good governance” organizations often work closely with parliaments in their respective countries to rein in abuses by executive agencies. Many open government approaches had their roots in environmental and sustainable development communities, which enshrined transparency, participation, and access to justice in the 1992 Rio Declaration, as well as innumerable subsequent international and domestic norms.
- **Anti-corruption:** A growing, related community are the anti-corruption activists, many focusing on corruption-prone issues such as public procurement, extractive industries, and fighting organized crime.
- **Participatory development:** Often focused at the local level, participatory approaches evolved from community-led development to increasingly popular tools such as social audits, community scorecards, and participatory budgeting.

- **Technological innovators:** A different, but equally important group of innovators came to open government through a technology-centered lens, looking at civic technology (online tools to help people engage with and improve government policy and services) and open data (making government-held data freely re-usable by anyone).

These communities overlap, and are by no means meant to be exhaustive, but they represent the diversity of experiences, approaches, and backgrounds that established the basic “flavors” of OGP. (The special feature “The Reformers at the Heart of Open Government” in Part I “Ten Years of Reform” shows a few of the “Faces of Open Government.”)

Over time, other interests and organizations would join and use OGP, making it richer, more diverse, and often more practical. The trajectory and achievements of these communities and some newer issue areas are highlighted in Part IV “Seeds of Democratic Renewal” later in this report.

With this coming together of agendas, open government crystallized as an international concern as well. Initial meetings hosted by the White House brought together a number of major democracies and civil society activists to share their innovations in transparency, civic participation, and public accountability. (The voices of the attendees of these initial meetings can be found throughout this section and are highlighted in “Hopes of the founders.”) These meetings eventually resulted in more public-facing engagements.

In 2011, together with seven other major democracies, the Obama administration launched OGP, initially through a special event at the State Department with Secretary Hillary Clinton. Soon thereafter, alongside the meeting of the United Nations General Assembly, seven world leaders would help to bring OGP to the world stage. (See Annex A for more details on OGP’s first few years.)

Hopes of the founders

An early steward of OGP, Jeremy Weinstein, Director for Development and Democracy on the U.S. National Security Council, describes just how different OGP was from other multilateral initiatives:

In many ways, this was an atypical White House meeting: high-level government officials were swapping stories with civil society activists at the same table; officials from developed countries were furiously taking notes on the innovations deployed in emerging economies and vice versa; and officials and activists whose focus [was] primarily domestic were talking about their reforms on an international stage, not through diplomatic channels but gathered as a community of practitioners doing the real work on the ground.

We felt a need to reclaim the language of democracy promotion—to put the focus on people’s aspiration to have a say in how they are governed, and on the challenge of political leaders’ response to that desire.

More in-depth articles by OGP’s founders documenting its first few months can be found in the Stanford Social Innovation Review’s special edition, “Transforming Multilateralism.”²

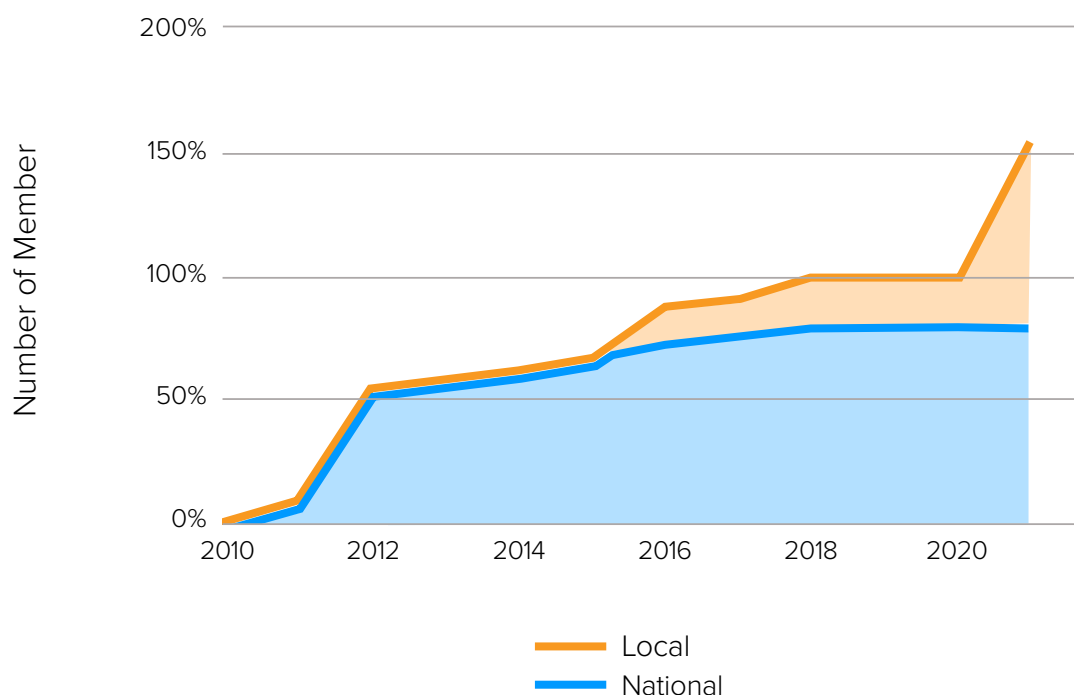
Expanding membership

OGP's first decade was characterized by rapid growth in membership. OGP began with eight national members. The steering committee expanded soon thereafter, adding Tanzania, bringing regional representation to at least two countries per OGP's four regions. Within a year, another 43 members had joined. Following this initial expansion, growth in new members slowed, but never quite halted, reaching 78 in 2018. (See Figure 2 below, which shows OGP's rapid early and recent growth.) National-level membership has hovered around that number since then. While there is continued room for national government

membership to grow, it is unlikely that there will be a huge surge given that there are only 14 countries that meet eligibility and values-check requirements (see "Joining OGP" in Part III "The OGP Model Works").

In 2016, OGP launched the local "Pioneers" program for subnational governments. This entailed twenty new governments joining the Partnership, each developing their own action plan. This number grew in 2021, with an additional 50 local governments joining. By far, this marks the greatest rate of growth in OGP since its first year.

FIGURE 2. OGP membership has seen two major surges





Participants at the OGP Global Summit in Georgia in 2018. Photo by OGP.

Open states

Just which part of the government implements OGP commitments has shifted over the decade. While there has always been diversity in who implements within action plans, the latter half of the decade has seen significant institutional resources shift to supporting open government reforms beyond the executive branch to include local governments and other branches of government.

In most OGP countries, membership began as an initiative of the executive branch. Quite often this was the ministry of foreign affairs or the office of the head of state. As a consequence, it is unsurprising that most of OGP reforms are born and implemented within executive branch institutions.

Yet, there have always been a considerable number of commitments from other branches of government. In times where democracy is under threat, other branches and levels of government have a critical role to play, acting as checks on the abuses of the executive and as laboratories for innovation.

Society benefits from these institutions being more open and accountable as well. Judicial and parliamentary institutions also have much to gain from open government approaches and reforms. Legislative and judicial actors can be effective partners in commitment design and implementation. Parliaments, in particular, play a special role as the source of the laws that give meaning to open government values.

This section looks more closely at parliaments, the justice system, and local government.

Parliaments

Strong legislative frameworks and independent, effective oversight are important enabling factors in high-impact open government reforms. Parliamentary openness, as well, is critical in ensuring that legislative, budgetary, and oversight mechanisms are subject to public scrutiny and public input.

In the context of OGP, parliaments have played a fundamental role in:

- **Legislative action:** parliaments can take legislative action to help translate commitments into action at the country level.

- **Opening up parliament:** parliaments can adopt the open government principles of transparency, accountability, participation, and inclusion in their own work and practices.
- **Parliamentary oversight:** parliaments can advance open government reforms and OGP commitments by holding governments accountable.

On average, a third of OGP members have made parliamentary commitments each year. This number has remained fairly constant. Legislative action has consistently been one of the approaches to reform that have borne results. The IRM has found, on average, that these are some of the highest-impact commitments.³ For more details on specific reforms see “Open parliament commitments in OGP” below.



Open Parliament Day at the OGP Global Summit in Georgia in 2018. Photo by OGP.

Open parliament commitments in OGP

Within OGP, parliamentary involvement in open government generally falls into three categories: legislative action, parliamentary oversight, and opening up parliamentary processes. OGP's own Independent Reporting Mechanism has found, on average, that these are some of the highest impact commitments.⁴

Legislative action: Parliaments have participated in OGP from the very beginning by tackling legislative action to enable landmark open government reforms.

Ireland's 2014 Protected Disclosures Act, heavily influenced by civil society actors before and during its passage through parliament, was hailed as one of the most robust pieces of whistleblower legislation in the world.⁵ The parliaments of Kenya, Sri Lanka, and Paraguay also advanced right to information legislation, strengthening the enabling framework for broader open government reforms.⁶ More recently, Armenia and Nigeria's legislatures enacted pivotal provisions en route to implementing beneficial ownership commitments.⁷



Aida Kasymalieva is the first Female Deputy Speaker of Parliament at the Jogorku Kenesh (Supreme Council) of the Kyrgyz Republic. Photo by OGP.

Parliamentary oversight: Alongside legislative action, OGP stakeholders are starting to leverage the oversight powers of parliament to protect and advance open government reforms. In Sierra Leone, members of parliament are sourcing gender-disaggregated data to better understand and support open government commitments.⁸ Kyrgyz Republic and Liberia have adopted commitments that call on parliament to monitor and support the implementation of OGP action plans.⁹ While there are only a few commitments in this area to date, it will be a critical area for growth. This is due to the unprecedented growth of executive power during the COVID-19 crisis, with its attendant growth of spending and emergency powers, as well as increasing authoritarianism. As the most representative branch of government, parliaments play a linchpin role in democratic oversight and empowerment of the public to hold governments accountable.

Opening up parliament: Parliaments are using OGP action plans to co-create and implement their own open parliament reforms. The Chilean Congress and the National Democratic Institute co-hosted the first Global Legislative Openness Week in 2014 and paved the way for the emergence of an open parliament community. Since then, a growing number of open parliament champions have worked with civil society advocates to make legislative institutions and processes more transparent, accountable, and inclusive. By the close of 2020, 34 OGP members had co-created open parliament commitments and seven (North Macedonia, Georgia, Indonesia, Paraguay, Chile, Kyrgyz Republic, and Morocco) had delivered full-fledged open parliament plans.¹⁰

Judiciaries and the Justice System

The justice system is one of the primary ways people protect their rights and hold their governments to account. Justice was slow to emerge as a common area of work in OGP with only a few OGP members using their action plans to advance justice reform in the early years of OGP. However, justice-related commitments have increased in frequency dramatically over the last several years. Today, justice is one of the most popular topics among OGP commitments. Since OGP was founded, 63 OGP members have made 267 justice-related commitments, making justice OGP's seventh-most common policy area.

International events led to a renewed focus on these vital areas. Specifically, global attention to justice, since the adoption of the UN Sustainable Development Agenda in 2015, helped to highlight the importance of ensuring greater access to justice.

National crises, too, have exposed the need for reform within the justice system, as well as the need to strengthen rule of law. Recently, the COVID-19 pandemic has made apparent the already unequal provision of government services, and compounding revelations of police brutality illustrate widespread discrimination and abuse of force. These troubling realities have brought persistent inequities in justice provision to the top of policy agendas.

Within the OGP community, the majority of the work on this topic has been led by non-profits, multilateral partners, and governments with an interest in advancing the agenda.

OGP Local

For the first five years of OGP, members worked to open government primarily at the national level. However, there have also been many OGP countries who have worked to open up lower levels of government by creating commitments focused on subnational government agencies.

Since much of what impacts peoples' daily lives occurs at the local level, OGP launched a subnational pilot program in 2016, OGP Local, with fifteen local members or "pioneers." These members implemented their first action plans in 2017. Following their early successes, the pilot program expanded to include five additional local members in 2018, an additional 50 in 2021, and another 50 in 2022.

The pioneer local members were highly successful. Their 150 collective commitments saw even greater results, on average, than OGP national members. The IRM found that over 70 percent of the pioneer local commitments were highly-ambitious. (This is compared to around 40 percent of national commitments in the same time frame.) Additionally, just over a quarter of the pioneer local commitments saw what the IRM terms "strong early results," meaning there were significant changes to how governments worked.

Notable reforms included ensuring equal access to sexual and reproductive health services in Buenos Aires, Argentina, and introducing e-petitions in Tbilisi, Georgia. Importantly, these early successes helped to inspire many national-level members to make similar local-level commitments.

Some of the reforms even inspired national reforms. Following Madrid's successful establishment of a lobby registry, Spain committed to passing a lobbying transparency law.

These efforts continue to inspire local level engagement across the OGP community. In 2020, under direction from the OGP Steering Committee, OGP welcomed 56 new OGP local members, selected out of a pool of 112 applications and jointly submitted by governments and nongovernmental organizations.



OGP's subnational pilot program was officially launched at the OGP Global Summit in Paris in 2017. Fifteen city, local, and regional governments from around the world were selected to participate. The program, now known as OGP Local, has 76 members and continues to grow. Photo by OGP.

Inclusion

Inclusion has taken an increasingly important role within OGP as a necessary complement to open government. Although OGP began with a core group of openness advocates, working on issues such as right to information and open budgets, it became increasingly clear that determining who has a say in open government reforms has as far a reaching impact as what is being opened (see “Argentina: Stopping Gender-based violence” in Part IV “Seeds of Democratic Renewal”).

The OGP values—transparency, civic participation, and public accountability—aim to end exclusionary ways of governing. This means intentionally including groups who are not traditionally seen or heard in decision-making. While the patterns of exclusion differ by country, the presence of exclusive political institutions unfortunately does not. Because of the unique patterns of exclusion in each country, no single approach could ever be exhaustive.

Nonetheless, there have been some highlights in the effort to improve inclusion through OGP action plans. Undeniably, more can and must be done, especially in light of recent findings¹¹ by the World Justice Project that reported discrimination is on the rise around the world. Declines in democracy and the rise of exclusion do not affect everyone equally.

Gender

While OGP members, such as founding member Norway, included some gender commitments in their action plans in the early days of OGP, only in the last four years has there been an explicit focus on the topic at the international level. This was due in large part to the work of civil society and more specifically Open Heroines, a community of women and non-binary people working in open government and civic tech, seeking to improve gender equality in OGP and member action plans, especially at the international



Youth participants at the OGP Global Summit in Canada in 2019. Photo by OGP.

level. Much of this work has also taken place at the domestic level, and often at the urging and the result of efforts by innovative government points of contact (including the Philippines, Argentina, and others) who wanted to improve the breadth of participation in action planning. Canada, as OGP chair, played a special role, fostering a feminist approach to open government.

In 2019, thanks in part to this collaboration, OGP launched the “Break the Roles” campaign. It led to many OGP members making important strides to include women in the OGP process, as well as continuing to address gender equity through their commitments. Thanks to the campaign, gender and inclusion became the fastest growing area across OGP commitments in 2019 and nearly 40 percent of members implemented gender reforms in their action plans, surpassing OGP’s goal of 30 percent. Much more can be found on the progress of gender commitments in the Part IV “Seeds of Democratic Renewal” later in this report.

Youth

Some OGP members, such as Moldova or Liberia, have included youth and youth groups in their action plan processes for years. In other places, this is an area of growth. Youth groups have received greater attention at the international level as well, such as at the special Youth Delegation at the Canada OGP Summit in 2019. More recently, OGP held its first-ever Open Gov. Digital Youth Summit, with hundreds of young people engaging in open government activities.

LGBTQIA+

LGBTQIA+ issues can be particularly challenging to discuss and address for some member countries, but an increasing number are recognizing the urgency of inclusion. Colombia and Chile notably brought LGBTQIA+ groups into the action planning process in 2014 and 2015. Since then, this has become an increasingly common occurrence. OGP’s 2019 *Global Report* summarized research on how restrictions on civil liberties disproportionately affect sexual and gender minorities. This area is likely more important than ever given this disproportionate discrimination faced by LGBTQIA+ citizens

People with disabilities

Individuals with disabilities have long been at the forefront of issues of access and open government inside and outside of OGP. Countries such as Ireland have undertaken important commitments to ensure that adults with disabilities have adequate access to justice. The feature from Austin, Texas (see “Why We Work: Steven, Austin’s Homeless Advisory Committee”) highlights the importance of including people experiencing homelessness in decisions, many of whom also suffer from a disability. While this is largely a still-nascent area for OGP, some early research is being conducted, especially focusing on how people with disabilities may use the justice system to enforce their right to participate.

Two notable examples show a transverse approach to limiting inequality and ending exclusion. Argentina’s 2017 action plan includes co-creating an equal opportunity plan,¹² which sought to limit discrimination

across national agencies. Scotland’s commitment, “Fairer Scotland,” brought together the first national deliberation process on tackling inequality.¹³

Few would argue that the intentional inclusion of traditionally-marginalized groups has reached its full potential in OGP. Rather, the above examples are a few seeds from which other innovations might grow. They have been the results of a community effort at the national and international level, and will continue to be so.

Indigenous people and ethnic minorities

OGP members such as Costa Rica or North Macedonia have had commitments that aimed to engage marginalized communities (see “Philippines: Indigenous representation in local councils”). There has also been significant effort at the international level to address the issue of racial inequality.

Philippines: Indigenous representation in local councils

In the Philippines, indigenous peoples have the legal right to participate in all levels of government decision-making, but many local government units do not recognize their representatives. The Philippines’ 2019 action plan includes a commitment to increase indigenous peoples’ mandatory representation from seven percent of provinces, cities, municipalities, and barangays to 78 percent. The National Commission on Indigenous Peoples will also provide guidelines and publish reports on local government units that have yet to seat indigenous representatives.

Why We Work: Steven, Austin's Homeless Advisory Committee

Steven lives in Austin, Texas, in the South of the United States.

Most people know Austin as a place for its food, its distinct culture, or its music. It is also the capital of the state with the highest number of people living without shelter in the Southern U.S. People experiencing homelessness face many challenges including safely storing their belongings as they make their way through the day. Fortunately, there have been some solutions, and Steven has been a part.

The story begins as a personal one. Steven has not had a home for most of twelve years. During the day, he works or finds places to pass the time. At night, he sleeps where he can. After being released from jail for a non-violent crime, Steven had nowhere to put his things. The local Community Coach could not provide him a locker. "I don't have no case management for you. Why don't you go down to City Hall and tell those guys."

Steven went to City Hall and registered for a locker. Three weeks later, he finally got a locker. He realized, "Something so simple as a locker could help so many people but they made it so hard to get one." That's when he decided to advocate for lockers at the Austin Homelessness Advisory Council.

Steven explains, "The AHAC is a collection of 15 individuals with lived experience. Some are currently housed, some are currently unhoused. They give street-level advice and different services and different actions that the city can take to alleviate homelessness and serve the needs of the homeless, and maybe even eliminate homelessness in Austin."

Notably the Advisory Council has had a real victory on this issue. Together, with various city services, they have worked to ensure that people experiencing homelessness have somewhere to store their belongings during the day. There are now hundreds of lockers for people, part of the Violet Keepsafe Storage Program. Steven is understandably proud, saying people can, "keep their stuff safe, they can keep their stuff dry, while they go out and go to appointments, whether that's planning for work, whether that's medical appointments, or meeting with case management."

Stephen reflects on the experience, "To know that AHAC has made a difference, to know that we have moved the needle on what the city is doing on services that it provides the homeless, it's a tremendous feeling. It really is. It's gratifying to know that the city is listening to our voice to better serve the people in need."

The model is a first for the country and one that could be replicated in other places. Too often, services for people experiencing homelessness are designed without their input. The AHAC was one of Austin's commitments as part of its Open Government Partnership action plan, and the Keepsafe Bins have made a concrete difference in peoples' lives as they try to take their next steps forward. Perhaps this reform in Austin can spread to other regions dealing with the similar problems.



Cities across the United States will need to solve other problems—housing crises, high rates of poverty, untreated mental illness—before they can fully address their homelessness issue. Until then, they can help individuals with the same focus driving Steven: “My mission, my goal is that everyone that needs one has a warm, dry, safe, secure place to lay their head at night, everyone. I don’t know if I’ll ever see that mission through, but that’s my mission. That’s the Austin I want to see, one where someone doesn’t have to spend the night out on the street.”



Steven makes sure Austin’s homeless population has access to storage. Photos by OGP.



Youth leaders at the OGP Global Summit in Canada discuss challenges and approaches for youth participation in open government. Photo by OGP.

Conclusion: Growth with credibility

This rapid growth has meant that the Partnership can bring the OGP approach to more people, more institutions, and more organizations. This has allowed new actors to refresh the Partnership with new ideas, enthusiasm, and resources. In turn, these actors build off of the strong processes, practices, and networks of those who came before them.

At the same time, a growth trajectory needs to be balanced with credibility. Early in OGP, many or most commitments in action plans were unverifiable or lacked any time table for completion, were often irrelevant to opening government, and/or rarely explained their intended results. As a consequence, much work was put into ensuring that growth came with credibility. Annex A looks at some of the measures that were put in place to ensure that OGP countries have become increasingly credible in their

OGP action planning, including stabilizing government points of contact, building stronger multistakeholder forums, and designing better action plans. As the next section will show, most of these efforts have paid off, even though work remains.

In the coming years, OGP growth will certainly be a part of the mix. With any growth comes a tradeoff between consistency and enthusiasm. More rules can aid comparison, learning, and a sense of fairness or predictability. They can also slow down decision-making or make improvisation and innovation more difficult. How to ensure the most of each is the subject of the next section, which looks at *when* the OGP model works. This growing body of evidence can help illuminate a way forward that builds on the best of the last decade and reveals the challenges of the next.

Endnotes

- ¹ These include high-profile initiatives, ranging from the Extractive Industries Transparency Initiative (EITI) to the World Bank's Global Partnership for Social Accountability and the Making All Voices Count "grand challenge for development" funded by the United Kingdom's Department for International Development, USAID, the Swedish government, the Open Society Foundations, and the Omidyar Network, among others. Saskia Brechenmacher and Thomas Carothers, "Accountability, Transparency, Participation, and Inclusion: A New Development Consensus?" (Carnegie Endowment for International Peace, 20 Oct. 2014), <https://carnegieendowment.org/2014/10/20/accountability-transparency-participation-and-inclusion-new-development-consensus-pub-56968>.
- ² Jeremy M. Weinstein, "Transforming Multilateralism: Innovation on a Global Stage" (Stanford Social Innovation Review, Spring 2013), https://ssir.org/articles/entry/transforming_multilateralism_innovation_on_a_global_stage#.
- ³ OGP, *Parliamentary Engagement in OGP: Learning from the Evidence* (21 Jul. 2021), <https://www.opengovpartnership.org/wp-content/uploads/2021/07/Parliamentary-Engagement-in-OGP.pdf>.
- ⁴ *Id.*
- ⁵ Ireland, "Encourage, Protect and Raise Awareness of Whistleblower Duties and Protections (IE0015)" (2016), <https://www.opengovpartnership.org/members/ireland/commitments/IE0015/>.
- ⁶ Kenya, "Enhance Right to Information (KE0017)" (2019), <https://www.opengovpartnership.org/members/kenya/commitments/KE0017/>; Sri Lanka, "The Enactment and Implementation of the RTI Act (LK0022)" (2018), <https://www.opengovpartnership.org/members/sri-lanka/commitments/LK0022/>; and Paraguay, "Law on Access to Public Information (PY0016)" (2018), <https://www.opengovpartnership.org/members/paraguay/commitments/PY0016/>.
- ⁷ Armenia, "Beneficial Ownership Register (AM0037)" (2019), <https://www.opengovpartnership.org/members/armenia/commitments/AM0037/>; and Nigeria, "Establish Beneficial Ownership Registry (NG0020)" (2020), <https://www.opengovpartnership.org/members/nigeria/commitments/NG0020/>.
- ⁸ Sierra Leone, "Open Parliament (SL0028)" (2020), <https://www.opengovpartnership.org/members/sierra-leone/commitments/SL0028/>.
- ⁹ Gov. of the Kyrgyz Rep., *National Action Plan on building of the Open Government in the Kyrgyz Republic for 2018-2020* (OGP, 2020), https://www.opengovpartnership.org/wp-content/uploads/2018/12/Kyrgyz-Republic_Action-Plan_2018-2020_REV.pdf; and Liberia, "Monitor fulfillment of commitments (LR0047)" (2020), <https://www.opengovpartnership.org/members/liberia/commitments/LR0047/>.
- ¹⁰ Rep. of Macedonia Min. of Information Society and Administration, *Open Government Partnership National Action Plan 2018-2020* (OGP, 2018), https://www.opengovpartnership.org/wp-content/uploads/2018/09/Macedonia_Action-Plan_2018-2020_EN.pdf; Gov. of Georgia, *Open Government Partnership Action Plan of Georgia 2018-2019: Open Parliament Action Plan 2018-2019* (OGP, 2018), https://www.opengovpartnership.org/wp-content/uploads/2018/12/Georgia_Action-Plan_2018-2019_ENG.doc; Gov. of Indonesia, *Indonesia Open Government Partnership National Action Plan 2020-2022* (OGP, 2021), https://www.opengovpartnership.org/wp-content/uploads/2021/01/Indonesia_Action-Plan_2020-2022_EN.pdf; Gov. of Paraguay, *Cuarto Plan de Acción de Gobierno Abierto: Avanzando hacia un Estado Abierto 2018—2020* [Fourth Open Government Action Plan: Moving towards an Open State [2018—2020] (OGP, 2019), <https://www.opengovpartnership.org/documents/paraguay-action-plan-2018-2020/>; Gov. of Chile, *III Plan de Acción de Parlamento Abierto 2019 - 2020 del Congreso Nacional de Chile* [III Action Plan Open Parliament 2019 - 2020 of the National Congress of Chile] (OGP, 2019), https://www.opengovpartnership.org/wp-content/uploads/2019/01/Chile_Action-Plan_Parliament_2019-2020.pdf; Gov. of the Kyrgyz Rep., *National Action Plan on building of the Open Government in the Kyrgyz Republic for 2018-2020*; Gov. of Morocco, *National Action Plan of Open Government Morocco* (OGP, 2018), https://www.opengovpartnership.org/wp-content/uploads/2018/09/Morocco_Action-Plan_2018-2020_EN_Revised.pdf.
- ¹¹ World Justice Project, "4. Fundamental Rights" in *WJP Rule of Law Index* (2021), <https://worldjusticeproject.org/rule-of-law-index/factors/2021/Fundamental%20Rights>.
- ¹² Argentina, "Participatory Development of a National Plan for Equal Opportunities (AR0057)" (2017), <https://www.opengovpartnership.org/members/argentina/commitments/ar0057/>.
- ¹³ Scotland, "Deliver a Fairer Scotland (SCO0003)" (2017), <https://www.opengovpartnership.org/members/scotland-united-kingdom/commitments/SCO0003/>.

Brazil's former point of contact, Roberta Solis Ribeiro, and former Minister Jorge Hage listen as former U.S. Undersecretary Maria Otero describes U.S. commitments. Photo by OGP.



III. The OGP Model Works



“OGP has broken the mold of international engagement by creating a global platform for domestic reformers and by establishing parity between government and civil society.”

*— Former United States Undersecretary of State,
Maria Otero and Caroline Mauldin, 2013*



Participants at the Civil Society Day at the OGP Global Summit in Mexico in 2015. Photo by OGP.

OGP reformers have now co-created more than 4,500 commitments in more than 300 action plans.

Most importantly, this work has led to hundreds of meaningful results (see Part IV “Seeds of Democratic Renewal”). The question now becomes: how does OGP build on this success to realize even greater, sustained outcomes—and measures reflecting the many emerging challenges facing the open government community?

As the Partnership has expanded, so too has an understanding of how the OGP model works and where it has succeeded. This part reviews these important data points, collected over the past ten years. It relies on several sources of information such as surveys of OGP stakeholders, external reviews of OGP, and IRM assessment data.

In general, an emerging body of evidence suggests that OGP works and the model is rather simple: better co-creation and civil society engagement lead to

better action plans, and better action plans, in turn, result in more ambitious, credible commitments. Evidence also shows that action plans are becoming more diverse in terms of the policy areas and sectors they address. For more on how OGP members use their action plans to advance reforms in various policy areas, see Part IV “Seeds of Democratic Renewal.”

However, OGP’s success cannot be explained by action plans alone. Peer exchange, multilateral partnerships, and global leadership also play valuable roles. To that effect, this part looks at the existing evidence around the effects of joining OGP, utilizing the action planning processes, and participating in OGP beyond the action plan. Some of the conclusions are more definitive than others, but they collectively paint an emerging picture that the OGP model leads to results. (For a discussion of some of the areas where OGP will need to divert attention and resources, see Part V “Three Frontier Challenges.”)



How OGP works

OGP is designed to advance open government reforms domestically and internationally. In that sense, it is often referred to as a “platform.” That is to say that it exists to help various users amplify and make concrete their goals. However, specific activities vary greatly from place to place and person to person. Like any platform, a diversity of participants and perspectives is key to this effort. This section summarizes the key actors who make OGP work and how the OGP platform is designed to achieve credible reforms.

Key actors

To achieve change, the OGP platform relies on five key actors. These actors must work together at the country level to advance open government reforms. Principal actors include:

- **High-level political leaders:** Committed support from senior political leaders gives civil servants the mandate to pursue politically difficult reforms at the domestic level. International attention gives political leaders the credit to pursue more difficult reforms back home and to learn from one another. Members of OGP’s Steering Committee play a crucial role in building the political and diplomatic relationships to sustain high-level engagement in OGP.
- **Civil servants:** OGP works to develop and build an active global network of career government reformers who inform, support, and motivate each other to set and achieve more ambitious goals. Strengthening the ability of domestic reformers to carry out better multistakeholder processes and design and implement more ambitious OGP commitments is a primary function of the Support Unit and partners from around the world.

- **Civil society actors:** OGP only works if civil society organizations in each country engage in the process and demand ambition and results. The OGP process creates domestic and international moments for civil society actors to push for more ambitious, credible reforms. Global and regional events inform and connect civil society actors from different countries so that they can learn about emerging practices and engage more effectively with their own governments.
- **Accountability and the Independent Reporting Mechanism:** OGP has a number of accountability mechanisms. Chief among them is OGP's Independent Reporting Mechanism (IRM), which ensures that there is an objective, public assessment of each participating government's progress toward fulfilling its OGP commitments. The IRM works closely with the OGP Support Unit to ensure that IRM findings are continuously used to inform the guidance provided to both government and civil society.
- **Multilateral partners:** OGP is an international organization which depends on interaction between both international and domestic institutions and transnational and domestic actors. This means that OGP could not be as successful without civil society networks, professional organizations, international financial institutions, and technical standard-setting bodies. These organizations bring vital expertise, finance, and relationships to domestic reform efforts.

The platform

The OGP platform is designed to enable the actors above to promote strong open government reforms. Some key design elements of the OGP platform are described next (the list is not comprehensive). See the Annex B for more details on the design of the OGP platform.

Joining OGP

- **Eligibility requirements:** OGP's eligibility requirements establish a minimum set of existing policies that countries must meet to join the Partnership. These include policies addressing: right to information laws, open budgets, civil liberties, and asset disclosure. Additionally, the more recent Values Check ensures that new governments do not interfere with the operations of non-governmental organizations. See the next section for details.

Action plans

- **Action plans:** Governments and civil society co-create commitments related to transparency, civic participation, and public accountability in biennial action plans. This ensures that OGP is not a talk shop, but rather a place where governments submit plans with concrete, verifiable commitments.
- **Independent accountability:** The IRM regularly reports on the process, results, and context of each action plan, and publishes its assessments.

Beyond the action plans

- **Peer exchange:** Exchanges between government, civil society, and other actors take place through regular regional, global, and thematic meetings.
- **Civil society-government parity:** Civil society must be an equal partner in decision-making, most notably in multistakeholder forums domestically, and in the OGP Steering Committee internationally.
- **Safeguards for civil society protection:** In addition to the OGP Eligibility Criteria and Values Check mentioned above, a number of other safeguards exist, such as the OGP Response Policy, which allows civil society organizations and individuals associated with the OGP process to file a formal complaint to address concerns with government harassment. The more recent Rapid Response Protocol also prompts an OGP response if OGP values are violated. See the subsequent "Joining OGP" section for details, and the Annex D for a full list of these safeguards.



New local members presented at OGP Global Summit in Georgia in 2018. Photo by OGP.

Evidence that OGP works

This section looks at the evidence from the past ten years to determine which parts of the OGP model are working. While there is a lack of data for some aspects, the existing evidence suggests that the OGP action plan process engages civil society and achieves results. Beyond the action plan, members are taking advantage of the opportunity to connect through peer exchanges and coalitions that OGP is forming. And where necessary, the OGP Support Unit and Steering Committee apply safeguards to protect civil and political rights.

Joining OGP

Eligibility and values check

The basic purpose of the OGP eligibility requirements is to ensure a minimum of respect for OGP's values: transparency, civic participation, and public

accountability. Few topics in OGP's early years stirred as much controversy as the eligibility requirements. Some believed that the requirements are too lax, allowing countries to use OGP to burnish their image while acting against OGP's values. Others argued that they are too strict and that many more countries would benefit from their joining OGP.

There is some evidence that the eligibility requirements themselves have had a significant impact. A perspective likely under-explored is that the eligibility requirements have, in fact, created a clear incentive to pass new laws in order to join OGP or remain in good standing. These laws include: asset disclosure by public officers, publication of budgets and audits, as well as right to information laws. Specifically, Mexico, Serbia, Sri Lanka, Albania, Croatia, Liberia, and El Salvador all updated and opened their budget procedures to improve their OGP eligibility.

Likewise, Argentina, Côte d'Ivoire, Malawi, Senegal, and Tunisia all passed or significantly revised laws and regulations to improve their OGP eligibility.

While the core eligibility values have remained unaltered, the Steering Committee took action to revise the Articles of Governance in 2017 when OGP faced a reputational risk. The Steering Committee passed the “OGP Values Check,” which does not allow a country to join OGP where there is significant interference in the operation of independent civil society organizations. By and large, the values check

has been successful at preventing non-democratic or illiberal countries from joining OGP.

The feature, “Ten years of Brazil’s law on access to information” highlights the long-term results and evolution of an early reform, in part spurred by joining OGP. The feature, “Morocco: A decade of OGP incentives at work,” shows how the eligibility requirements, the values check, global partnerships, and a leadership role may have helped turn the tide on critical policies in OGP.



Then President of Brazil Dilma Rousseff speaks at the OGP Global Summit in Brazil in 2012. Photo by OGP.

Ten years of Brazil's law on access to information

OGP's founding was not only significant on an international level. It also marked the long-awaited passage of Brazil's Right to Information Law. After decades of advocacy and effort, Brazil became one of the largest countries in the world to implement such a policy. In many ways, the law has been a success. However, Brazil and the law now face many of the same challenges common to open government worldwide.

Activists in Brazil worked for the enactment of a right to information law in congress for years. Powerful interests feared repercussions of an effective law and resisted its passage, worried about exposure of abuses during Brazil's military dictatorship.¹ Nonetheless, 2011 proved fortuitous. President Dilma Rousseff signed the Brazilian Access to Information Law, making it the 14th country in Latin America to do so and the 91st country globally.² Brazil joined OGP at the same time, immediately committing to implement its new law.

The first several years of implementation emphasized getting the basic machinery of the law to work—getting systems of record-keeping and retrieval in place, setting up processes for denial of appeals, and minimizing exemptions. Further, the first Brazilian OGP national action plan included several commitments to advance basic implementation.³ The action plan committed⁴

to study public demand for proactive disclosure, i.e., the automatic release of some data. This participatory approach gave some recognition to the ongoing role civil society played in the law.

Over time, second-generation problems have emerged. Ongoing research⁵ by the Brazilian chapter of Article 19, a global freedom of expression and information organization, has documented the major problems. While issues with basic fulfilment of the law still exist—worse in some parts of government than others—issues such as overclassification,⁶ official and targeted disinformation,⁷ and rollbacks⁸ in the context of COVID-19 have challenged the initial spirit of the law.

At the same time, subnational governments have time and again proven to be both laboratories for innovation and, in other cases, laggards in terms of implementation and openness. Federalism's benefits and weaknesses become more apparent when commitment to principles of transparency is uneven.

In this sense, Brazil's law was officially born with OGP. Its development, too, parallels that of OGP—from early efforts at basic implementation and increasingly needing to evolve to meet the exigencies of the current decade.

Morocco: A decade of OGP incentives at work

The Government of Morocco expressed interest in joining OGP immediately after the Partnership's launch. Morocco's journey from OGP aspirant to OGP Steering Committee member is an interesting story of how OGP's rules can help motivate reform in a country. Morocco's story can be broken into three phases: eligibility, civil and political rights concerns, and leadership.

2012–2018: Eligibility

Morocco applied to join OGP in 2012, just shortly after OGP's launch. It was not able to join OGP, however, as it did not meet the eligibility criteria.⁹ The biggest issue was that Morocco had a right to information in its constitution, but did not have an enacting legal framework. As in many other cases, advocates for right to information had been pushing for the reform for decades without success.

OGP provided a lever for domestic advocates, such as Transparency Maroc,¹⁰ to continue pushing for the reform. External partnerships, too, played a role. In March 2018, Morocco finally passed its long-awaited right to information bill. A month later, now meeting OGP's eligibility criteria, it joined the Partnership. While OGP membership was by no means the sole force helping the government of Morocco open up, it was an important one.

2018–2021: Civil and political rights

Morocco joined shortly before the OGP Values Check was put in place, meaning it was never directly affected by the rules as they went into place. Nonetheless, a series of reports from 2017–2018 found that the government of Morocco had a problem with interference in the operation of nongovernmental organizations. In addition to the 2017 UN Universal Periodic Review¹¹ and a report¹² from the International Center for Not-for-Profit Law, the Varieties of Democracy Index¹³ also confirmed this issue of interference. The latter

is especially important in the OGP context, as it formed the basis of the OGP values check and highlighted the problems with respect for civil and political rights in light of Morocco's recent membership in OGP.

With the support of ICNL and OGP, civil society groups formed a coalition known as MIRLA (Mouvement des Initiatives pour la Réforme des Lois des Associations au Maroc) and developed a number of recommendations on how Morocco could address issues affecting the free operation of civil society. Recommendations covered issues of fiscal rules, framework rules on public participation, and rules on voluntarism.

During 2021, these same civil society groups engaged with the OGP action planning process and got clear results. This engagement has now led to concrete commitments in the new action plan to reform the laws on public participation and volunteerism.

2021 onward: Joining the steering committee

On OGP's tenth anniversary, Morocco will now be a member of the OGP Steering Committee. What will that additional visibility mean?

Joining OGP has definitely helped Morocco. The country is able to access funds, whether through multilateral development banks, official development assistance, or through cheaper lending secured by better governance structures. Membership in OGP carries diplomatic benefits, raising Morocco's profile with allies and signalling intention to be a part of the democratic world. Perhaps most importantly, an official leadership position can signal domestically that the government is taking reform seriously.

Of course, a leadership role will mean the most if a country is able to lead by example as much as by word.

Action plans

Co-Creation

OGP's theory of change is rooted in the conviction that civil society engagement in policy development and implementation not only makes such processes more democratic, but that it also results in better policy outcomes. But do OGP members create such opportunities for engagement in practice? And does this engagement actually yield better policy outcomes? The recent report *OGP Vital Signs—10 Years of Data in Review*,¹⁴ as well as survey results from civil society, suggest that the answer to both of these questions is a resounding “yes.”

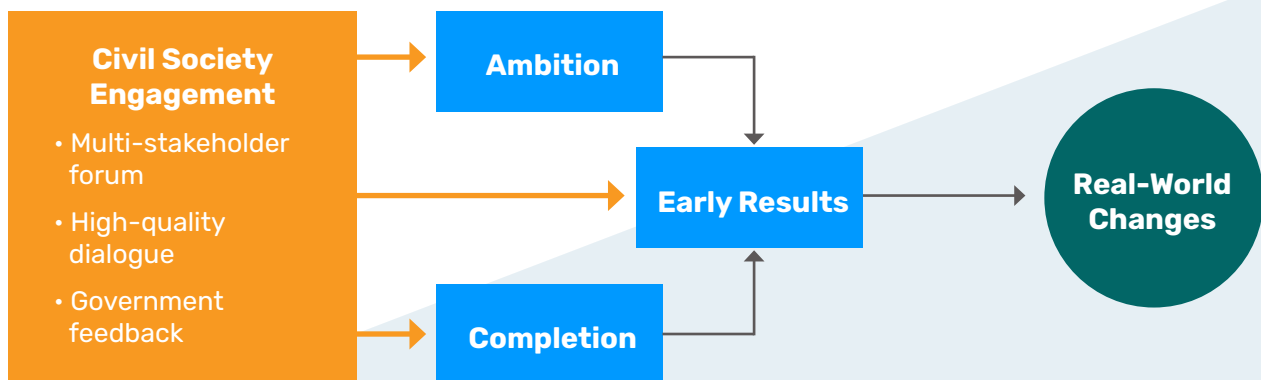
- **Co-creation processes have grown more participatory over time.** More governments engage in back-and-forth dialogue with civil society, and spaces for dialogue have increased in number.

Although challenges remain to better involve civil society in OGP,¹⁵ the direction of change is positive on the whole.

- **The strength of civil society engagement is linked to the success of the action plan.** The data shows that when civil society is more involved in designing and implementing the action plan, commitments are more ambitious, better implemented, and produce more changes in government practices (see Figure 3).
- **Civil society's own perception of involvement in OGP processes continues to grow.** In 2016, only one-third of civil society members surveyed felt that their government involved civil society during action plan co-creation.¹⁶ Now, that percentage has increased to over half of civil society members. (See Figure 3 in Annex C.)

FIGURE 3. Civil society engagement in OGP predicts several outcomes

Statistical analysis in the *OGP Vital Signs* report points to a simplified theory of change for OGP action plans, illustrated below.



Source: *OGP Vital Signs—10 Years of Data in Review*

Commitments

While co-creation is integral to the OGP process, the resulting commitments provide the actual blueprints for reform. For OGP to achieve impact as a platform, commitments must address important societal challenges and produce concrete changes on the ground. The report *OGP Vital Signs—10 Years of Data in Review*, as well as survey results from civil society, show that this is indeed taking place:

- **Commitments cover a growing diversity of topics.**

The average OGP action plan addresses more than double the number of policy areas and sectors than it did in the early days of OGP (see Figure 4). Commitments increasingly focus on emerging topics such as digital governance, beneficial ownership transparency, and open justice (see Part IV “Seeds of Democratic Renewal” for details).

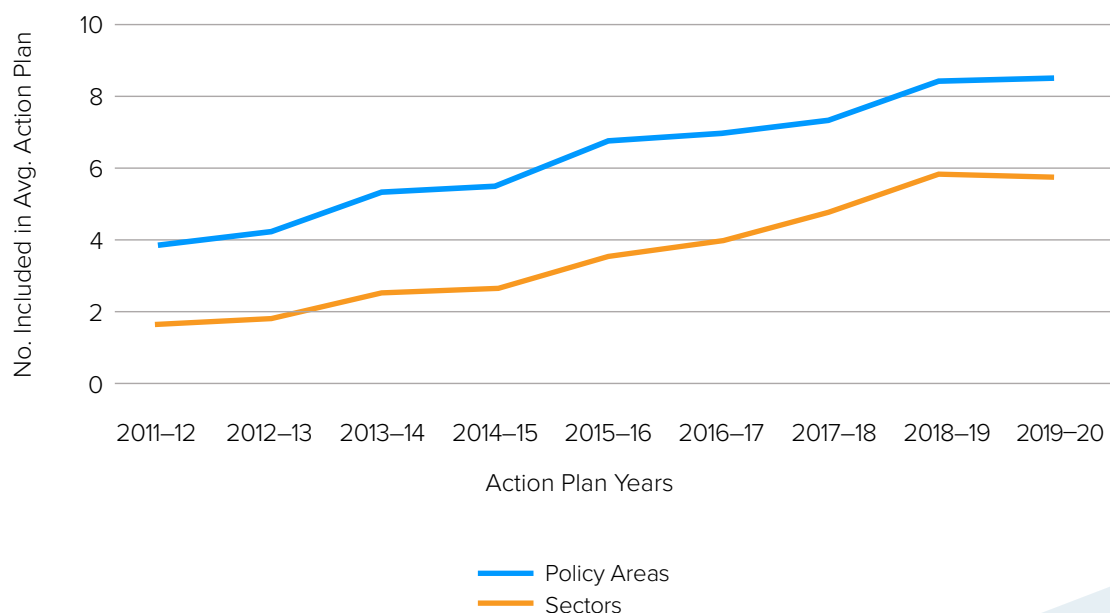
- **Commitments are producing concrete changes to government practices.** According to the IRM,

one in five OGP commitments has led to significant changes in government practices during the action-plan period. Ambitious commitments in particular—those that propose major or transformative reforms—have produced the most early results (see more about how OGP action plans affect policy in Annex C). Nearly three-quarters of civil society members surveyed in 2021 said they are growing more positive about OGP’s potential to deliver change (see Figure 4 in Annex C).

- **Civil society believes that action plans match their priorities more now than in previous years.** Based on a 2021 survey, over a quarter of civil society respondents believe their country or locality’s action plan matches all of civil society’s priorities, and nearly two-thirds believe the action plan matches at least a majority of civil society’s priorities. The percentage of respondents who believe that the action plan matches all of civil society’s priorities has grown each year since 2015.

FIGURE 4. OGP action plans are covering more policy areas and sectors

Policy areas refer to open government tools (e.g., open contracting, audits). Sectors refer to the areas of society affected (e.g., education, health). The numbers shown are for an average action plan with ten commitments.



Source: *OGP Vital Signs—10 Years of Data in Review*

Independent accountability

As mentioned earlier, the IRM's role as an independent reviewer of action plan design and implementation is core to the OGP model. But is the IRM effective as a learning and accountability tool? The evidence increasingly suggests that it is:

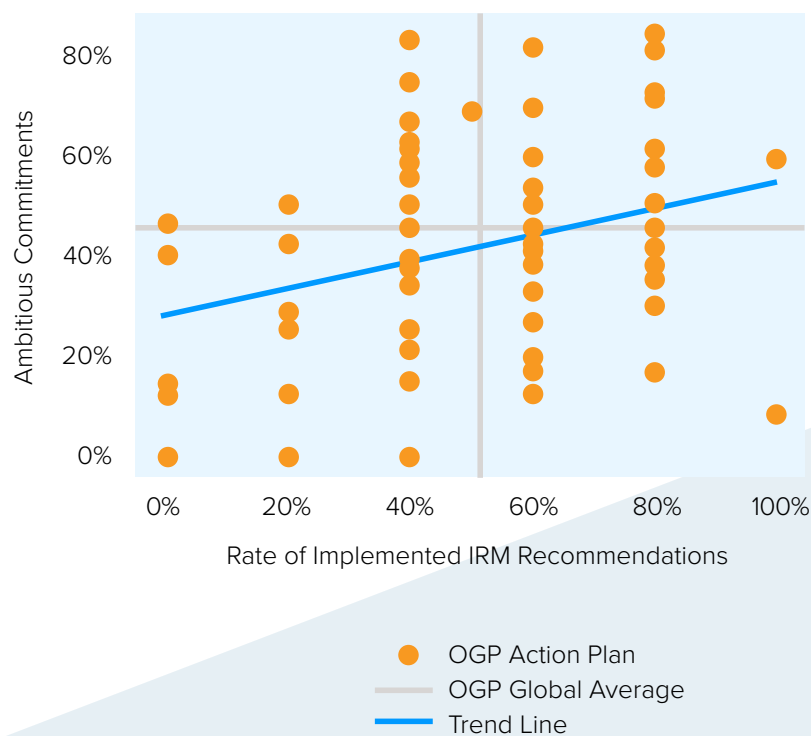
- **Most OGP members implement a majority of IRM key recommendations.** Although it varies by member, most members implement about half of the IRM's recommendations, which suggest

improvements to the co-creation process and content of the action plan. This implies that the IRM is influencing OGP action plans and processes.

- **Implementing IRM recommendations is associated with better OGP outcomes.** Members that implement more IRM recommendations tend to have more ambitious commitments (see Figure 5). And members that implement more process-related recommendations, specifically, exhibit more collaborative co-creation processes.

FIGURE 5. Positive relationship between implementing IRM recommendations and ambition

Each point represents a national or local action plan. Ambitious commitments have “moderate” or “transformative” potential impact, according to the IRM.



Source: OGP Vital Signs—10 Years of Data in Review



Attendees at the OGP Global Summit in Canada in 2019. Photo by OGP.

Beyond action plans

Peer exchange

As part of the OGP community, members can convene and share best practices in developing and implementing reforms. For many people, this exchange is the principal attraction of OGP rather than the action planning process. The peer exchange element of OGP has become increasingly popular over time, growing much faster than OGP membership. OGP summits and exchanges have played a major role in connecting members across regions, building community, and inspiring uptake of new policy areas (see Annex C for a list of all major events).

From 2015 to 2017, the number of peer exchanges *tripled* among OGP members (see Figure 5 in Annex C). Most of these peer exchanges occurred as part of larger, more formal events, such as the biennial OGP summit or regional meetings. During these years, exchanges tended to be more frequent and smaller,

often bilateral. Each peer exchange had an average of just under three parties, but being able to gather in person and learn from other members allowed for a rich learning experience for participants.

Peer exchanges changed significantly with the start of the pandemic. Exchanges became less frequent, but had more participants. Since early 2020, the number of peer exchanges has increased in almost every quarter, suggesting participants are quickly adapting to the remote world (see Figure 6 in Annex C). The average number of peer exchange participants in the last year and a half has doubled from that of 2015 to 2017, likely because remote exchanges are often more accessible and have fewer barriers to attendance. On the other hand, remote events exclude those who do not have reliable internet connectivity. Moving forward, a hybrid model seems most likely to balance accessibility and intensity, especially as some parts of the world continue to deal with travel restrictions due to COVID-19.

The London anti-corruption summit

Global summits provide the perfect opportunity for leaders to boast of their commitment to democracy and plans for anti-corruption reforms, often without any concrete steps for follow-through. Lessons learned¹⁷ following the 2016 London Anti-Corruption Summit, for example, can help to better understand how OGP can serve as a global forum for implementing reforms.

The first lesson is that pledges made at global summits are not sufficient enough on their own to change the status quo. Many of the pledges made at the London Summit were too vague to be easily monitored. Of the pledges that were verifiable, Transparency International UK found that only approximately one in five¹⁸ were actually implemented.

To address this lack of accountability, another lesson learned was that embedding pledges into OGP action plans allows for greater civil society monitoring and can ensure better follow-through. Ninety-three of the London Summit pledges were subsequently translated into 97 commitments in OGP action plans. These commitments were found to be a bit more ambitious than the average OGP anti-corruption commitment, likely because they were announced on a global platform. The implementation level for these 97 commitments was similar to the one-in-five rate that Transparency International UK found in their analysis of all verifiable pledges, suggesting that there is a need to better understand how and when OGP can better support implementation.

Concrete, time-bound pledges made in emerging policy areas are completed at higher rates. For example, pledges made at the London Summit regarding beneficial ownership transparency, a growing global norm, were especially strong due to their specificity. The focus should be on the creation of a few specific, time-bound commitments in ambitious policy areas, rather than a multitude of vague pledges and promises.

Leaders at the 2016 London Anti-Corruption Summit. Photo by OGP.



Global leadership

OGP is one of the world's premier forums for building a global coalition of government and civil society reformers to promote openness and deepen democracy. It leverages major regional and international political moments as milestones to sustain the open government movement.

OGP does this in three ways:

- Acting as an engine of implementation of other global initiatives
- Amplifying and spotlighting domestic innovation on a global stage
- Informing global decision-making

An engine for implementation

OGP helps ensure that high-level global pledges made at summits focused on democracy or other relevant topics lead to implementation at the country level with civil society input and monitoring. This is a key gap OGP fills as many high-level political events can lack clear means of follow up and accountability. By using OGP national action plans to drive implementation of high-level commitments, domestic reformers in government and civil society gain visibility, technical support, political cover, and external accountability to support implementation. (Examples of this work can be found in “The London Anti-Corruption Summit” in this section and “Escazu and Ecuador: Open Government, climate, justice and democracy” in Part IV “Seeds of Democratic Renewal.”)

OGP has also acted as fertile ground in driving the creation of new networks that have advanced policy norms at global and domestic levels. There are many examples of these networks emerging with support from OGP. Digital Nations, an international forum of leading digital governments with a goal of building cutting-edge digital policy and practice, has included being an OGP member as one of the key principles of the original charter, and a revised 2020 Digital Nations charter. The group Open Heroines, pushing for greater inclusion in open government, was formed following

the 2015 OGP Global Summit, while the Contracting 5 (C5) initiative, aimed at fighting corruption in public procurement, was formed following the 2016 London Anti-Corruption Summit. See Table 3 in Annex C for a complete list of OGP's multilateral coalitions and partnerships.

Amplifying and showcasing domestic innovation

OGP provides a platform for domestic reformers to amplify and showcase their innovative reforms on the global stage, helping to inspire and drive a higher standard of processes and reforms among all OGP member countries. This showcasing is done through various avenues, including OGP's communications campaigns, such as the Open Response + Recovery + Renewal (OR+OR+OR) campaign and by ensuring that global agreements on different policy areas are informed by the latest innovations and emerging norms and standards coming from OGP members. OGP members are also able to use their national action plans as a source of accountability in their participation in global fora such as the G20.

OGP is also able to reinforce the centrality of open government on a broad range of global initiatives by showcasing how OGP reforms can be an important tool for implementation. The Sustainable Development Goals (SDGs), agreed to at the United Nations by all countries in 2015, are designed to provide a road map for a better world by 2030. Soon after the SDGs were agreed upon, OGP passed a Joint Declaration on Open Government for the Implementation of the 2030 Agenda.¹⁹ By endorsing the Declaration, governments committed to use OGP national action plans “to adopt commitments that serve as effective tools to promote transparent and accountable implementation of the 2030 Agenda for Sustainable Development.” Since then, OGP has continued to spotlight examples of domestic reforms showing that even on the toughest SDG targets, progress is possible, and that innovations taking place in OGP can be adapted and adopted by other countries.



In Buenos Aires, Argentina the city's [judicial branch](#) is modeling flexible and accountable ways of administering effective justice through the use of technology during the COVID-19 pandemic. Photo by OGP.

Open Response + Recovery + Renewal (OR+OR+OR): Capturing innovations from around the world from the COVID-19 pandemic

At the start of the COVID-19 pandemic in 2020, OGP launched Open Response + Open Recovery, a campaign to ensure the fundamental values of open government were embedded in actions to end the spread of COVID-19. In 2021, OGP added another R to the campaign: Open Renewal. For the campaign, OGP created an open space for the open government community to share where they see open government approaches to tackling COVID-19 being implemented, either by governments themselves or civil society, citizens, or the private sector. Drawing on over 450 crowdsourced examples, OGP created a guide for open government and coronavirus,²⁰ which acts as a one stop shop for the best current resources on how open government projects and approaches can support tackling the pandemic. It amplifies the work of OGP's domestic reformers and a wide range of thematic partners, many of whom have directly contributed their expertise to the guide. The guide is for open government reformers who are looking for practical ideas, tools, and resources that can be adapted to their particular context.

OGP and the Extractive Industries Transparency Initiative

One example of a successful collaboration with a partner organization is between OGP and the Extractive Industries Transparency Initiative (EITI). OGP and EITI signed a memorandum of understanding in 2018. Twenty-nine countries are members of both OGP and EITI, creating significant potential for collaboration and reform. While OGP serves as a vehicle to implement extractives-related reforms, EITI provides objective assessments of countries' performance on extractives transparency. Many members of OGP and EITI have made extractives-related commitments through their OGP action plans in order to improve their performance against the EITI standard. OGP and EITI also works with key partners such as Publish What You Pay Global Council, Natural Resource Governance Institute, Transparency International Mining, and OpenOwnership as well as country-based reformers in Armenia, Indonesia, Nigeria, Philippines, and Ukraine to ensure complementarity.

One of the first collaborative projects between OGP and EITI identified where members of both organizations were reinforcing EITI requirements, accelerating implementation of non-required elements, and going well beyond the EITI standard. This research concluded that OGP commitments on open contracting and licensing, beneficial ownership, and the environment perform better in the extractives sector than in other areas. This is because EITI provides extractives-related guidance and assessments in these policy areas that members can subsequently use to inform the creation of commitments in their OGP action plans. Therefore, this successful partnership between the EITI and OGP creates more ambitious and effective commitments in extractives transparency.

Informing global decision-making

OGP works with government and civil society champions to raise the ambition of global pledges and to advance global norms in key areas such as anti-corruption and digital governance. The OGP platform is uniquely positioned to build consensus and coalitions among high-profile government, civil society, and private sector stakeholders, and OGP has increasingly played the role of connective tissue between big global moments, such as: the OGP Global Summits; G7 and G20 processes; the Summit for Democracy scheduled for 2021 and 2022; regional efforts including with groups such as the Organization of American States, Asian Development Bank, African Development Bank; United Nations General Assembly meetings and special sessions;

and others. OGP's efforts in this space have led to coordinated input and action on several thematic policy areas, including on the G7 Open Societies agenda by creating a forum for G7 governments, civil society organizations, and the private sector to make tangible progress on anti-corruption commitments that were made at the G7 Summit. A communique published following a G7 Interior Minister meeting in 2021 specifically noted OGP's role in advancing these anti-corruption commitments and noted the value created by OGP action plans to take forward domestic reforms in this area. OGP has also been invited by the G20 anti-corruption working group to share trends on implementation and leadership across several sub-policy areas.

Safeguards: Responding to threats on civic freedoms

OGP, under the guidance of the Steering Committee, has, since its inception, had a number of elements that aim to address threats to OGP values and principles within the organization.

Over the last several years, OGP has developed the Policy on Upholding the Values and Principles of OGP (known as the “Response Policy”),²¹ which civil society organizations have triggered in several cases. In many of these cases, civil society complaints came in direct response to allegations that governments directly violated their civic freedoms.

The Response Policy is just one example of how OGP counters declining democracy across its membership. (See “Response Policy in Action” for a brief history of the response policy and its results.) OGP also addresses these challenges in other ways, for example, by promoting positive examples of protecting democratic norms, building regional and global coalitions to renew democracy, and encouraging members to include democracy commitments in their action plans. For more on these activities, see Part V “Three Frontier Challenges.”

This section looks at how OGP, as a partnership, has responded to authoritarian actions by its members (see Annex D for more details). While many of the earliest cases did not reach entirely satisfactory outcomes, more recent developments in Mexico and Nigeria suggest greater success may lie ahead.

A difficult first test case

Since Azerbaijan joined OGP, members have raised concerns about how it treated citizens who disagreed with the government, including: suppression of protests, arrests, detention of activists, freezing of assets, and draconian laws limiting civil society actors’ ability to pursue funding and other operational support.

Many people in the OGP community focused on how Azerbaijan’s “foreign agents” law disproportionately affected democracy and anti-corruption campaigners. (The law required declaration and government approval of cross-border funding.) It came to be a major concern when the government began to target and jail employees of CSOs that worked directly with multilateral anti-corruption bodies, including OGP.

In 2015, the situation led three civil society organizations—Publish What You Pay, Civicus, and Article 19—to trigger OGP’s Response Policy to raise concerns about threats faced by civil society in Azerbaijan. After carrying out an exhaustive review process, the OGP Criteria and Standards subcommittee found that the concerns were valid and issued recommendations to improve the situation. On 4 May 2016, the Steering Committee designated Azerbaijan as suspended from OGP due to unresolved constraints on the operating environment for Non-Governmental Organizations.

In December 2018, the Steering Committee released a resolution extending Azerbaijan’s suspension for a further two years. While there remain substantial challenges in the overall operating environment for civil society in Azerbaijan, local stakeholders consulted, including government and civil society within and outside of the OGP Forum, concurred there is value in the continued engagement and space for dialogue that the OGP forum in Azerbaijan creates.

Response policy in action

The OGP Response Policy, officially known as the *Policy on Upholding the Values and Principles of OGP*, was adopted by the OGP Steering Committee in September of 2014. This policy helps to ensure that all participating members uphold OGP values and principles. The actions pursued under the Response Policy aim to: 1) assist participating members overcome difficulties and to help re-establish an environment more conducive to government and civil society collaboration and 2) safeguard the Open Government Declaration²² and mitigate reputational risks to OGP.

Since the adoption of the Response Policy, the OGP Steering Committee has taken an active role in addressing problems among members, as reflected in the following cases:²³

- The Response Policy was initiated against Hungary after four civil society organizations submitted a Letter of Concern in July 2015. While the OGP Steering Committee found the claims were valid and relevant, the government of Hungary withdrew from OGP in December 2016.
- In May 2016, Azerbaijan became the first OGP country to be designated as inactive under the OGP Response Policy.
- In 2018, civil society organizations involved in OGP brought a Response Policy case regarding spying in Mexico. The case is still open, pending a review of the concern and possible government remedies.
- In 2016, a case regarding freedom of movement in Israel was raised, but ultimately dismissed as the party bringing the claim lacked standing.
- A letter of concern was filed against Turkey. The filing party lacked standing because Turkey had not had a working OGP structure for several years. Consequently, in September 2016, Turkey was designated inactive by the OGP Steering Committee after failing to provide a national action plan developed with partners for two consecutive cycles.
- A final letter filed concerning the government of Australia was found to be without factual merit.

Promising developments in renewing democracy

Until recently, much of the discussion on protecting civil liberties has remained one-sided. While civil society has consistently used OGP forums to raise concerns over threats to civil and political rights and advocate for action, fewer governments have taken corresponding domestic actions, especially within their action plans. The *2019 OGP Global Report*²⁴ pointed out that, while OGP countries in general outperform non-OGP countries (and arguably declined less in relative terms), efforts at reforming civil and political rights rarely appear in action plans.

That may be changing, however. Under the co-chairship of the Republic of Korea and Maria Baron (of Directorio Legislativo), civic freedoms and democratic dialogue have been made a priority through a public declaration. Importantly, Korea's public version of its action plan shows leadership by example, with a commitment to:

*Launch a Partnership-wide call to action to develop ambitious reforms, help leverage resources for their full and effective implementation, and showcase those efforts that work, so that we have the best opportunity to develop a comprehensive response to strengthen civic freedoms and democratic dialogue.*²⁵

This priority is also reflected in several OGP action plans, which include commitments that address particular aspects of renewing democracy.

- **Freedom of association and privacy rights:** The most encouraging story of protecting civil and political rights in many regards is that of Mexico. On multiple occasions, Mexico has responded to allegations of government wrongdoing and neglect

by making OGP commitments that would begin to rectify damages and prevent future harms. Likewise, the U.S. used its early action plans to enhance privacy rights in light of the Edward Snowden scandal, and Latvia has consistently put sustainable NGO financing reform at the center of its action plan.²⁶ Croatia²⁷ and Mongolia²⁸ have also made commitments to promote media pluralism.

- **Freedom of assembly and just law enforcement:** In the midst of a global reckoning over police brutality and systemic discrimination by law enforcement, revelations of extrajudicial killings in Nigeria prompted the #EndSARS movement. In response to public outrage, the government of Nigeria used the OGP process to work with civil society representatives to re-invigorate discussions about police reform and create opportunities for dialogue between citizens and government. Other examples of countries that have made commitments to address police-civilian interaction include Ukraine²⁹ and the U.S.³⁰

These examples illustrate how OGP members can use their action plans to credibly and productively address civil liberties concerns. OGP continues to adapt to protect civil and political rights. Accountability mechanisms like the formal Response Policy and the OGP process requirements or informal diplomatic accountability (resulting in quitting) can only “raise the floor” preventing the worst-case scenarios of OGP. Without proactive actions by governments in response to sustained public demand, the ceiling cannot be raised on democracy.



The OGP Support Unit and IRM participated at the Western Balkans OGP Dialogue in 2017. The event helped to foster inclusive, accountable, and transparent governance and policy-making through enhanced civil society expertise and strengthened dialogue between civil society and governments within the framework of the OGP. Photo by OGP.

Contribution of the Support Unit and IRM

The OGP Support Unit was established shortly after OGP's launch. Its role has evolved as its staff has grown. At the beginning of OGP's existence, the majority of the Support Unit's energy went to strengthening the OGP platform and supporting the decision-making of the Steering Committee. Over time, the Support Unit's energies have shifted considerably. The vast majority of OGP's staff now ensure that members and other partners are able to take full advantage of the OGP platform, whether that is action planning, peer exchange, or accessing technical support.

For reformers in OGP, the Support Unit exists to provide help across the spectrum of OGP: joining OGP, establishing and maintaining action planning processes, raising OGP and open government reformers' profiles; and fostering exchange. Research is still new in this area. Nonetheless, evidence is accruing as to the specific role and contribution that the Support Unit is making in key countries.

Solid data on this topic is still being developed. Nonetheless, new, unreviewed self-reported data from the Support Unit itself can illuminate some initial findings and areas for exploration. Beginning in 2019, OGP Support Unit staff members began tracking what "contributions" they made in a small number of focus countries.

Within the last two years, the most frequent areas where the Support Unit helped were:

- **Action planning process support:** Ensuring a collaborative, co-creation process;
- **Member-level thematic support:** helping inform commitment design in core areas, mobilizing and convening relevant thematic agencies, including by bringing in international partners to help inform commitment design and implementation; and

- **International profile raising:** Ensuring that when members undertake major reforms, they get the credit for positive risk-taking, innovation, and good implementation at international forums and beyond.

Based on their experience, the areas where the Support Unit members reported playing the most indispensable role differed slightly, and included:

- **International profile raising:** Bringing credit to innovators outside of their domestic context; and
- **Non-thematic strategic support:** Helping members of government and civil society figure out how to get policy reforms through sometimes difficult contexts.

This data is preliminary, unreviewed, and only represents experiences in a small subset of OGP countries. That being said, it is still interesting to see that a key role that the OGP Support Unit plays is in brokering international relationships and sharing the experiences from other countries, whether in policy design, implementation, or strategy. Not unsurprisingly, the data does not reflect heavy investment in areas such as direct implementation support, which has not been a longstanding strength of the Support Unit. Whether this implies that more should be done on implementation support or whether the Support Unit should invest more in what it is good at and rely on partners is a strategic rather than analytical question.

TABLE 1. Most frequent contributions made by the OGP Support Unit at the domestic level

Types of Support	Total notable achievements (over two years)
Action planning process support (including IRM launch)	48
Country-level thematic support (relationships, strategy)	36
International profile raising	22
General strategic support—not thematically focused	19
International peer exchange, technical exchange—thematic	14
Donors and finance (resource mobilization)	13
Domestic profile raising	10
Implementation support	10
Political and bureaucratic transition support	9
Communication support	5
General onboarding	5
International peer and technical exchange	3



OGP government points of contact co-create a 3-dimensional model of open government. Photo by OGP.

Highlights from two external reviews

In addition to the OGP Support Unit and IRM data, there have been two major reviews of OGP by external organizations. The first, the *OGP Mid-Term Review*, looked at OGP's first *4-Year Strategy* and how well its theory of change matched the challenges of the community. A second, *Multi-donor Funded Evaluation*, being finalized at the time of this writing (2021), was a real-time analysis of how the Support Unit, and IRM in particular, support OGP members to work on action plans. This section summarizes the major findings of each.

OGP's midterm review and strategic refresh in 2016

In May 2016, the OGP Steering Committee agreed to commission a midterm review³¹ of OGP's performance in light of its principles, objectives, and current strategy. The review was carried out by the Development Portfolio Management Group based at the University of Southern California. The report assesses four key areas: a) OGP's theory of change; b) OGP's chain of interactions and outcomes; c) rules of the game; and d) structure, organs, and finance. The review found that these areas need to be strengthened and provides recommendations to incorporate the lessons and tactics that OGP has learned from its experience so far.

Concurrently with the midterm review of OGP, the OGP Steering Committee agreed that OGP should undergo a strategic refresh, building on the existing strategy. After a lengthy consultation, as well as learning from the findings of the midterm review, the OGP Steering Committee approved the 2016 Strategic Refresh³² to be implemented starting in 2017. The strategic refresh outlined six new directions to bolster OGP's existing strategy and make a stronger push toward transformational impact: a) deepen citizen-centered governance; b) broaden collective ownership domestically; c) strengthen capacity, coordination, and coalitions for implementation; d) raise collective ambition globally; e) review OGP's rules of engagement and performance incentives; and f) strengthen OGP's branding and communications.

Multi-donor funded evaluation in 2019

The Foreign, Commonwealth & Development Office, Open Society Foundations, and the Hewlett Foundation jointly supported an independent, multi-country, multi-policy evaluation of OGP starting in 2019. The aim of the review was to better understand the interactions of the OGP Support Unit during the OGP process.

Rather than carry out an after-the-fact review, the review looked at policy reform in real time. The evaluation focused on policy adoption processes in seven OGP members: Colombia, Nigeria, Ukraine, the Philippines, South Cotabato, Kenya, and Elgeyo-Marakwet County, Kenya. The policy areas studied in these countries were beneficial ownership, open contracting, and citizen engagement.

While the final report from this evaluation will come in early 2022, some early insights of the evaluation show that what OGP does best is securing political engagement to stimulate and shape open government reforms, but OGP needs to work more on brokering partnerships to support implementation of reforms. The evaluation also found that OGP does well in enabling space for reformers to engage particularly in the process of co-creation, but more engagement in the implementation process is needed. The OGP Support Unit has already started to blend evaluation learning³³ with its own learning practices and will be discussing how these affect OGP's strategy going forward in 2022.



The Philippine Center for Investigative Journalism ([PCIJ](#)) was founded in 1989 and is an independent, nonprofit media agency that specializes in investigative reporting. Photo by the Philippines Center for Investigative Journalism.

Philippines' open contracting

The story of how the Philippines action plan came to adopt open contracting shows how national-level reformers were able to use OGP. It further shows how the OGP Support Unit plays a special role in bringing international visibility to national-level reformers and reforms.

In 2019, Filipina journalist Karol Ilagan led a team from the Philippines Center for Investigative Journalism (PCIJ) in using public procurement data to uncover wide-spread issues with voter-counting machines, procurement delays, and wasteful spending related to the May 2019 midterm elections. According to her investigation, the issues included contracts for goods and services awarded at higher than sound market standards, various contracts awarded in circumstances that seem to have skirted government's procurement rules, and testing of equipment and systems after an award was made.³⁴

Ilagan and the PCIJ conducted parts of its investigation using records from the Philippines Government Electronic Procurement System (PhilGEPS), a portal to which all government agencies are required to post procurement information.³⁵ However, because agencies were only required to post some of the documents related to procurement of election equipment and services, journalists could not depend on the portal to track projects from planning to implementation.³⁶ Instead, they relied on interviews with local residents and statements from contractors in the region to piece together the full story.³⁷

But what if PhilGEPS did post the information journalists needed to report this story? A more transparent and open contracting process would not only allow journalists to make this investigation more efficient, it would enable journalists and civil society organizations to track procurement irregularities more systematically, and bring scandals like this one to the public's attention.

PhilGEPS had already proven to be an effective government cost-saving mechanism, saving the national government more than one billion pesos (nearly USD 20 million) over 15 years.³⁸ However, as journalists and civil society members noted, the platform also had many flaws which limited its efficacy as a tool for greater transparency and accountability.

In 2016, OGP Support Unit staff began meeting with government leaders about the possibility of addressing some of these issues through the country's next action plan. Progress was slow as local activists, the support and partner organization, Hivos, struggled to get buy-in from senior officials for an open contracting commitment. Finally, in 2018, members of the Support Unit worked with open government champions in the Philippines to plan a public event to engage with government leaders on the topic of open contracting. At the event, which took place during OGP-led "Open Gov Week," government representatives mentioned for the first time the possibility of including a commitment on open contracting in the next action plan.

In 2018, PCIJ published a report detailing the most significant information and data gaps in PhilGEPS' existing form. At a roundtable discussion, the journalists presented the findings of their report to representatives from the Government Procurement Policy Board, PhilGEPS, and other government agencies. This led to government officials agreeing to expand the scope of information available on PhilGEPS. In particular, PhilGEPS officials were convinced that bringing the platform in line with the Open Contracting Data Standard (OCDS) would be necessary, eventually including OCDS as a module in the modernization program's Terms of Reference.

Hivos and the Support Unit took this opening as an opportunity to push for even more transformative reforms. Later that year, OGP's regional event in the Republic of Korea gave Hivos and the Open Contracting Partnership the opportunity to conduct a workshop with key government officials. The workshop helped to connect the Philippines' potential reform to the global movement for open contracting and created momentum for a workshop with Support Unit staff in early 2019 for PhilGEPS to begin designing an OGP commitment on open contracting. At the commitment design workshop back in the Philippines, government representatives and civil society agreed that transformative change would require more than technical fixes, like adherence to the OCDS, and would necessarily involve substantive collaboration with potential users of the information.

The commitment was finalized in November 2019 and includes several initiatives aimed at reducing corruption by engaging civil society and other stakeholders in accessing and using PhilGEPS data.³⁹ In response to PCIJ's findings that that existing data was incomplete or insufficient, government stakeholders worked with members of civil society and the private sector to identify datasets that will be subject to mandatory disclosure on PhilGEPS. The platform will standardize data according to the Open Contracting Data Standard. In addition, the commitment also mandates that representatives of the country's supreme audit institution, the Commission on Audit, train both its staff and citizen-partners to use the published data to verify procurement activity.

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Angela Merkel, Former Chancellor of the Federal Republic of Germany speaks at the OGP Virtual Leaders Summit in 2020. Photo by OGP.



IV. Seeds of Democratic Renewal



“Only open government can respond well to the citizens’ needs & be resilient to the challenges of the modern world. In these hard times, we all were reminded that the strong cooperation between the government, civil society, private sector & international partners is a key to success.”

*—Angela Merkel, Former Chancellor
of the Federal Republic of Germany, 2020*

In the face of continued democratic decline, there are courageous OGP reformers advancing innovative reforms that present the seeds of a better democracy. These reforms make governments more open and engage citizens and civil society in areas where they have the interest and capacity, empowering them to shape and oversee public services, policies, and institutions. In this way, OGP seeks to renew democracy to deliver stronger results for citizens.

To do this, OGP provides a forum for reformers to advance a broad range of policy areas¹ using open government approaches. Across OGP, four specific clusters of reforms are helping to transform the relationship between citizens and their governments. These four clusters are outlined below.

Cluster One: Open institutions to fight corruption:

These reforms address some of the policy areas most fundamental to open government across the spending cycle and which often yield strong results. These reforms include strengthening the right to information and open contracting, fiscal openness, extractives governance, and beneficial ownership transparency. The extensive COVID-19 response and recovery plans and funding should not be a missed opportunity to apply open government principles.

Cluster Two: Engaging citizens to shape public policies and services:

The last decade has seen inspiring innovation and traction around participatory and deliberative approaches inside and outside OGP. This has created countless opportunities for dialogue with the government and chances to help shape, implement, and monitor government policies and actions. Reforms in this cluster, including those in public service delivery and participatory environmental management, have perhaps the greatest potential to measurably improve citizens' lives. This is particularly true at the local level where the quality of schools, streets, and health clinics have a direct and significant impact.

Cluster Three: Tackling systemic inequalities: In the early years of OGP, few commitments focused on the inclusion of marginalized groups, shrinking gender gaps, or equal justice for all citizens, including those affected by the socio-economic costs of climate change. However, policy areas in this cluster are now among the fastest growing in OGP, thanks to strong coalitions and partnerships.²

Cluster Four: Confronting threats to democracy:

Technology has been and will continue to be an important enabler and accelerator of open government reforms. However, within the wider context of shrinking the enabling environment for civil society, OGP reformers are also confronting digital threats to democracy, such as the troubling spread of disinformation online and attacks on citizens' privacy, including illegal surveillance. While this is still an emerging area for OGP commitments, members like the Netherlands and Canada are strengthening the transparency of online political campaigns, and Finland launched digital literacy campaigns for students to challenge disinformation.

This combination of open governments and engaged citizenry is essential for not only tackling the crisis of democracy, but also other crises. Crises of this scale and complexity are simply too big for any one government or group to address alone. Moving forward, the goal is to scale these four clusters of reforms to build healthier and more vibrant democracies and make further progress against these larger threats.



The 2014 OGP Regional Meeting for the Americas was held in San José, Costa Rica. The event served as a space to highlight good practices and successful initiatives, discuss the challenges faced, and establish support and peer exchange regional mechanisms. Photo by OGP.

OGP action plans affect policy

Activity across OGP policy areas is worth exploring in greater detail because action in OGP is associated with real world change. Growing evidence from the OGP Support Unit suggests a correlation between the policy areas most frequently included in action plans and the policy areas where there is the most progress globally. The most notable example is perhaps anti-corruption reform, an area in which OGP members frequently make and successfully implement

commitments and where there is progress in absolute terms. By contrast, few OGP members have made commitments to tackle threats to democracy, an area where several international indices have reported sustained backsliding (see V-DEM³ and CIVICUS⁴).

For a more detailed explanation of these trends, see Annex C.



Open institutions to fight corruption

Since its founding, ending corruption has been one of OGP's principal aims. This concern has only become more intense as the effects of corruption are felt everywhere—from the financing of authoritarians to economic stagnation in some countries and growing inequality.

Relative to almost any other policy area in OGP, the IRM finds that OGP anti-corruption commitments are strong. The IRM consistently evaluates commitments in several areas of anti-corruption as being among the most ambitious and most likely to generate strong early results. These areas include: whistleblowing, extractive industries, audits, and open contracting, several of which are highlighted below.

Beneficial ownership transparency

Beneficial ownership transparency is an essential means for combating corruption, stemming illicit financial flows, and fighting tax evasion. Shell companies (and other legal vehicles) are often used to hide profits, terrorist financing, or illegally obtained money. Moreover, roughly 70 percent⁵ of the large-scale corruption cases between 1980 and 2010 involved anonymous companies. Yet, in most countries, disclosure of the individuals who ultimately control or profit from a business (the “beneficial owners”) is not required.

Growing global recognition of these problems, as highlighted by revelations in the Panama Papers, the Paradise Papers, FinCEN Files,⁶ and the latest Pandora Papers,⁷ is accelerating interest in beneficial



ownership transparency reform. Governments as diverse as Denmark, Kenya, Nigeria, and the United Kingdom (UK) have committed to publish beneficial ownership information. Similarly, more and more OGP member countries, including Armenia, Nigeria, and Mexico, are using their action plans to advance beneficial ownership transparency by implementing central public registers.

Within OGP, beneficial ownership transparency has been advanced through a number of means:

- Launching the first public register in the UK in 2016;
- Supporting the spread of beneficial ownership transparency across the membership;
- Providing a platform for collaboration between governments and civil society through action plans; and
- Creating opportunities for cross-country exchange, learning, and norm-setting.

Beneficial ownership progress in OGP

The OGP platform has supported growing political momentum for beneficial ownership transparency through an approach that combines government reform with civil society oversight and peer learning. Each year, more OGP members are committing to disclose beneficial ownership more frequently in their action plans.⁸ Consequently, beneficial ownership transparency is one of OGP's fastest-growing areas for action. Altogether, one-third of OGP national members have made 52 total beneficial ownership commitments since OGP was established in 2011.⁹ According to OGP's IRM, which tracks progress of participating members, beneficial ownership commitments tend to have higher ambition than the average OGP commitment but weaker early results.¹⁰

How OGP supports beneficial ownership transparency

Origins and impacts of the first major beneficial ownership register in the UK

Arguably, OGP was the origin of the recent push for public beneficial ownership transparency. In 2013, during OGP's Global Summit in London, then Prime Minister David Cameron announced that the UK would be launching a public register.¹¹ This was subsequently included in their OGP action plan and became the first-ever commitment for a public, open register in OGP.¹² The strong advocacy campaign led by civil society organizations such as Global Witness, Transparency International UK, and the ONE Campaign was key to the inclusion of beneficial ownership transparency in the UK's action plan. The London OGP Summit provided the action-forcing moment for the announcement.

The UK's public register has been open and free of charge since 2016 and is now accessed more than 20,000 times a day, recording more than two billion data searches in just the first two years. Activists and journalists have used it to uncover wrongdoing, including exposing: a number of senior politicians; 76 people on the U.S. sanctions list; and hundreds of others who are barred from owning UK companies, but were previously still able to do so because anonymity made it possible.

Adoption beyond the UK

OGP countries were among the earliest adopters of policies to advance beneficial ownership transparency. Every year, more and more members continue to use their action plans to advance these reforms. In total, 33 countries have made OGP commitments to strengthen beneficial ownership transparency. For example, in Kenya, companies bidding for public contracts must enter their beneficial ownership into a public database. Latvia made information on beneficial owners of companies publicly available, free of charge, and in an open-data format.¹³ More recently, Liberia committed to building an open, public, and machine-readable online register, consistent with

international best practice.¹⁴ In its latest action plan, Indonesia committed to explicitly leveraging beneficial ownership transparency to optimize tax revenues for its response to the COVID-19 pandemic.¹⁵

A multistakeholder approach that works

The OGP platform provides a multistakeholder approach that works better than go-it-alone reforms. The hallmarks of the OGP approach to beneficial ownership transparency include government-civil society collaboration, opportunities for technical support and finance, and linking beneficial ownership transparency to corruption-prone sectors such as extractives industries and government procurement.

The unique format of action plan co-creation brings together political leaders, civil society, business, activists, and policy experts. Working together, these stakeholders can create commitments with the right focus that fit the needs of the national context.

- In Chile, reformers chose to focus on companies that do business with the state or that receive state subsidies.¹⁶
- Co-creation in Mexico resulted in a commitment to better monitor trusts, with reformers currently working on a draft law.¹⁷
- In Nigeria, business representatives, including those on Nigeria's OGP multistakeholder forum, were instrumental to forging cross-sector coalitions that promoted the need for beneficial ownership legislation to be passed in parliament. President Buhari signed the landmark Companies and Allied Matters Act into law as part of Nigeria's commitment to OGP in 2020.¹⁸

The OGP process has also provided civil society partners with invaluable entry points for collaborative action and opportunities for financing implementation efforts. Partners including the Natural Resource Governance Institute, OpenOwnership, Tax Justice Network, and Transparency International, among others have provided timely support to OGP members linked to their own advocacy efforts. For example, in Armenia, which is advancing implementation on an open and public register through its OGP commitment, the OGP Support Unit helped mobilize funding from the European Union



Nigerian construction workers on site. Nigeria's registry will publicly disclose beneficial owners in various industries including construction and extractives. Photo by Arne Hoel / World Bank.

and linked domestic reformers to partners providing technical assistance, while galvanizing high-level political support for a cross-sector register.

National OGP multistakeholder forums provide a space to convene cross-agency engagement to shift from a single-sector focus to a cross-sector reform. Nearly half of all OGP beneficial ownership commitments are explicitly linked to either contracting or licensing of extractives.

Iteration encourages ambition

The way OGP works seeks to encourage greater ambition over time. Because action plans are short (two years), they encourage experimentation and allow for correction. The government of Ukraine first committed to an open registry and then became the first OGP country to commit to improving the verification of beneficial ownership information by integrating its register in OpenOwnership's global register.¹⁹ Ukraine now spearheads a second surge on audits and verification. The Slovak Republic²⁰ will build on beneficial ownership reforms in the country's previous action plan by being the first country to commit to full implementation of the Beneficial Ownership Transparency Disclosure Principles.²¹ (More details of the commitment are found in the *OGP Global Report*,²² and its early impact is highlighted in the video, *Finding the Real Beneficiary*.²³)

Cross-country learning and emerging norms

OGP provides a unique space for dialogue and learning among implementers working on beneficial ownership transparency.²⁴ The Beneficial Ownership Leadership Group,²⁵ initiated by the UK and co-convened by OGP, OpenOwnership, Transparency International, and The B Team, seeks to advance principles for central public registers through OGP and complementary platforms. The group comprises Armenia, Kenya, Latvia, Mexico, Norway, the Slovak Republic, and the UK. They are working together to build a new global norm of accessible beneficial ownership information that is linked across borders by 2023.

These efforts to build coalitions of implementers are also advanced through regional and sub-regional learning networks to better link these global conversations to concrete country-focused dialogue. In the Americas, an informal regional community of practice²⁶ provides reformers with a space to troubleshoot challenges, connect to relevant implementation agencies, and link to technical and funding partners.

Looking ahead

The *OGP Global Report*²⁷ suggests four key issues that countries can address in second generation reforms in beneficial ownership transparency:

- **Strengthen the disclosure requirements.**

Reinforcing underlying legal and regulatory requirements for disclosure of different types of ownership across various legal vehicles is fundamental to more effective, transparent processes.

- **Improve the interoperability of information.**

Applying common standards such as the Beneficial Ownership Data Standard and linking ownership information with other policy areas can help to track money and assets across sectors and jurisdictions.

- **Verify registered information.** Open beneficial ownership data, coupled with strong verification systems, ensures data is accurate and usable.

- **Engage citizens in monitoring and accountability.**

Informal and formal channels for accountability enable citizens to actively use ownership data to uncover networks of corruption.

Nigeria and beneficial ownership

In August 2020, President Muhammadu Buhari of Nigeria signed the Companies and Allied Matters Act (CAMA), putting in place a new registry that will enhance corporate accountability and transparency by disclosing persons with significant control of companies. According to Registrar General Alhaji Garba Abubakar, who leads the autonomous body responsible for the register, the OGP framework was the single most important platform used to achieve consensus among government and civil society stakeholders in support of the new law. Nigeria is also the recipient of the OGP Multi-Donor Trust Fund (MDTF) implementation award, which will support development of the infrastructure necessary for an effective beneficial ownership registry. By making it harder for people to use anonymous companies to avoid taxation, this reform could help keep taxes in the country, reduce embezzlement, and fight corruption.

OGP, in particular, has helped support this critical reform, increasing visibility and support through the action planning

process. Following President Buhari's speech²⁸ at the 2016 London Anti-Corruption Summit and support from the United Kingdom's Department for International Development, enterprising civil society actors used the OGP process to get a basic commitment adopted in Nigeria's first action plan. When it became clear that implementation of a registry required legal reform, a second action plan provided a place to secure these commitments. The OGP Support Unit's high-level political engagement, as well as its targeted civil society advocacy, helped ease roadblocks to get the necessary legislation passed through parliament. In particular, the commitment was supported by the OGP MDTF. OGP partners such as Open Ownership and others helped provide additional technical assistance and monitoring. This helped ease agreement on a record USD one million World Bank loan to the government of Nigeria for technical support on governance reform. Nigeria credits OGP for helping expand the register for extractive industries into a cross-sector, public register.

Open contracting

Open contracting as a foundational element of open government

Open contracting is the practice of producing and using open, accessible, and timely information on public contracts. Reforms in this area seek to engage stakeholders across sectors to mitigate corruption and deliver value for money on government procurement and licensing. When contracting data is open, it enables effective oversight of government services by revealing who is getting paid how much to deliver what, as well as how they were selected, and whether they delivered on time and with quality.

Transparent public procurement has become a foundational reform to fight corruption and improve government efficiency. Open contracting, when done right, saves money, increases competition, strengthens supply chains, reduces risk, and encourages greater inclusion.

This section outlines the growth of open contracting reform in OGP, several of the ways the OGP Support Unit has supported this growth, and some of the next steps to further advance contracting reform in OGP.

A trajectory of growth in OGP

The number of local and national governments advancing open contracting is growing.²⁹ In the early years of this work, just ten percent of OGP members focused on open contracting, but by 2021, three in four OGP members had implemented open contracting and public procurement reforms. This steady growth has helped establish open contracting as a global norm—an unwritten standard of good governance.

OGP members have also increasingly integrated open contracting into commitments in other policy areas and sectors. For example, some countries have focused on implementing open contracting in the natural resource governance sector while others have worked to make open contracting data interoperable with company ownership data.

Open contracting commitments yield positive results. Commitments around open contracting and public procurement have delivered some of OGP's most

transformative results based on IRM data. One in three open contracting commitments have resulted in significant changes to open government practices, making it one of the highest rated policy areas.

Building global networks to support national action

At the global level, the OGP platform has helped translate high-level conversations on international commitments into ground-level action. OGP's recent analysis found that embedding global pledges into national action plans ensures better follow through.³⁰ For example, several members have used their OGP action plans to put into practice pledges to open up contracting, like those made at the 2015 G20 meeting and the 2016 UK Anti-Corruption Summit.

The OGP Support Unit and Steering Committee have worked with partners such as the Open Contracting Partnership, Hivos, CoST Infrastructure, Development Gateway, Open Data Charter, Natural Resource Governance Institute, and Extractive Industries Transparency Initiative to grow and sustain a global network of contract transparency reformers.³¹

How OGP supports open contracting reform

The rapid growth and success described above is made possible by the support, advocacy, and coalition-building efforts of the OGP Support Unit and Steering Committee across multiple sectors and levels of government. Some examples of this are outlined below.

Cultivating country-level coalitions

The OGP process fosters collaboration between reformers from government and civil society that often results in ambitious reforms. For example, an independent evaluation of OGP (launching in late 2021) found that in Kenya³² and the Philippines,³³ the OGP process facilitated coalition-building around the shared goal of implementing open contracting. These coalitions, the evaluation finds, helped deliver stronger results than individual coalition members would have achieved on their own.



“Citizens monitor the Canal Seco construction, a new highway connecting the Caribbean with the Pacific.” Photo by CoST Honduras.

Supporting inclusive local participation

The OGP platform creates a space for citizens and civil society, including those from underrepresented communities, to improve open contracting commitment design and implementation. For instance, Elgeyo Marakwet, Kenya committed to enabling citizen feedback and oversight over procurement decisions and project implementation.³⁴ At the national level, Kenya is ensuring access to contracting opportunities to groups that are often left out of contracting processes by requiring that 30 percent of public procurement opportunities be awarded to women, youth, or people with disabilities.

Sector-level partnerships

The OGP platform is a useful tool for open contracting standards in other high-impact areas, including extractive industries and beneficial ownership transparency. Through their OGP commitments, Malawi and Panama are applying Construction Sector Transparency Initiative (CoST) standards.³⁵ These commitments are prompting the Malawian government to create accessible channels for citizen feedback and the Panama government to publish open procurement data on public infrastructure projects.

National members also use the OGP platform to accelerate progress under the Extractive Industries Transparency Initiative (EITI). Providing a significant boost to civil society advocates, ten EITI/OGP

members pledged to disclose public contracts in extractives before it became a requirement in 2021.³⁶ For example, through an OGP commitment, the Slovak Republic built open contracting into its beneficial ownership registry.³⁷ Since its launch in 2015, civil society organizations have been able to trace publicly awarded contracts to their beneficial owners, unveiling a number of sizable conflicts of interest that resulted in withdrawing or redirecting public funds.

Real-world impact: open contracting commitments and COVID-19

The COVID-19 pandemic makes clear exactly what is at stake if procurement remains opaque. Public procurement systems around the world are under unprecedented pressure to secure medical supplies at the most efficient rates possible. In this context, corruption risks in public spending undermine effective, life-saving action.

However, thanks to previous open contracting commitments, several national and local OGP governments were up to the task. The following examples illustrate how countries adapted previous OGP commitments for new emergency procurement challenges.

- In Ukraine, the ProZorro and DoZorro platforms, both open source “eProcurement” systems developed in partnership with government, business, and civil society, have helped cut perceptions of corruption in half. The systems have also saved the government billions of dollars and reduced pharmaceutical prices.³⁸
- In Paraguay,³⁹ the National Department for Public Contracts published all COVID-19 emergency procurement data on its procurement platform in easily searchable forms according to the Open Contracting Data Standard. Paraguay also updated its national OGP website to incorporate an adaptation of MapaInversiones,⁴⁰ a well-known accountability platform, to publish information about COVID-19 spending.
- Ecuador developed a public contracting transparency platform linked to emergency purchases for the pandemic, thanks to collaboration between the National Public Contracting Service and civil society organizations.⁴¹ According to civil society representatives, a 2019 OGP commitment paved the way for collaboration with government on the platform.

Looking ahead

While open contracting commitments have resulted in a number of critical successes, much remains to be done. The pandemic has exposed the continued fragility of many public procurement systems. Additionally, where contracting is opaque rather than open, corruption is given free rein to fuel democratic backsliding.

Broadly, the OGP Support Unit and Steering Committee will continue collaborating with partners to institutionalize open contracting as a global good governance norm. Specifically, OGP will encourage reformers to make procurement data more actionable by linking it across key government sectors. OGP will also continue shaping incentives; pushing for high-quality sustainable data, delivered on time; and bringing in new allies like journalists and businesses. Finally, OGP will work with reformers to better address the remaining implementation gaps, including in public monitoring of contracting data and citizen feedback loops to ensure that citizen inputs are acted upon.

Why We Work: Alessandra, following the money for a better Italy

Back in 2014, when Sergio Rizzo, an investigative journalist for the newspaper *Corriere della Sera*, revealed that only nine percent of the European funds allocated for Italy were actually used, the Italian government used OpenCoesione to disclose projects totaling 100 billion euros of EU financing. The government then launched a massive public awareness campaign to empower citizens, youth, and high school students through A Scuola di OpenCoesione (ASOC, “At the School of OpenCohesion”)⁴² to become on-the-ground citizen monitors of projects.

Alessandra, a nineteen-year-old girl from Calabria, Italy, is one of the many students actively engaging with ASOC, an innovative educational program promoting principles of active citizenship in Italian schools. ASOC began with open data on projects funded by European and Italian resources, and teaches civic monitoring and research on European and Italian public funding. It has allowed over 25,000 young people to be active citizens and feel they can make positive change in their region.⁴³

OpenCoesione, an innovative online platform covering public spending, was part of Italy’s OGP action plan and has become a benchmark for all government departments to develop a coherent and consistent open data policy. The portal provides stakeholders and the government with a tool to foster transparency and citizen engagement on crucial issues.

It was important to Alessandra not to remain indifferent to social problems, but rather to become an active part. She’s been involved in several issues over the years, including

environmental remediation and mafia crime.⁴⁴ Through the *Terre di Mezzo* project, she was involved in monitoring a 1.5 million EUR renovation of a farm and building confiscated from the local mafia called ‘Ndrangheta. The project focuses on investigating a building’s current condition and potential, through the analysis of relevant data coming both from official sources and from bottom-up, citizen monitoring initiatives. Alessandra chose to be involved in this project to help promote the culture of legality in Calabria, an area in which the mafia is very influential. Thanks to the success of these projects, the area is becoming one of community and change.

Alessandra’s involvement with ASOC taught her to trust her local institutions and that her involvement can make a positive impact in society. It helped her understand how important active citizenry is to a healthy and strong democracy and how transparency can fight corruption. ASOC has helped create active citizenship in Italy, and the reform continues to inspire other OGP countries to design and implement similar initiatives. The program has been replicated in Bulgaria, Croatia, Greece, Portugal, and Spain, and will soon be activated in France, Austria, and Switzerland.

Alessandra is one of the thousands of citizens who, thanks to OpenCoesione and its international derivations, have become interested in seeing a transparent process of development projects and feel empowered to be active citizens.



Alessandra Costarella, a student activist who takes part in the A Scuola di OpenCoesione (ASOC) initiative in Italy, an educational programme aimed at promoting principles of active citizenship amongst Italian schools, encouraging young people to participate in a transparent democracy. Open Government Partnership collaborates with national and sub-national bodies, such as the ASOC initiative, in order to empower citizens to fight corruption and demand their rights.



Participants discuss climate data at the Global Gathering: Open Government for Climate Action in Paris in 2016. Photo by OGP.

Right to information

The right to access government-held information is a critical component of democracy and a foundational pillar of open government. Access to information inherently improves government transparency which can enable the public to participate meaningfully in official decision-making and to hold government actors accountable for their decisions. Reforms in this area are especially important in the context of the COVID-19 pandemic, during which many governments restricted right to information (RTI) laws in the wake of the emergency.

The enactment of domestic right to information legislation became commonplace in the second half of the 20th century thanks to its inclusion in the International Covenant on Civil and Political Rights in 1976. Specifically, Article 19 states that everyone has the right to “receive and impart information and ideas of all kinds, regardless of frontiers.”⁴⁵ As of 2019, 125 countries have enacted RTI laws.⁴⁶ More recently, additional motivation has come in the form of Sustainable Development Goal 16.10.2, which focuses on “increasing the adoption and implementation of constitutional statutory and/or policy guarantees for public access to information.”

Trajectory in OGP: Strong laws, but gaps in implementation

While more than half of OGP members made RTI commitments in the early years of the Partnership, it has become less common over time.⁴⁷ Since 2016, the number of OGP members working on RTI commitments has dropped to just over one-third.

OGP commitments that focus on creating or reforming RTI laws and regulations have been both common and successful. Seven of the world’s ten top-rated countries⁴⁸ for RTI legislation improved their legislation or its implementation through OGP. These countries include: Mexico, Serbia, Sri Lanka, Albania, Croatia, Liberia, and El Salvador. However, RTI implementation remains a challenge that fewer commitments have addressed.

Building global networks to support national action

At the global level, the OGP platform has helped translate high-level conversations on international commitments into ground-level action. The OGP Support Unit amplifies advocacy by local civil society and concrete reforms made by OGP members at multilateral forums, such as UNESCO, which supports implementation of access to information among its membership. The Support Unit also works with partners like Access Info Europe, Article 19, Centre for Law and Democracy, and the Carter Center which each offer ongoing technical support to countries implementing RTI commitments, in addition to global and national advocacy.

How OGP supports RTI reform

Public consultation: The OGP platform creates a space for civil society to advocate reforms. Croatia amended its act on RTI to include a legal obligation to consult with the public about new legislation and enforce a directive on the re-use of public sector information.⁴⁹

Creating or expanding RTI legislation: The OGP platform provides additional momentum and support for countries working to expand, improve, or create new RTI legislation. In Kenya, the 2016 passage of the Access To Information Act represents the culmination of years of advocacy, including through the OGP national process by civil society to enforce constitutional provisions guaranteeing the public's right to information.⁵⁰ Ireland implemented several freedom-of-information commitments that strengthened its legislative framework and significantly improved government practice in terms of access to information.⁵¹ Ghana passed the Right to Information law, which they had worked to achieve through several OGP action plans.⁵²

Tackling implementation gaps: While OGP countries have embraced RTI legislation, they have been slower to create and strengthen institutions and systems that make such legislation a reality. Still, some countries have begun to make commitments that extend beyond legislation to implementation and enforcement. For example, the Seychelles committed to conduct training for all information commissioners and to take measures to ensure the autonomy of all information officers.⁵³ Sri Lanka created a robust RTI infrastructure that included mass training for public servants.⁵⁴ Additionally, Nigeria is working to improve the record management system for information requests to ensure efficient delivery of information to the requester.⁵⁵

Proactive disclosure

Governments should endeavor to proactively disclose government-held information in addition to creating mechanisms by which citizens can request information. The Support Unit encourages OGP members to build on their existing RTI frameworks to make open disclosure of information a standard across government agencies. Argentina has leveraged RTI legislation to build a growing open

data infrastructure, from asset declaration by MPs⁵⁶ to an open contracting platform⁵⁷ for the National Institute of Social Services for Retirees and Pensioners and a national greenhouse gas inventory.⁵⁸ Similarly, the United States committed to modernize implementation of the Freedom of Information Act (FOIA), including through more proactive disclosure in response to concerns about delays, redactions, and restrictive criteria in the release of government information.⁵⁹

Inclusion and disclosure

For governments to be truly open and transparent, all citizens must have equal access to information. Several OGP commitments focus on making information disclosure more inclusive and accessible for marginalized groups. Colombia facilitated access to information for people living with disabilities; people with visual disabilities were offered screen reader software, and a relay center offering virtual translation into sign language was set up to allow interaction with people with hearing disabilities.⁶⁰ Uruguay is integrating gender perspectives into its transparency provisions⁶¹ and is taking steps to strengthen open data on gender-based violence.⁶²

Looking ahead

The OGP Support Unit will work with reformers across government and civil society to implement existing RTI requirements, especially through proactive disclosure, minimizing exemptions, training officials, citizen monitoring, and investing in gender-disaggregated data.

Furthermore, the OGP Support Unit will encourage countries to enable greater access to particular types of information by anchoring reforms in existing RTI frameworks. For example, the OGP Steering Committee and Support Unit engages members in making commitments related to beneficial ownership, lobbying, and algorithmic transparency. The Support Unit is also working with partners, Global Data Barometer and Transparency International, to examine disclosure of administrative data related to RTI compliance. This can be a helpful, intermediate step towards understanding where compliance and implementation are seeing setbacks. In each of these cases, RTI instruments remain key to advancing reform in these other frontier areas.



Fiscal openness

Millions of dollars are spent on public services such as education, health care, and infrastructure each year. Citizens have a right to know how their governments are collecting money, and they should have a say on how those funds are being spent. Opening up fiscal and spending processes can be both a powerful tool for planning and risk mitigation, as well as an important safeguard to prevent corruption. Given the added financial hardships caused by the COVID-19 pandemic, public oversight of government spending, including record-breaking stimulus packages in many countries,⁶³ is more essential than ever before.

Fiscal openness—which encompasses transparency, public participation, and legislative oversight throughout the budget and fiscal cycle—delivers greater value for money and reduces the cost of borrowing.⁶⁴ Participatory budgeting, especially, can improve the efficiency of public service delivery⁶⁵ and strengthen tax compliance.⁶⁶ Publicly available spending audits can help lead to better electoral outcomes for elected officials that have clean audits.⁶⁷

Over the past decade, OGP has provided reformers around the world with an opportunity to move from ideas to action. Members have used their action plans to increase participation in budgeting (specifically by women and marginalized groups), ensure that fiscal information is published in accessible language, and more recently to publish COVID-19 emergency funds. Open spending is a foundational policy reform for any anti-corruption and Open Response, Recovery, and Renewal efforts.⁶⁸



Citizens of Madrid vote on city budget through the Decide Madrid initiative. Photo by OGP.

Fiscal openness progress in OGP

Fiscal openness has been a consistently popular policy area among OGP members. In 2021 alone, 34 OGP members are implementing fiscal openness commitments from their 2019 or 2020 action plans. Altogether, over 90 percent of members have made a total of 671 fiscal openness commitments since OGP was established in 2011, which is more than nearly any other policy area.⁶⁹ According to OGP's IRM, which tracks progress of members, fiscal openness commitments tend to have much higher ambition and stronger early results than the average OGP commitment.⁷⁰

Additionally, the latest OGP Vital Signs research shows that advancing open budgets through OGP action plans is positively associated with improved “real-world” performance. Specifically, OGP countries that have made commitments related to open budgets—ambitious commitments across multiple action plans, especially—have become more open than other countries according to third-party assessments.⁷¹

How OGP supports fiscal openness

Fiscal transparency has been core to OGP since founding

Since OGP's launch in 2011, timely publication of essential budget documents has been among the core eligibility requirements. By positioning the building blocks of open budgeting as a core criteria for membership, OGP helped set a standard for basic fiscal openness. OGP members such as Argentina, Côte d'Ivoire, Malawi, Senegal, and Tunisia all improved on the fiscal openness criteria in the run-up to their OGP membership.

An exciting element of fiscal openness has been that much of the innovation has come from outside of long-established democracies. OGP founding members Brazil and South Africa were quick to recognize the benefits of fiscal openness. Through intergovernmental exchanges and learning between civil society and government, this soon spread to other

countries. Italy's portal allows citizens to track public expenditures and is seen as an innovative tool to fight corruption.⁷² Finland's portal has increased confidence in the professionalism of government purchases, winning multiple awards.⁷³

These commitments seem to make a difference as well. In addition, between 2011 and 2017, countries that had been in OGP for more than five years demonstrated consistently strong open budgeting records while non-OGP members regressed.⁷⁴

From transparency to accountability and participation

Participation in the budget process—especially at the national level—and openness of budgetary oversight are newer areas, and performance and commitments are relatively nascent.

OGP members' work on fiscal openness often follows a pattern. Early initiatives focus on transparency. A number of members have built on transparency with citizen participation in budgeting. Several commitments proactively link budgets and either publication of audits or social audits to strengthen accountability.

This expanding scope matters. Assessments from the IRM show that fiscal openness commitments generally outperform other policy areas in ambition and effectiveness, and none do so much as participatory-budgeting commitments.

There are several innovative examples of public monitoring of information across OGP, such as South Africa partnering with civil society organizations to launch Vulekemali, a platform with user-friendly fiscal data, complemented by direct community engagement.⁷⁵ Georgia created a website, BudgetMonitor, with information, data, and visualizations on the budget and audit findings, and allowed citizens to suggest audits based on this information.⁷⁶ In the Philippines, citizen-participatory audits of major public expenditures, including roads and schools, have helped save hundreds of thousands of dollars.⁷⁷ More recently, Colombia committed to establish citizen audits for government expenditures on COVID-19 emergency measures.⁷⁸ Such reforms benefit from the credibility and global reach that OGP offers by publicly sharing country progress and challenges.

Furthermore, building on these reforms, civil society and government reformers have used OGP action plans to scale up reforms. In Sierra Leone, an open budgeting commitment contributed to growing levels of momentum around auditing reform.⁷⁹ More recently, in reforms outside of OGP, Sierra Leone worked to make audit reports more accessible to citizens and organized public hearings on report findings. In Latvia, the government will provide municipalities with guidelines and training on public engagement to increase citizen participation through channels such as participatory budgeting.⁸⁰

Fiscal openness is also a key area of interest at the local level, where governments and citizens connect most often and most closely. Through the OGP Local program, OGP offers local government reformers, civil society advocates, and citizens an opportunity to “do” government differently. São Paulo committed to providing data on public contracts, bidding, and budgetary execution through a single online portal, and the city will train citizens to better understand their capabilities for oversight of the budget.⁸¹ Madrid implemented participatory budgeting through which the city council allowed the public to decide the allocation of 100 million euros.⁸² Citizens proposed potential expenditures through a co-creation process and then voted on the finalized proposals.

Partner organizations at work

The scale of progress and reform that has taken place over the last decade would not be possible without partner organizations. The International Budget Partnership (IBP), Global Initiative for Fiscal Transparency (GIFT), People Powered, and several others have provided timely, consistent technical assistance, advocacy support, and measurement expertise. IBP's Open Budget Survey⁸³ is the key index that showcases how countries, including OGP members, are performing on transparency and oversight of fiscal processes.

International partners also play a role at the domestic level with the co-creation and implementation of these reforms. IBP has played a pivotal role in Kenya⁸⁴ and Guatemala⁸⁵ among others, working with domestic reformers to translate recommendations into results. The Open Government Support Program in Francophone

Developing Countries (PAGOF) helps enable open budgeting reforms in French-speaking Africa. In Burkina Faso, PAGOF trained 130 representatives from 12 municipalities to use fiscal data for advocacy and holding local governments accountable.

Looking ahead

While much has been accomplished, much remains to be done. The work of the last few years points to promising pathways, including:

- Continuing to link budgets to more formal accountability mechanisms, from auditors and supreme audit institutions to elected officials;
- Increasing citizen monitoring and participation in budgeting, including the participation of marginalized groups;
- Opening up new types of information to public scrutiny, including program-based budgeting and, perhaps most importantly, spending data to improve budget credibility;
- Adding and making public analyses that look at the differential impacts of spending and revenue collection;
- Strengthening capacity and oversight for fiscal openness, especially in times of crisis; and
- Continuing to gather evidence on the impacts of fiscal openness, from human development to issues of tax morale, trust, and incumbency.

Why We Work: Jimmy, COVID, Colombia, and Citizen Watchdogs

When the COVID-19 pandemic struck Colombia, many residents in Jimmy Molina's hometown of Villavicencio struggled to get by as many fell ill while basic necessities suddenly became unaffordable. Jimmy also experienced the virus' harsh effects at home when he and his family got sick. Despite the suffering around him, Jimmy saw little in terms of government response and began searching for information about how his community was spending its response money.

Using the Electronic System for Public Procurement (SECOP),⁸⁶ Jimmy found information about the amounts of emergency funding allocated to various pandemic response initiatives and the contractors designated to implement them. Sifting through all this information and data, he discovered that only about half of the total resources designated for the pandemic response had been delivered to recipients. He also noticed that the government was not reporting the number of COVID-19 cases or reports on epidemiological surveillance, despite the amount of money the government had designated for this project earlier in the year. This information is important to know how many people are actually sick with the virus, where the local hot spots are, and which areas need more response and recovery efforts.

In the course of his search, however, Jimmy also found the "Auditores Ciudadanos" (Citizen Auditors)⁸⁷ platform where he filed a report outlining the discrepancies in the delivery of emergency funding that he had identified on SECOP.

Jimmy didn't know it at the time, but he was able to find this information and report it to the government thanks to the work of government and civil society reformers in OGP. Colombian civil society, in particular, has been keen to investigate government use of resources to tackle the pandemic and has monitored contracts for signs of irregularities, raising red flags through investigative journalism⁸⁸ and denouncing potential cases⁸⁹ of corruption.

In 2020, Colombia included two commitments in its action plan⁹⁰ that place transparency, accountability, and participation at the center of their efforts to rebuild in the wake of the pandemic. Their commitment on fiscal transparency aims to develop an active transparency strategy in public finances using its budget transparency portal⁹¹ to publish open data on resources allocated to cross-cutting policies on gender equality, implementation of the Peace Agreement, and the COVID-19 emergency response. The initiative also includes information on public contracts, which must be published in full on the platform SECOP.⁹² Their commitment on social accountability aims to promote citizen participation by publishing information on COVID-19 emergency projects financed by royalties through its Citizen Auditors application to allow citizen monitoring of public spending and ensure it has the desired impact.

In August 2021, the government responded to Jimmy's report. After investigating his complaint, they found that the project was delayed due to staffing issues caused by the pandemic and invited him to meet with health officials to





Jimmy Molina, a student and citizen auditor, in his hometown of Villavicencio, Colombia. Photos by OGP.



discuss the situation. “Using this platform makes me feel that I can have an impact or some ability to be able to draw attention to what’s happening. I’ll keep insisting on the follow up to the projects also because I feel that it’s a calling as a citizen.” Thanks to Jimmy’s report, the government is

issuing new orders to equip his community with the necessary resources to monitor the virus.

Colombia is one of various open government reforms⁹³ that has helped countries withstand COVID-19 and become more resilient.

Extractive Industries

Natural synergy: Extractive sector reform and open government

More than 50 OGP countries depend on oil, gas, and minerals as their most important sources of government and export revenues. However, many of these governments have failed to properly address the institutional and policy challenges that come with the governance of these natural resources. Applying open government values of transparency, participation, and accountability to extractive industries can decrease corruption, safeguard community interests and needs, and support environmental sustainability.

Trajectory in OGP

Governance reform in the extractives sector has always been a fairly popular area of work in OGP action plans. Altogether, just over half of OGP national members have made 148 total extractive industry commitments since OGP was established in 2011. Commitments in extractives-sector governance also produce strong early results at high rates; one-third of all commitments in this area result in significant improvements to governance practices. This is much higher than the average for almost all other policy areas.

How OGP supports extractive industries

Accelerating performance on transparency standards

In 2018, the OGP Support Unit signed a memorandum of understanding with the Extractives Industry Transparency Initiative (EITI).⁹⁴ This partnership seeks to promote openness across the extractives sector including in areas like beneficial ownership transparency, state-owned enterprises, contract transparency, gender, and the environment. OGP amplifies the effectiveness of EITI by adding visibility to EITI commitments echoed in OGP action plans. Several OGP members have used their action plans to achieve greater compliance with the EITI Standard, including Burkina Faso, Philippines, Germany, Argentina, and Ukraine.

Participatory and inclusive extractives governance

Some commitments focus on making extractive project development more inclusive so that local communities have a say in who has a right to use their land and for what purpose. For example, Côte d'Ivoire committed to creating eight local mining development committees to allow those who live near mines to help allocate funds for mining projects.⁹⁵ Other commitments involve citizens in monitoring extractives companies' activities. For example, Mexico committed to increase information transparency of their management of water, forest, and fishing resources by 50 percent.⁹⁶ The commitment includes the creation of civil society monitoring groups that will work to create proposals for improvement of transparency.

Looking ahead

OGP will continue serving as a platform for members to properly address the institutional and policy challenges that come with the governance of these natural resources. In partnership with EITI, the Support Unit will encourage members to bring transparency, participation, and accountability to the extractive industries. There is especially room for growth in the area of accountability, given that only one in five extractives-related commitments involve accountability elements.

While OGP members have made significant progress in bringing transparency to the extractive industries, there is still more to be done. Transparency can be increased by disclosing licenses, publishing information on state-owned enterprises, and conducting environmental, health, and social impact assessments of extractive industries. Members can also work to increase the scope of their extractive industries reform by disclosing beneficial ownership information, including levels of ownership and any politically exposed people, as well as going beyond the EITI standard in environmental disclosure to consider climate change mitigation and alternative-use analysis.



Through the years, commitments affecting the extractives sector have been popular in OGP action plans. In 2019, the report *Seeking Synergy* describes the status of areas of mutual interest between the two initiatives.

Engaging citizens to shape policies and services

Public services

Open government can improve public service delivery

Since its beginning, OGP has encouraged governments to create safer, healthier communities. In many cases, public services remain the primary point of interaction for most members of the public with their government. In this respect, open government can better people's lives by improving the quality of and access to public services. Specifically, the OGP Support Unit focuses on three major service delivery areas in which government plays a significant or primary role in providing for the public: water, sanitation, and hygiene (WASH); health; and, to a lesser extent, education.

Trajectory in OGP

As of October 2021, 93 OGP members have made reform commitments related to public services. (This count includes national members and the pioneer local members.) These commitments generally focus on transparency with the expectation that information disclosure will result in improved performance. Only about a third of OGP public service commitments involve civic participation and under a quarter specifically mention accountability, components that tend to make OGP commitments more successful. However, more members are making public service commitments that involve social accountability mechanisms in recent years.

In water and sanitation

Water and Sanitation (WASH) has been a less common area of focus in OGP action plans, with only 66 total commitments since OGP's founding. Despite these low numbers, WASH commitments tend to be highly-ambitious and impactful. Nearly one-third of all WASH commitments result in significant improvements to government practices.

In health

Among public service delivery commitments, health service delivery is one of the most common areas of focus. A total of 56 OGP members have made health commitments to date, and this number is likely to increase as countries recover from the COVID-19 pandemic.

How OGP supports public services

Equal access to services

Governments must ensure that all citizens, including those from marginalized groups, have equal access to high-quality public services. Several OGP members, including Colombia, Peru, Armenia, and Denmark, have made commitments to make public service delivery more equitable. Buenos Aires, Argentina created a comprehensive and public database containing information on the availability of sexual and reproductive health services and a geolocation map of health centers to increase access to their services.⁹⁷

Participatory planning

Some public service commitments work to make service delivery more equitable by collaborating with citizens in the planning phase. For example, in 2016, Uruguay launched a dialogue on the National Water Plan.⁹⁸ Nearly 2,000 citizens, academics, and government representatives contributed ideas for the plan and its implementation. The suggestions spanned policy topics such as environmental sustainability, spatial planning, and drought and flood risk management.

Social audits

Other public service commitments engage citizens in monitoring initiatives to ensure the quality and timeliness of public service delivery. For example, the government of Kaduna State, Nigeria empowered community members to track progress on major projects—such as the construction of schools, hospitals, and roads—through the State Eyes and Ears Project. Through an OGP commitment, Kaduna State also expanded opportunities to provide feedback on government projects⁹⁹ to include town-hall meetings and roundtable discussions with media outlets.

Looking ahead

Building communities of practice: In 2017, Fundación Avina, OGP, the Stockholm International Water Institute, the Water Integrity Network, and the World Resources Institute formed a community of practice on water and open government.¹⁰⁰ The OGP Support Unit will continue to work with partners to support peer exchange between reformers in public services.

Pandemic recovery: As countries and local jurisdictions look to recover from the pandemic, they will want to ensure that public services are provided efficiently and equitably to all communities. OGP will continue to support members as they develop and improve more equitable public services.

Supporting local members to tackle public service delivery: Public service delivery commitments have perhaps the greatest potential to measurably improve citizens' lives at the local level where the quality of schools, streets, and health clinics have a direct and significant impact on the community. As the OGP Local Program continues to grow rapidly, the Support Unit will encourage new local members to use open government approaches to improve access to quality public services.

Environmental sustainability

Environmental management has long been the crucible for open-government—from instituting public participation through environmental impact assessments to publishing enforcement and compliance data online. The challenges of the global climate, however, require new policies, instruments, and innovations to ensure maximum resilience against intensifying climate changes.

Transparency allows governments, citizens, and markets to see the true cost of pollution and develop responses to that information. It also provides information on the amount of subsidies granted to fossil fuel and related industries. Public participation creates opportunities and forums to discuss and weigh alternative approaches for development. This is especially vital for vulnerable communities who may not typically have a seat in decision-making spaces. Finally, ensuring that there is accountability for decision-making through adequate access to justice, public oversight of decision-making, and well-established grievance and dispute resolution mechanisms can help ensure safer and healthier communities.

The added pressure of protecting against the worst effects of climate change requires additional innovation. Open data and access to information on greenhouse gas (GHG) contributions can help drive innovation and identify high return-on-investment alternatives to GHG-intensive activities. Public participation in legislation, regulation, and planning for both mitigation and adaptation can increase public buy-in and improve public awareness. This is critical in planning for the increasingly unpredictable and sometimes disastrous effects of a warming world.

Trajectory in OGP

More and more OGP members are making environment commitments in recent years. In fact, nearly half of all OGP members are currently implementing at least one environment commitment from their most recent action plan (2019 or 2020). And these commitments have proven highly impactful. According to OGP’s Independent

Reporting Mechanism, more than a quarter of environment commitments have resulted in significant improvements to government openness.

OGP members have made dozens of commitments related to transparency and community participation in environmental issues, often focusing on publishing geospatial data on conservation areas and protected lands. In recent years, more commitments have sought to involve citizens in environmental policy-making through climate resiliency programs and conservation efforts. One interesting area of these varied and numerous commitments is shared in the feature “Escazu and Ecuador: Open government, climate, justice, and democracy.”

Looking ahead

Encouraging members to link commitments to

the Paris Agreement: By linking their work to efforts to enhance public access to information and public participation under The United Nations Framework Convention on Climate Change (UNFCCC), national OGP stakeholders can make clear to their climate counterparts the opportunity to meet multiple national objectives on open government and climate action simultaneously. The OGP Support Unit will continue to help countries make these links in their action plans by supporting national-level co-creation processes.

Advancing cross-sectoral environmental reform:

Due to the cross-cutting effects of climate change and its role as a “threat multiplier,” responses to climate change must therefore be cross-sectoral, integrated, and multi-level. The OGP platform will continue to support engagement between environmental reformers and peers working on related reforms like open contracting, fiscal openness, and extractives sector governance.

Fostering cooperation among national actors:

National and subnational parliaments and legislative bodies, as the institutions representing the people, are well-placed to advance innovative formulas for participation in decision-making on climate, such as deliberative democracy through climate assemblies. The OGP platform can provide a space for activists and government representatives to collaborate and the OGP Support Unit will continue to help broker these relationships.



Worldwide demonstrations call for climate action. OGP can provide a useful framework for environmental reform. Photo by N Jilderda from Pexels.

Escazu and Ecuador: Open government, climate, justice, and democracy

For decades, environmental defenders have been among the most innovative open government advocates, pushing for access to information, public participation, and justice at all levels of governance. Shortly after OGP's founding, a group of countries from Latin America and the Caribbean launched what would become known as the Escazu Agreement. This agreement seeks to mainstream ideals of open government and democracy into domestic law. Countries in Latin America are increasingly using OGP

to strengthen implementation of the treaty. This case study from Ecuador shows OGP supporting an international process and is one among many cases of environmental advocates effectively using OGP. It is also a story about democracy and protecting the defenders of safe communities.

Human rights defenders in environmental matters often fight for communities and the air, land, and water on which they depend. Too often, they face

repercussions—harassment, stigmatization, and violence. Unfortunately, Latin America leads the world in violence against these defenders and the communities which they represent.¹⁰¹

To improve this dire situation, twelve countries in Latin America have ratified the first-ever, legally-binding agreement that aims to protect these defenders and their rights. *The Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean*, also known as the Escazu Agreement,¹⁰² puts people at the center of environmental decision-making. It acknowledges that the path toward a more sustainable future needs to ensure access to information, justice, and the protection of democracy, and includes specific provisions on the protection of human rights defenders.

Ecuador has taken this commitment even further by including the implementation of the Escazu Agreement in its first OGP action plan.¹⁰³ Having ratified the agreement in May of 2020, Ecuador will use its platform as an OGP member country to develop a road map to implement the participation rights and access to environmental information components of the agreement.

While advocates in civil society and government have been working for adoption and implementation for nearly a decade, OGP provides important additional support. The government is getting double value from its OGP multistakeholder forum, using it not only for OGP broadly, but also for

designing the specific Escazu road map. Ecuador is taking a collaborative open government approach in the design of the policies, involving the end users of the laws. Government and nongovernment members of the OGP multistakeholder forum are taking part in the commitment execution. The road map developed under the commitment will ensure that Ecuador's political, legal, and institutional frameworks are coherent with the agreement and ready for its effective implementation.

This commitment exemplifies how Ecuador is becoming a role model for aligning policy design with multiple national and international legal instruments. This commitment, which already creates synergies between OGP and the Escazu Agreement, is also aligned with the 2030 Agenda for Sustainable Development and Ecuador's National Development Plan, among others. This coherence helps Ecuador advance environmental governance domestically while gaining support from the international community.

Recognizing its own challenges, Ecuador has taken relevant steps toward protecting human rights defenders in environmental matters and guaranteeing the country's right to sustainable development. The ongoing story of Ecuador's reform shows how OGP can strengthen the foundation of other international and domestic reforms, especially in vitally important areas like environmental protection and civil liberties.



“Break the Roles” was launched in 2019. This campaign asked governments and partners to take action to increase gender in co-creation and commitments. Photo by OGP.

Tackling systemic inequalities

Gender

At the core of OGP is the belief that governments should serve citizens, not themselves. To truly serve all citizens, open government reformers must recognize that citizens are not all equally affected by policy choices. Government policies and practices often systematically exclude gender groups like women, girls, non-binary individuals, and members of the LGBTQIA+ community.¹⁰⁴ Placing *all* citizens back at the center of governance demands that policymakers and civil society advocates take an active approach to bringing these communities into policy-making and commitment drafting processes. This means actively consulting these communities and asking specific questions about how policies address their needs and close gaps in services, applying a gender and inclusion lens to all aspects of their work.

Across the Partnership, civil society, governments, and other key actors are doing just that: using OGP action plans to review open government commitments with a gender perspective and include more gender groups in their OGP national and local processes. In addition to gender-informed commitments, open government reformers are joining forces with gender and inclusion advocates across the Partnership to better recognize and respond to the lived realities of women, girls, and those across the gender and sexual-identity spectrum.

Trajectory in OGP

Thanks to the increased advocacy around gender in recent years, there were more gender-related commitments made in 2019 than from 2011–2018 combined. Nearly 40 percent of OGP members now have at least one gender commitment, and half of all



2020 action plans included a gender commitment. This represents a significant increase in recent years, with gender growing as a substantial thematic area in action plans in 2020.

How OGP supports gender inclusive reforms

In OGP action plans, a systematic approach to gender reforms has translated into better gender commitments, improved mainstreaming and gender reviews of action plans—and, importantly, more inclusive participation of gender groups in OGP processes. OGP has seen significant growth at connecting these priorities at the local, national, and global levels.

Action plan co-creation

The OGP platform creates moments when people and organizations can propose concrete commitments. There is a growing body of evidence that suggests

that participation of gender groups has been steadily increasing in OGP action plan processes.

- **Participation:** During the action planning process, representatives from numerous gender organizations participated in OGP co-creation processes around the world. Notable examples included: Sierra Leone, Argentina, Afghanistan, Philippines, and Mexico.
- **Leadership:** Mexico, Sierra Leone, and Argentina all had gender groups as official members of their multistakeholder fora. In some countries like Morocco, there has been an explicit effort to recruit women's rights organizations to join leadership bodies.
- **Coordination:** In the Philippines, CARE Philippines served as an on-the-ground resource for women's rights organizations to understand and access entry points to OGP processes through tailored workshops and support.¹⁰⁵

Diverse OGP participation helps reforms address real needs

More diverse participation in OGP is not just an end in itself. It means that the commitments in an action plan are more diverse and better fit the needs of people. That, in turn, means more impact. Reformers have used their action plans to close specific gaps in policy for women, girls, non-binary individuals, and the LGBTQIA+ community. In several OGP countries, gender advocates have pushed for more ambitious commitments to meet each country's challenges.

- Germany has multiple OGP commitments focused on implementation of the Act on Equal Participation of Women and Men in Leadership Positions in both the private and public sectors.¹⁰⁶
- Ecuador is reducing gender-based violence through the co-creation of a new gender-based violence national plan.¹⁰⁷
- In Sierra Leone, parliament is working with women's groups to create more inclusive and open planning processes.¹⁰⁸

Gender reviews of action plans

The OGP community has also adopted another promising trend: systematic gender reviews of OGP action plans. Governments apply a gender-based analysis to action plans to better understand where reforms may impact different communities negatively and where those communities may need additional support or engagement or where an action plan may need revision. Prior to finalizing their action plan, the Government of Canada conducted a Gender-based Analysis (GBA+) review of all draft commitments to ensure the full plan took into consideration the needs of different gender groups. This directly inspired Argentina to conduct a gender review on their 2019–2022 action plan in partnership with a CSO, Poder Ciudadano (“Citizen Power”) (see “Argentina: Stopping gender-based violence in Argentina” for more on this initiative).

Argentina: Stopping gender-based violence

Gender-based violence remains a pressing issue in Argentina. Official data show that there were 268 lethal victims of gender-based violence in 2019. In 2017 and 2018, there was 1 femicide per 100,000 women.¹⁰⁹ To tackle this issue, Argentina's Ministry of Women, Gender, and Diversity (MMGyD) launched its Action Plan Against Gender-Based Violence in 2020.¹¹⁰ The plan includes 27 measures and 144 actions

that engage 46 national agencies in over 100 commitments that were co-created to implement the established actions. This public policy adopts a comprehensive approach and aims to address the structural issue of violence against women and the LGBTQIA+ community in a federal, multi-agency, crosscutting, and intersectional manner.¹¹¹

Gender mainstreaming across policy areas

Reformers in a number of countries have also conducted reviews of specific policies that were likely to have disproportionate impacts on different groups:

- **Anonymous companies:** Italy committed to building gender-disaggregated data into its beneficial ownership register, better detailing women-owned businesses.¹¹²
- **Extractive industries:** The Philippines and Nigeria committed to integrating gender into their Extractive Industries Transparency Initiative (EITI) and natural resource commitments.¹¹³
- **Participatory budgeting:** In Côte d'Ivoire, women's groups engaged in participatory budgeting to help set priorities and fund public services that better respond to their needs.¹¹⁴
- **Equity in the workforce:** Argentina committed to collect gender-disaggregated employment data to better understand where and how women engage in the workforce.¹¹⁵

Connecting international agendas to national and local action

OGP provides a way for advocates to work across borders to bring attention to the need for change, to spotlight bold reform, to share ideas, and to bring resources to activists working at the domestic level. A systematic approach to gender-informed open government started at OGP in 2018 with the Feminist Open Government Initiative, building on ad hoc approaches from governments and civil society partners to bring more diverse voices into open government.

Under the leadership of then OGP co-chairs Government of Canada and Nathaniel Heller of Global Integrity, in partnership with the International Development Research Centre (IDRC), OGP's 2019 "Break the Roles" campaign,¹¹⁶ which asked governments and partners to take action to increase gender in co-creation and commitments, drove even greater attention to the issue. These efforts sparked research, reflections, and reforms that are transforming the role of women and LGBTQIA+ members in open government. The campaign focused on gender initially and has grown to better understand

how gender exclusion compounds with other discriminations against youth, ethnic and religious minorities, and persons with disabilities. Supported by a global coalition that included the governments of Afghanistan, Argentina, Canada, Italy, Kenya, and South Korea, along with partners like Open Heroines, Equal Measures 2030, CARE International, Open Data Charter, and Hivos, the OGP Support Unit was able to accelerate this conversation across the open government community.

Looking ahead

The OGP Support Unit and Steering Committee continue to support increased inclusion across its members and network, including the thousands of CSO partners that help drive open government reforms.

Innovations from members, researchers, and various partnerships have identified priority areas where open government action is warranted, including:

- Improving co-creation processes to: 1) include more diverse organizations and ministries to ensure action plans reflect their needs; and 2) carry out analysis to understand the differential needs and impacts of action plans and commitments.
- Designing and implementing stronger commitments that address specific gender gaps in public services, economic reforms, LGBTQIA+ rights, gender-based violence and civil and political rights.
- Bringing gender perspectives into foundational OGP policies areas like anti-corruption, fiscal transparency, justice, artificial intelligence, and data-driven algorithms.

Inclusion is achieved over time, not overnight. By connecting gender and inclusion advocates to reformers across 78 member countries, a growing number of local governments and thousands of civil society organizations, OGP has helped move gender from the sidelines to center stage, bringing new voices into open government. Their presence leaves the open government community better positioned to tackle the rollback of democracy and the COVID-19 pandemic. Given the current trajectory, OGP will continue to strengthen their participation across all areas of the Partnership to help build inclusive, shared solutions to these challenges.



Gender workshop held by CARE Philippines. Photo by CARE Philippines.

Philippines: Women's rights organizations in OGP

CARE International's research on women's rights organizations' participation in OGP shows that intentional effort is necessary and yields results in the development of action plans.

In 2019, CARE International conducted an action research study in the Philippines to explore logistical and financial support of women's rights organizations (WROs) in OGP co-creation. The study found that targeted support to WROs improves gender integration into OGP co-creation processes and action plans. Active support led to more WROs and activists taking part in the action plan process. And representatives of WROs actively participated, contributing new perspectives and priorities on gender equality and inclusion.

The CARE study addressed barriers to women's participation quite intentionally. CARE invited female leaders from marginalized communities to consultations, funded travel, and held workshops ahead of time to explain the OGP action plan process.

They also met with WROs to discuss draft commitments. CARE staff not only talked with civil society groups, they also held a dedicated dialogue with government stakeholders on gender issues in draft commitments.

The results were clear. WROs understood more about the OGP process and felt that the government was more responsive during OGP consultations.

Several barriers, however, still inhibited effective participation, such as the exclusion of WROs from the agenda-setting phase of the action plan co-creation process and an imperfect consultation format that at times acted as a hindrance to inclusion.

Ultimately, the intervention resulted in the use of a gender and inclusion lens in the Philippines' fifth action plan. Although there are no standalone gender-specific commitments, more than half of the commitments reflect some of the recommendations from WROs.

Justice

The justice system is one of the primary ways members of the public protect their rights and hold their governments to account. Yet, according to research from the World Justice Project, two-thirds of the world's population faces an unresolved justice problem.¹¹⁷ OGP provides a platform for countries to make policy and legal changes that can begin to reduce this number. Specifically, OGP commitments improve justice delivery by focusing on three main areas:

- **Access to justice:** Although people encounter justice problems in nearly every aspect of life, they often do not recognize that there may be a legal solution. If they do try to resolve their problem using the justice system, they may be met with inadequate or unaffordable legal help or discriminatory practices that prevent them from obtaining equal access to justice. OGP commitments on access to justice address these systemic problems.
- **Open justice:** Justice system actors that are more transparent and accountable to citizens can be a first step to addressing issues of fairness and independence. They also make justice systems more legitimate in the eyes of citizens.
- **Justice for open government:** In addition to being the subject of open government reform, the justice system itself can protect open government by safeguarding and enforcing substantive and procedural rights. Governments that invest in building fair and effective justice institutions can more successfully preserve open and accountable governance.

Trajectory in OGP

Justice was slow to emerge as a common area of work in OGP with only a few OGP members using their action plans to advance justice reform in the early years of OGP. However, justice-related commitments have increased in frequency dramatically over the last several years. Today, justice is one of the most popular topics among OGP commitments. Since OGP was founded, 63 OGP members have made 267 justice-related commitments, making justice OGP's seventh-most common policy area.

This growth is enabled by greater global dialogue around justice after the adoption of the UN Sustainable Development Agenda in 2015 and the inclusion of Goal 16's call for equal justice for all. At the same time, the COVID-19 pandemic has exacerbated the already unequal provision of government services, and compounding revelations of police brutality illustrate widespread discrimination and abuse of force. These troubling realities have brought persistent inequities in justice provision to the top of policy agendas.

To help build this momentum, OGP's partners, the Steering Committee, and the Support Unit have supported members as they developed new, impactful justice commitments and created opportunities for peer exchange on justice activity with other global justice leaders. The resulting commitments by OGP members cover diverse topics and aspects of the justice system.

How OGP supports justice reform

Securing commitments and supporting implementation

Within OGP, approaches to justice at the national level generally fall into three categories: access to justice, open justice, and justice for open government.

Access to justice: A number of OGP members have put forward people-centered justice commitments to address barriers and systemic problems. Examples include ones to increase citizens' legal empowerment in South Africa and Mongolia by improving transparency around legal processes.¹¹⁸ Others endeavour to increase access to legal aid like those advanced by the United States, Indonesia, The Republic of North Macedonia, and Albania, while others improve or streamline justice processes like in Bulgaria.¹¹⁹ Such commitments demonstrate the power of OGP's global platform and domestically-owned action plans to improve legal outcomes for citizens.



Mariano Heller, from the Council of Magistrates of Buenos Aires, Joaquin Caprarulo, from the Civil Association for Equality and Justice, and their team of open justice advocates are wrking to educate the Buenos Aires community about the judiciary through the JusLab initiative. Photo by OGP.

Open justice: Every justice system institution should operate in a transparent and open manner, creating opportunities for citizens to observe their performance and hold officials accountable for malfeasance after a fair and independent review. OGP members have consistently prioritized the importance of open justice systems. Opening the justice system requires proactive work on the part of many actors, including courts (Colombia), police (United States), prosecutors (Slovak Republic), legal aid providers (Sierra Leone), pretrial services (Mexico), and corrections (Italy).¹²⁰ Other OGP members have committed to transparency and accountability throughout the justice system as a whole. For example, Buenos Aires, Argentina launched the Open Justice and Innovation Lab (JusLab) for co-creation and collaboration on open justice reforms.¹²¹ The creators of JusLab are also part of the OGP Leaders' Network, an initiative designed to showcase innovative reforms.¹²²

Justice for open government: The percentage of OGP commitments that explicitly name some means of ensuring accountability for government action (or inaction) has remained low. Still, some OGP members such as Nigeria have developed commitments where justice institutions are leading on improving compliance of institutions with the Freedom of Information Act.¹²³ Tunisia established an independent public authority to hear appeals of denials of right to information.¹²⁴ Separately, Ecuador is working to improve citizens' access to accountability institutions through a commitment to implement the Escazu Agreement, a groundbreaking regional treaty that requires signatories to provide access to environmental justice to all people.¹²⁵ Georgia has made its electoral administration more participatory and accountable.¹²⁶

Building global networks to support national action

The OGP Support Unit assists its members in making impactful reforms by connecting them to peers and technical experts from around the world to inspire and learn from each other. This support is possible thanks to the global networks and partnerships focused on justice reform that OGP has helped build. For example, the OGP Coalition on Justice is a group of OGP governments, civil society organizations, private sector actors, and multilateral organizations advancing a people-centered approach to justice.¹²⁷ The coalition meets regularly to discuss specific topics at the intersection of justice and open government. It also facilitates bilateral peer exchanges between members working on similar issues, such as an exchange between Canada and Senegal in 2020, and Canada and the Netherlands in 2021.

Cultivating regional coalitions

In addition to global dialogue, OGP also advances justice exchanges at the regional level, providing a space for high-level political leadership, government reformers, civil society advocates, and representatives from justice institutions to share successes and challenges. In 2020, justice-related virtual exchanges were held in West Africa, the Asia-Pacific region, and Latin America. In 2021, the OGP Support Unit organized a peer exchange to inspire members in Africa and the Middle East as they began co-creating new action plans.

Looking ahead

Deepening partnerships: In supporting members to make evidence-based and people-centered justice reforms, OGP will continue to work closely with its partners, such as the Pathfinders for Peaceful, Just and Inclusive Societies, the Hague Institute for Innovation of Law, Namati, the Organisation for Economic Co-operation and Development, Open Society Justice Initiative, the UN Development Programme, the UN Office on Drugs and Crime, the World Justice Project, and the Red Internacional de Justicia Abierta (RIJA), among others.

Promoting access to justice innovation: In the area of access to justice, the OGP Support Unit, Steering Committee, and strategic partners will encourage members to consider action tied to: measuring legal need, increasing the legal empowerment of individuals and communities, improving access to well-funded sources of legal help, reforming justice systems to be more people-centered, and evaluating justice system outcomes.

Involving new actors in open justice: The OGP Support Unit, Steering Committee, and strategic partners will encourage members to consider ways to further open justice to institutions beyond courts. It will support members to improve transparency and accountability of law enforcement and criminal justice institutions, as part of a more open national justice system. (See “Justice, assembly, and accountability in Nigeria” for an example of engagement with a broader range of justice actors in OGP.)

Justice for open government: The OGP Support Unit, Steering Committee, and strategic partners will encourage members to build and strengthen accountability institutions to safeguard the foundational elements of open government.

Improving action plan co-creation and implementation: Forthcoming OGP research, which looks across themes over the last ten years, shows that a strong and inclusive co-creation process leads to well-designed and more ambitious commitments. Importantly, research also shows that stronger results are achieved when collaboration continues through the implementation of reforms. The OGP Support Unit, Steering Committee, and strategic partners will help build stronger coalitions around domestic justice reform that will improve the reform’s design and also contribute to better implementation and sustainability of reform.



#EndSARS demonstrations demanding police reform in Lagos, Nigeria. Photo by Seun Sanni/Reuters.

Justice, assembly, and accountability in Nigeria

The Special Anti-Robbery Squad (SARS) is a unit of the Nigerian police force, which was established in 1992 to tackle robbery, kidnappings, and other violent crime. However, SARS has over the years been widely criticised for human rights abuses including torture, extortion, and extrajudicial killings. Young men perceived as wealthy have been especially targeted by SARS.

On 8 October 2020, a widely shared video showed SARS officers allegedly shooting a man in Delta State. Nigerians took to the streets protesting torture, extortion, and extrajudicial killings by SARS and called for it to be disbanded, for officers to be brought to justice, and for overhaul reforms of the police force.

Activists used the hashtag “#EndSARS” on social media to bring an international spotlight to the protests, previously unheard of beyond the region. Following days of protests, the government disbanded SARS on 11 October 2020. The fourth time SARS has been “disbanded” since 2017, the announcement, therefore, did not nearly go far enough for protestors who are seeking comprehensive reform of the police system.

On 13 October, the Inspector General of the police force announced the creation of a new unit, Special Weapons and Tactics

(SWAT), to replace SARS. The new unit had the same personnel as SARS. The announcement, perhaps unsurprisingly, was met with further uproar. Critics alleged that the government was repackaging SARS without addressing the issues in question: police reform, accountability, and justice.

The youth-led #EndsSARS movement has shown tremendous efficiency, ingenuity, clarity, and coordination, employing social media, culture, and enterprise as it has sought to get concrete action from the government. Though initially largely ignored by national media, the movement has used social media remarkably efficiently to bring an international spotlight to their endeavours. Strategic actions have included, but are not limited to, direct action such as blocking roads, fundraising for protests online, and coordinating defense for protestors that are detained or injured.

The government has sought to quell the protests by increasingly using physical force, disinformation, and other intimidation tactics—actions that have been met by the youth-led movement with increased motivation and energy and given further evidence and credence to their claims of police brutality that must be addressed.

On 20 October, 12 days after the protests

began, Nigerian military forces that had been deployed by the government reportedly opened fire on unarmed, peaceful protesters in Lekki District, Lagos. Two people were reportedly killed.

A role for OGP

Of course, the mass mobilizations and social movements working on the issues of SARS have been at work for years. But OGP, which has grown increasingly strong in Nigeria, served to: 1) provide a forum for NGOs to credibly hold officials to account; 2) be a space for dialogue on difficult issues; 3) be a place to lodge a future commitment; and 4) be a place where high-level authorities can engage the international community to show serious response to important issues. Within the context of OGP, NGOs needed to both continue the process of reform within OGP, but needed to do so with the seriousness that the issue deserved.

The demands of NGO representatives were straightforward:

- The protection of civil and political rights and ensuring that citizens' freedoms of assembly, association, and expression are protected and upheld at all times;
- Police accountability and access to justice which covers investigation, prosecution, and conviction of persons on the police force that have perpetrated unlawful actions against citizens in their official capacity; and
- The release of all lawful protestors that had been arrested and were being illegally detained for exercising their civic rights.

In a series of special meetings, the ministers relevant to OGP began to engage on this issue, especially after President Muhammadu Buhari called for action to be taken for more

serious reform. Perhaps most importantly, the government of Nigeria submitted a revision to its OGP action plan to address the issue.

In its current action plan, Nigeria has a commitment to "synergise and co-ordinate technology-based citizens' feedback on programmes and projects across transparency and accountability." The commitment aims to address "increased attacks on journalists, bloggers, online influencers and human rights defenders who voice concern or report government failings or are against policies, the failure to respect citizens' rights to protests and assemblies, and proposals on civil society regulatory frameworks/laws/regulations capable of creating barriers to independent and efficient operation of formal civil society organisations." A key milestone in this commitment is to develop comprehensive guidance for the police on peaceful protests and use of minimal force.

Since the protests, Nigeria has used its OGP action plan to expand and coordinate discussions on further police reform. The government has specifically revised its action plan to include:

- Improving the oversight role of the Police Service Commission
- Regular dialogue between police and citizens
- Police station visitation by citizens' groups to inspect their condition and operation

Of course, such reforms are difficult, subject to foot-dragging or sabotage by entrenched interests. Time will tell just how far police accountability can advance. Regardless of the pace, it is unquestionable that bringing additional visibility and credibility to the commitment through engagement at the international level through OGP cannot hurt.

Confronting threats to democracy

Digital governance

The ubiquity of digital technology today can be felt across borders, cultures, and sectors. It affects every aspect of people's lives, including how governments operate in their daily work. It can, of course, provide tremendous benefits of efficiency in policy implementation and in learning what works. This has been evident through OGP commitments that used digital technology to advance open government practices, from opening up procurement to facilitating civic engagement. However, use of digital technology also poses many risks, among them reduced privacy, discrimination, and opacity of decisions.

These challenges extend far beyond government action. Social media has had a clear impact on democracy and human rights—often not for the better. The COVID-19 health crisis further demonstrated how digital technologies can be both a critical tool for disseminating information and one for stifling democratic dissent. These issues demand additional oversight, and how governments choose to regulate tech companies would greatly benefit from added public scrutiny, input, and management.

While technology has been a central tool and focus since OGP's founding, digital governance, in particular, is an area of increasing importance. As defined by a 2020 strategic input document,¹²⁸ OGP's approach to digital governance emphasizes several approaches: 1) ensuring that new technologies are used in ways that protect human rights and civil liberties; 2) ensuring that technology platforms are regulated in a way that favors openness; and 3) ensuring that online spaces nurture political dialogue with integrity. These emphases are distinguished from a broader set of digital governance reforms which includes "e-gov," "govtech," and more recent efforts focused on "digital transformation." All of these are important but already have notable champions both inside and outside of OGP.

Trajectory in OGP

While there is a large volume of OGP commitments on digital transformation, digital governance started with far fewer, and today is the second-fastest growing policy area in OGP action plans. Currently, eight OGP members are implementing digital governance commitments from their 2019 or 2020 action plans. Altogether, nearly 20 percent of members have made 27 total digital governance commitments since OGP was established in 2011.

Across these commitments, key patterns have emerged: almost all involve transparency; about half include participatory elements; and almost none involve public accountability. Specifically, many OGP members are focusing on accountability surrounding government use of algorithms and artificial intelligence (AI), especially in the public sector. (See "Research in Digital Governance" for OGP research on these topics.) A growing number are focusing on online political integrity, while few, if any, are currently using OGP to improve regulation of big technology companies despite the frequency with which it is discussed.

Research in digital governance

Over the last few years, the way in which governments function has undergone a significant transformation, with more services being digitized for efficiency and effective delivery. OGP members have been using action plans to not only ensure that digital technology facilitates more open government reform, but also protects against misuse of these technologies. These include areas such as digital inclusion, protection of digital rights and privacy, safeguarding civil and political rights online and against illegal surveillance, accountability of digital technologies used for electoral processes (such as online political advertising), and accountability of automated decision-making tools. In 2021, the OGP Support Unit published two pieces of important research related to algorithmic accountability and data protection.

The Ada Lovelace Institute (Ada), AI Now Institute (AI Now), and OGP have partnered to launch the first global study that aims to understand the challenges and successes of algorithmic accountability policies from the perspectives of the actors and institutions directly responsible for their implementation on the ground.¹²⁹ Based on the review of the first wave of algorithm accountability policies, the report identifies six factors that act as key determinants for the effective deployment and implementation of algorithmic accountability policies:

1. Clear institutional incentives and binding legal frameworks can support consistent and effective enforcement of accountability mechanisms, supported by reputational pressure from media coverage and civil society activism.
2. Algorithmic accountability policies need to clearly define the objects of governance as well as establish shared terminologies across government departments.
3. Setting the appropriate scope of policy application supports their adoption. Existing approaches for determining scope, such as risk-based tiering, will need to evolve to prevent under- and over-inclusive application.
4. Policy mechanisms that focus on transparency must be detailed and audience-appropriate to underpin accountability.
5. Public participation supports policies that meet the needs of affected communities. Policies should prioritize public participation as a core policy goal, supported by appropriate resources and formal public engagement strategies.
6. Policies benefit from institutional coordination across sectors and levels of governance to create consistency in application and leverage diverse expertise.

The research completed by ALT Advisory, in *Data Protection in Africa: A Look at OGP Member Progress*, found that the global adoption of data protection legislation has been slow. Only 66 percent of countries have legislation in force, while an additional 10 percent have draft legislation.¹³⁰ African countries are behind this global trend, with only 52 percent having data protection laws. All fourteen African OGP members recognize the right to privacy domestically, and there is growing consensus that the right must evolve to include considerations of data protection. Data protection is also widely recognized as supporting other rights, such as the right to be free of unlawful discrimination, bias, or any other denial of due process. Importantly, it was noted throughout the report that the regulation of data protection must strike an appropriate balance with human rights, such as access to information and freedom of expression. The report provides a set of findings and recommendations on how to strengthen three thematic areas that are of particular interest to OGP: transparency, accountability, and participation.

In addition, the OGP Support Unit commissioned a paper on potential commitments to improve online political integrity.¹³¹ In the next year, it is hoped that this work can be combined better with other work to renew democracy.

How OGP supports digital governance

Informal network on open algorithms

Making the public sector use of algorithms more transparent and accountable is vital to ensuring that digital technologies are not misused and that the rights of users and citizens, including the ethical use of personal data, are protected. In order to facilitate cross-country learning spaces for implementers, the OGP Support Unit began convening a group of early adopters implementing algorithmic accountability reforms through their OGP action plans. In May and November of 2020, OGP hosted online exchanges with government officials from implementing agencies from Canada, France, New Zealand, Netherlands, and the United Kingdom. The group continues to gather on a quarterly basis, as the informal network on open algorithms, inviting a range of civil society and expert partners and tackling a variety of policy questions related to algorithmic accountability.

Online political integrity

Regulating the use of digital tools for political advertising is also an emerging topic of discussion among OGP members. Europe is one of the key regions where members have engaged on issues at the cross-section of political advertising and digital governance. The Netherlands, for example, is currently implementing a commitment¹³² that could significantly limit the ability of actors to influence elections through targeted advertisements and digital campaigns. Earlier this year, OGP, the European Partnership for Democracy, and Open Governance Network for Europe convened policymakers and officials from European Union institutions and member states, Canada and the United Kingdom, together with civil society experts and representatives of online platforms in a roundtable discussion on the regulation of online political advertising. Outside of Europe, Canada also included a commitment¹³³ on political advertising as part of their most recent action plan.

Notable reforms

Artificial intelligence

As part of their 2018 action plan, France set up a lab for in-house experts to assist government agencies in their efforts to use artificial intelligence.¹³⁴ Agencies submitted proposals for AI projects, and 21 proposals were selected by the lab through 2019 and 2020. Lab experts helped agencies anticipate the effects of AI on public administration, such as the Nuclear Safety Agency's use of inspection data and the Council of State's automatic identification of cases that refer to the same decision. Ministries, including the Ministry of Armed Forces, increased the transparency of government use of AI by publishing their artificial intelligence road maps.

Digital surveillance

In 2017, a *New York Times* article¹³⁵ revealed that the Mexican government had spent USD 80 million over 18 months on spyware to surveil lawyers, journalists, and human rights defenders. Mexico's 2019 commitment¹³⁶ seeks to address the lack of regulation and supervision of government digital surveillance. The commitment will establish a group of experts from a variety of sectors and government agencies to analyze and modify regulations on the use of surveillance of private communications. (See "Surveillance in Mexico" for additional information on this issue.)

Looking ahead

New technologies will continue to be used in attempts to undermine democracies around the world—and governments must be prepared to face these challenges. A growing number of countries and local jurisdictions are using OGP as a platform to address these issues. Moving forward, OGP members should build on these efforts and consider adopting commitments related to digital governance, such as making the digital transformation more inclusive, safeguarding against technology misuse, and protecting civil and political rights online.

Most recently, OGP co-chairs Maria Baron of Directorio Legislativo and the Republic of Korea called for members to take action on issues of digital governance. Additionally, significant discussions have taken place among OGP countries on issues related to protection of civil and political rights online, protection against online harassment, data protection and privacy, and tackling misinformation.

Surveillance in Mexico

When Mexico became OGP's co-chair in 2014, concerns had been brewing for a long time about the country's issues with threats to civil and political rights. These issues came to a head at the OGP Global Summit in Mexico City in 2015. At the time, 43 college students at Ayotzinapa had gone missing, presumed killed after their protest interrupted a local politician's speech. This had hardly been the first such case of kidnapping with impunity.¹³⁷

The ongoing violence in the country led the government to commit to publish core data on two serious human rights issues. First, it would publish a list of those individuals in detention throughout the country. Just as importantly, it would also publish data on "disappeared" individual victims of persecution, femicide, kidnapping, and organized crime.

While no one would pretend that open data by itself would stop these ongoing tragedies, they could go some way to describing, assessing, tracing, and ultimately responding to the violence.

Still, amid these important steps forward, it became clear that all was not well. In a front page story, *The New York Times* exposed long-running surveillance of civil society using software provided by an Israeli firm called "Pegasus."¹³⁸ Among those surveilled was founding OGP Steering Committee member Juan Pardinas. Within weeks, Mexican civil society organizations filed an official Response Policy letter.¹³⁹ At the Steering Committee meeting in 2018, representatives of the newly-elected government, some of whom had been swept up in the surveillance, promised

that the government would take action. Progress has had its stops and starts. While some members of the Lopez Obrador administration have made their intention to address the problem clear, tension between some portions of organized civil society and the administration have complicated matters.

Nonetheless, in 2021, despite the ravages of COVID-19, civil society groups and government met to fashion a new commitment to introduce public oversight of contracting for surveillance software. Fortunately, there have been a growing number of actions¹⁴⁰ taken by the government to bring such systems under control. The timing could not have been more appropriate. In July of 2021, revelations of spying using Pegasus software came to light, now in at least seven countries.¹⁴¹

While Mexico may have been the first to come under scrutiny in OGP, it will hardly be the last. Unaccountable surveillance poses an increasing threat to the ability of advocates to push for much needed reform in an ever-evolving world. Whether advocating from elite think tanks or on a dusty street in a rural town, they require being able to voice opinions without fear of violence, intimidation, or retribution. The Mexican case is instructive. It acutely manifests the tensions within OGP around privacy and civil liberties. It reveals the desperate necessity for progress and the hope that forums like OGP can spotlight attention on the issue and provide movements for enterprising reformers inside and outside of government.

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Zainab Ahmed, Minister of Finance, Budget, and National Planning, Nigeria speaks at the OGP Virtual Leaders Summit in 2020. Photo by OGP.



V. Three Frontier Challenges



“We in Nigeria joined the OGP and along with other member countries to be able to promote and underpin the principles of accountability, transparency and include inclusiveness - which for us, the focal point is ensuring that citizens are engaged and that when we recover from this pandemic, that we recover rapidly as well as we recover better.”

– Zainab Ahmed, Minister of Finance, Budget, and National Planning, Nigeria, 2020



Civil society leaders discuss future challenges and strategies for OGP. Photo by OGP.

While the evidence increasingly suggests that OGP works (see Part III “The OGP Model Works”), that is not unequivocally true. OGP has spent the last decade building its strength, but that strength is not always used to its fullest potential. Evidence is mounting that the OGP model delivers results, when it is used as designed. However, the process is not always followed, action plans don’t always tackle the most essential issues, and commitments often remain unfinished.

And while the seeds of a better democracy are evident all across OGP (see Section “IV: Seeds of Democracy Renewal”), put bluntly, there is not enough action yet to reverse the trends of authoritarianism.

OGP’s data shows that there are three issues that have either not improved or have declined over the course of the first decade. Unfortunately, some of these are the issues that would most advance the collective aims of the OGP community. These frontier issues are:

1. **Ambition at scale**
2. **Implementation at scale**
3. **Democratic fundamentals**

Each of these raises difficult questions:

- After years of encouraging more and more ambition on action plans, is there a better understanding of how to get more ambition? Are the constraints political, technical, or simply intractable?
- Why hasn’t implementation moved upward over time and what can be done, especially at scale, to address that?
- To what extent are governments willing to put major democracy reforms into action plans? Are largely executive-driven action plans likely to include consequences for officers that do not enforce the law and, what’s more, to give the public tools with which to raise those concerns?

These are difficult questions, and this paper will not be able to address them completely. That will be the responsibility of the OGP community and beyond. However, it can mark a moment to deepen conversations about how to drive progress on these essential indicators.



1. Ambition at scale

The OGP Steering Committee introduced the concept of “ambition” early on in OGP’s existence. The aim was to shore up OGP’s credibility, to give credit to the governments that were taking risks, and bringing necessary attention to those that were not.

“Ambition,” as defined in OGP, means that a reform, if implemented, has the potential to change the way a government does business or to change how people experience government activity. The Steering Committee tasked OGP’s Independent Reporting mechanism with defining and operationalizing ambition. OGP action plans are supposed to describe how a commitment addresses a problem, what the current status of that problem is, and how implementation would improve on the baseline. The IRM then evaluates this on a four-point scale, with “transformative” as the highest potential mark.

Raising ambition has been a core concern of OGP’s leadership since its founding. At the 2016 Paris

Summit, OGP’s CEO, Sanjay Pradhan, challenged all OGP participants to carry out more ambitious commitments. The goal was simple: every country should have at least two open government commitments that were credibly complete and would make a real difference. As Part III “The OGP Model Works” pointed out, ambition is a significant predictor of notable results.

It is a troubling finding, then, that action plan ambition has not, in fact, improved over time. The IRM finds that roughly two-in-five commitments have “moderate” or “transformative” potential for results (see Figure 6 on the next page). This has declined from earlier action plans. This is concerning given the strong link between ambition and early results. Mathematically speaking, this may not be statistically significant (yet). Yet, practically speaking, it deserves greater attention and resources. Regardless of significance, the typical level of action plan ambition is an indicator trending in the wrong direction.

Hypotheses abound as to why this might be the case. It could be a problem of lack of creative conflict in co-creation processes; some governments are disinclined to bring civil society groups into co-creation that would push them beyond their comfort zone. It may often be a problem of poorly written commitment justifications. Or it may be issues of too short of

action plans, missing finance, domestic politics, or waning enthusiasm. Given that some policy areas have consistently higher evaluations than others, it is also partly an issue of action plan emphasis. Likely, it is some mix thereof. Certainly, it is a topic for further discussion and exploration.

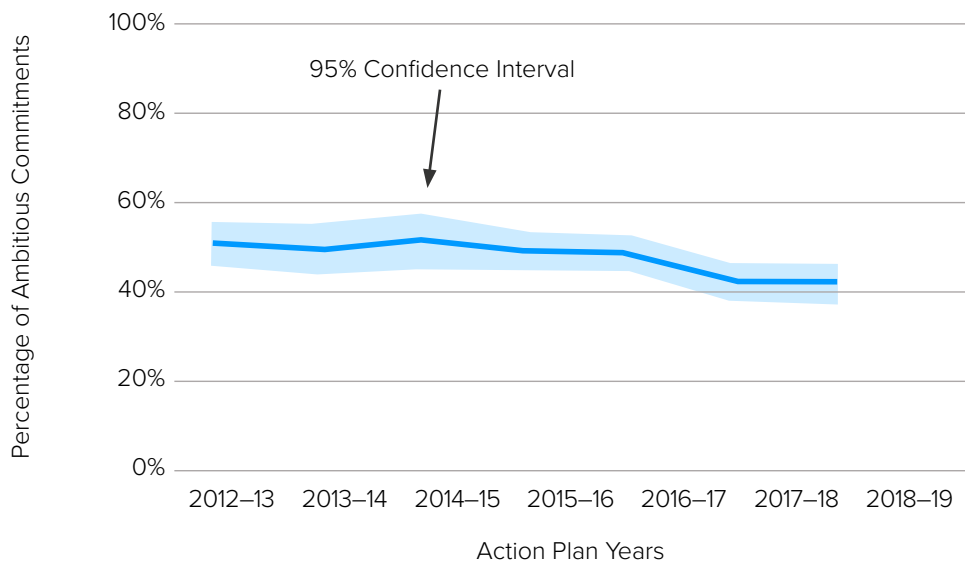
FIGURE 6. Ambition has declined, but not statistically significantly

Ambitious commitments have either “moderate” or “transformative” potential impact and are relevant to OGP values.

Source: OGP Vital Signs

Note: Includes two-year rolling average to account for two-year action plan cycle.

Figure shows average rates per action plan. Includes country weights.





Renzo Falla from the OGP Support Unit shares action plan data at the OGP Global Summit in Georgia in 2018. Photo by OGP.

2. Implementation at scale

There are issues of implementation in OGP overall. While the rate of implementation of the typical action plan has not declined, rates of implementation have also not increased. Since the IRM began tracking this data, about two-thirds of commitments are substantially or fully implemented by the end of the action plan period. Research is underway to see how this compares with rates of implementation in other international pledge-and-review mechanisms like OGP.

The rate of strong “early results,” as evaluated by the IRM, has also remained stable. Each year, about one-in-five commitments achieve significant changes to government practices during the action plan period. This is almost certainly an undercount of the many reforms that will change practices after the assessment period without more work on implementation.

Issues of implementation at scale are not evenly spread. There is some research¹ pointing to what might explain this variation. Several OGP members in particular seem to struggle with implementation. Holding other factors constant, OECD countries implement about 10 percent more commitments than non-OECD countries. Regionally, OGP African

countries implement about 20 percent fewer commitments than countries in other regions.

Just why implementation has not risen is an area of significant importance. A 2016 study by the IRM found that the most commonly cited reason that governments did not implement commitments was due to lack of finance.² Any time finance is cited as a binding constraint, however, questions follow as to why it was not available. Here one may find more nuanced and useful answers. They may include political opposition, lack of prioritization, misalignment with budget cycles, or other incentives.

Moving beyond finance will be critical to advancing action plan implementation at scale. It is highly unlikely that international resources can ever be mobilized at a scale that would move the needle on implementation at a statistically significant scale. (Nor is that type of funding necessarily an unalloyed good.) Even if they could, domestic resources may be a better approach to sustainable reform. To change things at scale, other strengths of OGP—international visibility, knowledge sharing around budgeting processes, or identifying ways to explore and demonstrate return on investment—may be more cost-effective and sustainable.

OGP strengthening collaboration on lobbying from Europe

Lobbying allows different interest groups to demonstrate their views to public officials. In a strong democracy, this practice can strengthen the quality of policy-making and public debate and support free speech. However, without the proper safeguards in place, unregulated lobbying can erode public trust as it can allow powerful groups with privileged access to further their interests at the expense of public good.

Many OGP members are using their OGP action plans to advance concrete lobbying reforms. Lobbying has been one of the most ambitious policy areas for OGP members in Europe. Reforms include establishing mandatory public registers of meetings between lobbyists and public officials, such as in Madrid and Ireland.

Elected officials, citizen groups, and even lobbying organizations themselves are pushing for more transparency, accountability, and accessibility of lobbying practices. Lobbying transparency reforms are part of a broader push to support transparency and integrity of political decision making. By regulating lobbying, a light can be shined on who is meeting whom, about which issues, what money is spent to influence decisions, and how those decisions are ultimately being made.

Common challenges in lobbying reform

With lobbying reform garnering growing interest among OGP members both in Europe and beyond, reformers can learn from peers working on similar initiatives. Common challenges faced by reformers include defining lobbying, coordinating across jurisdictions, navigating a constantly evolving landscape, and measuring success of lobbying regulation.

Defining lobbying is an ongoing debate in lobbying regulation. Who is a lobbyist? What counts as lobbying? To move forward with regulation, stakeholders must first agree on a commonly accepted set of definitions. Having a common understanding of lobbying is crucial not only for regulators, but lobbying and advocacy groups as well.

Lobbying activities are becoming more and more difficult to follow as they are conducted at multiple levels. In Europe, lobbying is carried out at the EU, national, and local levels. In Spain, for example, some regions have established lobbying registers, while no register at the national level currently exists. (This may change in the future, as Spain has committed to establishing a national register in its latest OGP action plan.) To implement impactful lobbying regulation, reformers must coordinate among multiple levels and across jurisdictions.

As the landscape of lobbying regulation is becoming increasingly complex, with evolving definitions, new channels for lobbying such as social media, and a diverse set of actors, legal frameworks often struggle to keep up. International institutions such as the OECD encourage countries to take a more comprehensive approach to encompass all the practices, including practices such as indirect lobbying.

To gauge the success of lobbying regulation, reformers must move beyond numerical indicators (e.g., how many lobbyists have registered in a database) to answer key questions such as: How do we know if the regulation has actually leveled the playing field for smaller businesses? Has this reform prevented powerful actors from dominating decision-making? And, has the quality of policy-making improved?

OGP as a platform for reform

Comprehensive lobbying reform requires multistakeholder collaboration between government, legislative bodies, civil society, and the private sector. For example, understanding the needs and concerns of private sector actors (like maintaining reputations and ethical standards, and

ensuring a level playing field for smaller businesses) is crucial to secure buy-in. Likewise, civil society actors, including investigative journalists, can play an important role in uncovering scandals and communicating the benefits of lobbying regulation.

Lobbying reform can be a key component of comprehensive anti-corruption efforts and ensure that pandemic recovery funds are directed toward the public good and not into the pockets of the politically-connected. While corruption scandals can be the impetus for lobbying reform, they don't always ensure strong reform. This requires collaborative work among stakeholders to put in place the safeguards needed to prevent powerful groups from furthering their interests at the expense of the public good.

Collaborative by design, the OGP action planning process can serve as a platform to bring these groups together to co-create ambitious and impactful lobbying reforms. Many OGP members in Europe, most especially Ireland,³ have used the OGP platform to be an effective tool to support political integrity reform initiatives including lobbying.

3. Democratic fundamentals

OGP is first and foremost an organization seeking to renew democracy and governance. Sometimes democracy and governance may be put to the service of other issues, like fighting poverty, slowing climate change, or making cities more productive and livable. But at its heart, OGP is about making governments answerable and accountable to the public.

Within OGP itself—membership, action plans, policy reform, and cross-country collaborations—the first decade was one of notable success. The second decade, however, will need to deal squarely with the continued problem of democratic decline and building momentum for change. To date, conversations within the OGP community with regard to democracy have largely focused on issues of civil and political rights and corruption. Increasingly, however, dealing with democratic decline also means dealing with issues of political integrity and rule of law.

OGP's founders recognized the need to defend democratic ideals from the start. The *Open Government Declaration*, OGP's founding document, contains surprisingly strong language on the values of expression, assembly, and association:

As members of the Open Government Partnership, committed to the principles enshrined in the Universal Declaration of Human Rights, the UN Convention against Corruption, and other applicable international instruments related to human rights and good governance... We commit to protecting the ability of not-for-profit and civil society organizations to operate in ways consistent with our commitment to freedom of expression, association, and opinion.

The founders recognized the necessity of including these elements, both as ends in and of themselves and as indispensable for seeking official information, participating in decisions, and holding governments to account. The foresight of OGP's founders proved prescient. Time and again, democratic norms have

been undermined; and the media, civil society, rule of law, and oversight institutions have come under attack. Time and again, OGP leadership and activists have returned to the values in the *Open Government Declaration*, drawing from it as a basis for action. (See “OGP Response Policy in Action” for how the *Declaration* shaped OGP's safeguards.) The report looks at the broader trend and a few of those instances here.

OGP members have, indeed, made hundreds of commitments covering all elements of democracy. However, emphasis has often been unevenly distributed. This is apparent in three areas where there simply is not yet enough work to meet the challenges of the day:

- Action on public accountability
- Action on protecting civil and political rights
- Action on political integrity

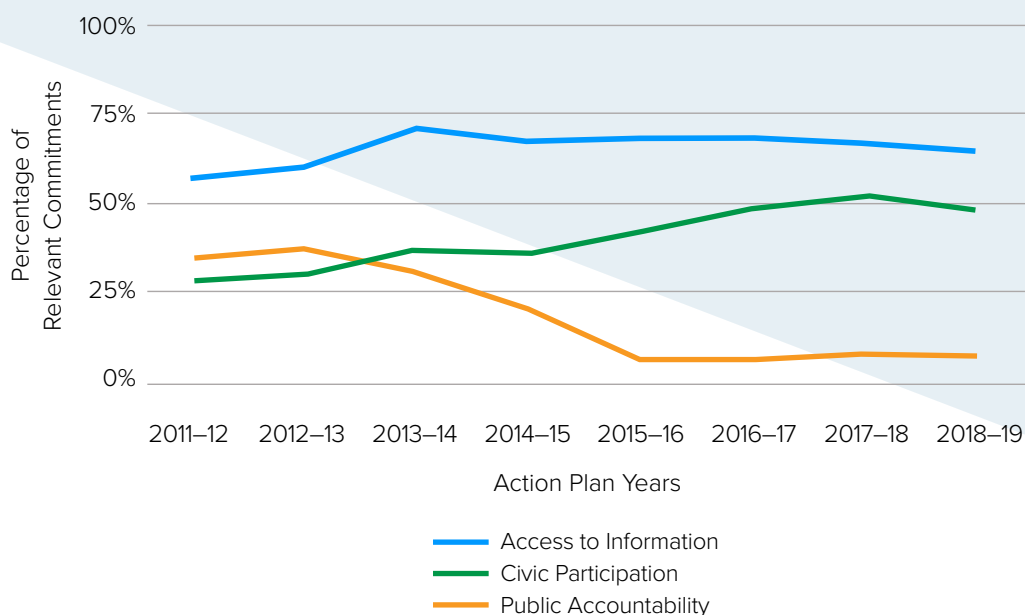
Public accountability

Emphasis on participation has grown while public accountability has declined. As a result, certain trends have emerged:

The percentage of commitments dealing with participation in a typical action plan has more than doubled. While issues of focus and quality are up for discussion, participatory and deliberative elements of democracy have become more frequent in OGP.

The number of commitments dealing with accountability, on the other hand, has fallen to an all-time low, now comprising one in twenty commitments, on average.⁴

FIGURE 7. Commitments with public accountability elements have significantly declined



This declining emphasis on accountability may threaten the long-term sustainability of reforms. Transparency and participation reforms without legal basis and without enforcement mechanisms remain discretionary, subject to reversals of political taste or disappearing finance. Further, it undermines one of OGP's core values—that the public should have a voice in affairs and a means of protecting that right.

It seems that, without an explicit focus on improving accountability, the value may be in danger of vanishing from OGP in any practical sense. Most of the remaining commitments having to do with accountability have to do with audits, whether supreme audit institutions or social audits. A smaller subset deals with appellate processes in various tribunals. Most notably, these are either pertinent to the right to information or environmental governance.

Some work is underway to ameliorate this situation. Noticeably, work is being undertaken to address the role of courts and other tribunals in supporting

open government. This will be published in 2022 as the final installment of the OGP Justice Policy Series.⁵ Further, the soon-to-be approved parliaments strategy⁶ includes a focus on public oversight as one of the key areas of action for parliaments engaging in OGP. Finally, partners such as the Accountability Research Center have also carried out innovative research⁷ on public participation in Latin America's supreme audit institutions, and are collaborating with OGP on forthcoming work on public sector grievance mechanisms and social audits.

This work is difficult. It is presumably much easier to release data than it is to act on that data. Often creating accountability mechanisms—especially ones that the public may use—is politically risky and outside of the jurisdiction of the executive agencies that develop and implement the vast majority of OGP commitments. It is also clear that, without some action forcing mechanisms, opening up government information and data may have less effect than we would hope it would in curbing excesses and corruption.



OGP staff met with open government reformers, including representatives from CoST Ukraine and Transparency International Ukraine, at the Ministry of Infrastructure. Photo by CoST Ukraine.

Ukraine: Can transparency lead to legal accountability?

The road from transparency to accountability is long. This case from Ukraine shows how an essential transparency tool—declaration of assets of public officials can help to deter and detect corruption. But without a stronger system with validation and empowered inspectors, it will take some time to actually reduce corruption and recover stolen assets.

Ukraine's electronic asset declarations system highlights the ripple effects of transparency. Requiring government officials to present a declaration of assets is one of several tools used to reduce corruption

risk. Over 150 countries have an electronic system for asset declarations.⁸ Nonetheless, these systems cannot exist merely for the sake of transparency. Rather, they must be tied to strong compliance and accountability systems to reduce embezzlement and undue enrichment of officials and their associates.

Prior to 2014, 30 percent of Ukraine's budget was embezzled by organized crime and political groups.⁹ This was most famously evident when the opulent mansion of ousted President Viktor Yanukovich was found to have a private zoo and a replica of a galleon, among other excesses.

In response, right after the Maidan Revolution of Dignity and as part of their 2014 OGP action plan, Ukraine committed¹⁰ to creating a unified online platform for all government officials to submit and disclose their declarations of income, property, and expenditure. In 2016, the National Agency for Corruption Prevention (NACP) launched an online portal of public officials' asset declarations. For the first time, public officials' asset declarations were accessible to the public in open data format through a centralized portal. Citizens were now able to view this information and report any irregularities found in the declarations.

The e-declarations system yielded early results and was well received by the public. For its first stage in 2016, more than 100,000 high- and mid-level officials were required to complete declarations, making more than 135,000 documents available to the public. In a public opinion poll in December 2016,¹¹ the platform was listed as one of Ukraine's main political successes of 2016.

Having published this information, the Ukrainian system stood out from other asset declaration systems. It went beyond mere transparency to public accountability and prosecution of potential criminal activities. Four months into its launch, the National Anti-Corruption Bureau (NABU) had begun ten criminal investigations¹² based on information in the electronic declarations. These investigations were made on the merits of providing inaccurate data in the declarations and on illicit enrichment.

Yet, a major setback came with a controversial decision from Ukraine's Constitutional Court in October 2020. By then, the NABU had 110 open criminal investigations and detectives were investigating around 180 cases of intentional entry of inaccurate information into the system, a potential penalty of two years of prison. A surprise decision of the Constitutional Court of Ukraine abolished criminal liability for false declaration.¹³ All of the ongoing cases, including 34 that had reached the court, were dropped. Fortunately, the NACP was able to resume verification of declarations in March 2021, and in June 2021, the Parliament restored liability for false declarations.

Although this commitment has faced challenges and has yet to achieve a high-level prosecution, it has illustrated the potential of transparency to deliver on its promises when it is paired with a cross-government strategy, a well-informed public, and empowered watchdog groups. Asset disclosure systems need guidelines for effective identification and red flagging and for ensuring that they lead to prosecution and justice. This case exemplifies how OGP now has the task of strengthening institutions to effectively take advantage of these policies and ensuring that transparency tools lead to reducing corruption and recovering stolen assets.

Civil and political rights

Moving beyond the issue of participation and accountability, OGP still does not have enough action on the issues of civil and political rights—especially as defined by governments using their action plans to respect, protect, and promote basic civil liberties for activists, journalists, and communities.

As mentioned multiple times in this report, improving freedom of expression, press, assembly, and association is both essential to OGP's success and one of its goals. These freedoms are critical to the achievement of open government, allowing citizens to actively engage with the government and hold decision-makers accountable. Countries and local jurisdictions that commit to protecting these freedoms reap the benefits of higher levels of citizen engagement and stronger civil society organizations. In addition to pre-existing challenges to an open civic space, the onset of the COVID-19 pandemic has further increased restrictions on civil and political rights in many OGP countries. The larger context presents even greater challenges in this regard:

- Over two-thirds of OGP countries face severe to moderate constraints to a free and independent media, according to Freedom House.¹⁴
- Nearly 40 percent of OGP countries experience challenges to freedom of association, including limited access to funding, difficult registration processes, and burdensome operational and reporting requirements for civil society organizations.
- Despite many notable issues with freedom of assembly in particular, such as excessive use of police during public protests, few OGP countries have undertaken commitments in this area.
- Of all civil liberties commitments made by OGP members, one-quarter relate to freedom of expression and/or the press and nearly one-third relate to freedom of association. And just five percent of civil and political rights commitments involve freedom of assembly.

While the importance of these freedoms was made clear in the OGP's founding documents, this has not yet translated into concrete action at scale.

Discussion on civil liberties in OGP forums has remained largely one-sided. While civil society has consistently used OGP forums to raise concerns over threats to democracy and advocate for action, fewer governments took action, especially within their action plans. The *2019 OGP Global Report*¹⁵ pointed out that, while OGP countries in general outperform non-OGP countries (and arguably declined less in relative terms), efforts at protecting civil and political rights rarely appear in action plans.

There are exceptions. A number of governments have worked to improve conditions for journalists and CSOs. Latvia has consistently put reform of the NGO sector at the center of its action plans. Ukraine, Nigeria, and the U.S. have all had commitments related to police-civilian interaction, and a number of countries have had commitments to promote media pluralism, including Croatia and Côte d'Ivoire.¹⁶ Unfortunately, these remain exceptions.

However, that may be changing under the co-chairs, the Republic of Korea and Maria Baron (of Directorio Legislativo), as civic space has been made a priority through a public declaration. The most encouraging story in many regards, however, is that of Mexico, which has begun to undertake action through its OGP action plan to improve democratic oversight of security software purchasing following 2015 revelations of spying using Pegasus software. This case is deserving of a deeper look, see "Surveillance in Mexico," in Part IV "Seeds of Democratic Renewal."

Nonetheless, given the dire circumstances laid out at the beginning of this report, efforts remain too few and far between. Of course, there is no better time than the present to change that trend.

Political integrity

Improving the quality of political discussion and contestation is a universal goal among OGP members. Indeed, this work has the potential to grow significantly.

Areas such as asset disclosure have been a core part of OGP eligibility requirements since OGP's founding. More work, however, needs to be done to close the gap between laws and actual disclosure of elected officials' information.

There is growing work on tying political processes, especially political finance, to other anti-corruption reforms.

Ideally, this work can build off of two of OGP's great strengths—open data and anti-corruption—to cover new, important areas that should be subject to disclosure and public scrutiny.

Specifically, the Support Unit is partnering with Transparency International and Global Data Barometer to produce a report on global political integrity in 2022. Work is also being done by the Support Unit in emerging areas related to democracy, such as digital governance and justice for accountability. In addition, partnerships with the National Democratic Institute are working to research how OGP action plans can better limit illiberal influence over OGP member governments, whether through hidden debt, misinformation, or malign political finance.

Conclusion

Collectively, much work remains to be done, especially in protecting civil and political rights. A little more than 100 commitments in this area have been made in the last ten years, and only 11 of 98 OGP members included a commitment in the most recent action plans (2019 and 2020). Even when they are included, these commitments tend to show weaker early results than other OGP commitments. In addition to civil and political rights, the burgeoning areas of justice, parliaments, and audits could all be strengthened, as relatively few aim to improve public accountability and public oversight of the executive. (See “Afghanistan and OGP,” “OGP Strengthening Collaboration on Lobbying from Europe,” and “Croatia: toward comprehensive political integrity,” each highlight the challenges and ambition behind getting fundamental democratic reforms.)

Croatia: Toward interoperable political integrity

Without proper safeguards and disclosure requirements, private financial interests can warp the most fundamental of democratic institutions—elections. This example from Croatia illustrates how countries can use open government reforms to protect electoral and political integrity.

Croatia has been working on increasing the transparency of political parties and election financing through commitments in their second and third action plans. Using the information provided in the database of election campaign reports, developed by the State Election Commission as their OGP commitment, two civil society organizations that are members of the Croatian Multistakeholder Forum developed a searchable database of contributions

and expenses reported by parties and complement this information with their own analysis of key observed trends and issues. The database allows search and comparing of donors, campaign expenses, media discounts, and social media campaign expenses.

In 2022, in partnership with a variety of organizations—most notably, the Global Data Barometer and Transparency International—OGP will work to develop, analyze, and publish data on political integrity, from contracts to asset disclosure to lobbying and how they all interact. The hope is that this database can help illuminate which countries, like Croatia, are making the major reforms and where the most work must be done to ensure that our democracies have integrity.

Afghanistan and OGP

Afghanistan's takeover by the Taliban has been a wrenching process for most of the world. Dedicated reformers, trying to bring democratic governance to their country have been chased from their homeland or remain living under a government with no pretense of aspiring to democracy.

Real reforms were taking place in Afghanistan through the OGP process. Women's advisory councils were established to oversee the development and rollout of policy. Anti-corruption and anti-money laundering efforts were being made. Police-citizen boards were being established. International organizations recognized that Afghanistan's law on access to information was the most modern in the world. In many senses, the reforms truly represented some of the best ideas of the OGP community. Unfortunately, too few of these reforms had time to mature or for their fruits to materialize.

Of course, there were also well-documented problems with the government: persistent corruption, a weak state, and public

perception of foreign interference. All of these hobbled reforms and shone a light on just how much easier it is to put a policy on paper than on the ground. However, none of this should undermine the valor and integrity of the reformers who worked to change this.

Afghanistan was not OGP's only weak state, where peace and control barely extended beyond the capital. It was also not the only country racked by corruption and weak democracy in its hinterlands.

The lessons of Afghanistan are many and will be picked apart for decades. But for now, it shows just how vital the work of fighting corruption is, how difficult it is to actually implement reforms, and how fragile the position of many reformers is. More can be done for fragile democracies like Afghanistan. And more can be done in those wealthy countries with active—and not always transparent—interests in fledgling democracies around the world.

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Sanjay Pradhan, Chief Executive Officer of OGP, speaks at the OGP Global Summit in Canada in 2019. Photo by OGP.



VI. Conclusion



“Our vision for the next decade is to transform OGP from a mechanism to a movement – from a global platform to a global movement to renew democracy for and with citizens, to deliver better outcomes for citizens.”

— Sanjay Pradhan, Chief Executive Officer of OGP, 2021



OGP works. The last decade has seen hundreds of meaningful reforms that make government more open, more participatory, and more accountable.

This happened because people—whether politicians, activists, civil servants, or international organizations—made it happen, working together. It happened because they chose to take part in an experiment, to join an unproven international partnership.

Over the course of the decade, their experiment paid off and the results have multiplied. Civil society groups have fought for hard-won change and governments have had political cover to undertake difficult reforms. Most importantly, they brought tangible gains and concrete opportunities for real people. These citizens were highlighted in this report:

- Ji-eun and her students in Korea petitioned their government successfully to improve recycling. They used public participation to make their environment cleaner.

- Steven from the United States used the Austin Homeless Advisory Council to get a safer place to store his things through the day. He made his voice heard to make sure he and his associates were not ignored.
- Alessandra from Italy worked with thousands of young people to uncover misspent funds. She used transparency to help rein in corruption and help spot crony contracts.
- Jimmy worked with his friends and colleagues to make sure COVID funding was spent properly. When he used that open data, he helped restore trust that these much-needed funds were reaching their destination.

These four people are among the thousands that have directly used the reforms in OGP action plans to help their governments reach better solutions for the problems we all face—improving public services, ending corruption, recovering from the pandemic,



Conference attendees taking a photo at the Asia Pacific Leaders Forum on Open Government, Jakarta, Indonesia. Photo by OGP.

reining in inequality, ensuring environmental sustainability, and renewing democracy.

Yet, the world still needs tens of thousands more such citizens, activists, civil servants, and civil society groups. It needs thousands more such reforms and innovations.

OGP is a proven model for getting these reforms, and open government approaches will be a necessary part of the solution. When civil society engages in policy development and implementation, it not only creates greater democratic processes, it also leads to more inclusive and sustainable policy outcomes. Moreover, this approach is now undeniably reaffirmed by ten years of data and other research, as laid out in this report and resources cited.

The challenges we face, however, are no ordinary challenges. Taking full advantage of the power and potential of the Partnership, therefore, will require doubling down on what works and directly facing what does not.

While the seeds of democratic renewal are evident across OGP, there is still not enough bold action to solve our simultaneous health, economic, social, environmental, and democratic crises. This requires looking squarely at whether OGP members are focusing on changing the culture of government to better deliver for and with citizens, while also looking at how we can unlock ambition in action plans and support implementation at scale. It will mean asking whether our current tools are enough. And, if not, what new strategies and tactics must be deployed to renew democracy.

Dedicated reformers have been at the heart of the first decade of OGP's success. In the next decade, we need many more of them to bring their minds and muscle to the effort at hand.

The last decade has been about growing our strength. Now is the time to use it.

Technical Annexes

Annex A: Improving credibility

OGP's growth has needed to be balanced with ongoing concerns about credibility. Are action plans ambitious enough? Are they truly co-created with civil society? Are they credibly implemented? These and other questions have presented the greatest challenge and opportunity for impact across the first decade.

Clearer rules

Changes in membership size and personnel are defining features of OGP's first decade. But so too is growing institutionalization. OGP has long passed the startup phase and now has well-defined rules and processes for members. Clearer rules for domestic OGP processes make action planning processes stronger, the IRM reports more predictable, and helps establish collaboration and accountability. The trend in OGP has been to move from the improvisational to the formal.

Points of contact

In the beginning of OGP, there were not always clearly defined points of contact. Quite often, a minister would declare intent to join OGP without also establishing clear lines of staff. Since those early days, the OGP "point of contact" (POC) has taken on an increasingly important, professionalized, and multidimensional role. In most cases, these government POCs are the nexus of efforts to improve transparency, civic participation,

public accountability, and participation efforts for each OGP member.

In 2014, the OGP Support Unit created guidance outlining the responsibilities for the role of OGP government POCs, now available in the OGP Handbook.¹ A POC is the person or office responsible for serving as the main coordinator within government between OGP internationally (including the Support Unit and IRM) and the domestic government, engaging stakeholders in the co-creation process, monitoring action plan progress, developing the self-assessment reports, and representing their government in global events and peer exchange activities.

Each POC is assigned a counterpart in the OGP Support Unit to assist throughout OGP participation, which creates an avenue for close collaboration. The POC provides updates about political and policy changes within governments. OGP Staff can coordinate country visits and provide tailored support. The POC can also support occasional requests for information related to OGP research projects. Researchers may also work with POCs to investigate the results of OGP initiatives.

Most POCs also exchange ideas and technical support about the OGP process and reforms with the OGP community. OGP provides a platform to

connect government and civil society reformers across participating countries to learn from and inspire each other through peer exchange. Members can share lessons learned in drafting, implementing, monitoring, and evaluating action plan commitments with other governments and civil society organizations. The POC can also participate in, as well as lead, activities through thematic working groups.

Finally, POCs play a role at the international level. They lead voting for Steering Committee representatives, may serve on the Steering Committee themselves, represent their country in global learning events, and coordinate delegations to official OGP events.

Action-planning process

Over the years, the rules around the action plan process have evolved to become clearer and better reflect the lessons learned across dozens of action plans.

Action planning calendar: The duration of early action plans and commitments varied widely. In the absence of guidance, some action plans lasted one year, while others last three or more years. Indeed, some action plans had no discernable time frame at all. Beginning in 2014, the Steering Committee established the standard two-year action plan. There have been innovations with how best to use the two-year period, with a growing group of governments working on ways to carry out commitments that last beyond the two-year period as one means of increasing ambition,

adaptation, and more medium-term thinking.

OGP process: During the first round of OGP action plans, there was inconsistent public guidance on the participation and action plan co-creation process.² As OGP grew and more action plans were developed, the OGP Steering Committee put together a general set of guidelines that provided guidance on the action plan timeline, public consultation process, awareness raising, and multistakeholder consultation on OGP implementation. In 2016, a broad consultation with the community, led by the United Kingdom CSO, Involve, resulted in a detailed set of standards for the OGP process.³ These standards were divided into two overarching sets of basic requirements: the standards all countries are expected to meet; and the standards countries should strive for. These standards came with additional guidance on strong practice as well.⁴ While the detailed standards helped define the various steps of the process, it also became quite complex for members to follow. For 2022, the OGP Steering Committee and Support Unit is striving for a refreshed, shorter set of guidelines, with the aim of making them more effective, easier to follow, and easier to track. This may also include more flexibility on action plan length and time for delivery.

Action plan content

While the nature of commitments are flexible and allow for each member's unique circumstances, the rules about content became more concrete over the last decade. The IRM Procedures Manual, now known as the IRM Process and Pathway,⁵ sets forth the goals that each commitment should have in terms of content and explains how the IRM evaluates commitments according to ambition, relevance, and results.

Stretch and ambition: OGP countries are expected to make ambitious commitments that stretch government practice beyond existing practice. To assess ambition, the IRM evaluates how potentially transformative a commitment might be. More recently, this indicator was adjusted to take on a new results-oriented strategic focus and is now called "potential for results." Using this new methodology,⁶ commitments can be rated as unclear, modest, or substantial.

Relevance to OGP values: To ensure that commitments are relevant to OGP values, the OGP Articles of Governance⁷ and the Open Government Declaration⁸ provide guidance for all OGP members. Commitments should reflect the core open government principles of transparency, citizen participation, and public accountability. Under the latest IRM methodology, the IRM determines if the commitment has an open government lens.

Stars and early results: Prior to 2020, the IRM used two ways of highlighting promising commitments. "Starred" commitments were (1) specific and measurable, (2) clearly relevant to OGP values, (3) marked as having "transformative" potential impact, and (4) "significant" or saw better progress toward completion. Similarly, a commitment that opened government in a "major" or "outstanding" way was considered to have "early results." Through the recent IRM Refresh process, the focus shifted to highlighting results at the policy or reform level.

Action plan accountability

IRM mandate: In 2020, the IRM Refresh⁹ was approved and introduced a renewed set of priorities. These include: a more accessible and engaging IRM, greater innovation and communication, enhanced resources to support co-creation, improved guidance with recurring online spaces for collaboration, and three new IRM products. The co-creation brief shares lessons and recommendations on the co-creation process and action plan design. The action plan review assesses the action plan content, identifies promising commitments, and provides targeted recommendations for effective implementation and results. Lastly, the results report analyzes the completion for action plan commitments, the results obtained, and the level of engagement with in-country stakeholders.

IRM report format and scope: With 78 national members and a growing number of local members, the IRM has reviewed close to 4,000 OGP commitments. The continuous growth of the organization has enabled this accountability arm of OGP to adapt and improve its research methodology. The purpose of the IRM at the launch of OGP was to focus on accountability by producing long and descriptive reports at the midterm and end of the OGP cycle. Over the years, the focus has changed to one that incorporates learning and reflection through shorter reports emphasizing analysis, synthesis, usable insights, and recommendations.¹⁰

Self-assessment: Self-assessment reports by governments are a key element of the OGP accountability mechanism and are complementary to the IRM report. The report captures ongoing engagement with civil society and other members of the multistakeholder forum and final results of the developed commitments. While not all governments submit a self-assessment report in a timely manner, there is a noticeable improvement in the rate of performance during the self-assessment phase when more OGP Support Unit staff are available to provide guidance. Consequently, there is now detailed

guidance on self-assessment preparation in the Participation and Co-Creation Standards.¹¹ Alternatively, many governments have helpfully brought their self-assessment processes online through digital repositories and reporting on progress.

This evolution is important for understanding just which rules work and when. As the next section will show, these rules and roles matter. Data from dozens of action plans shows why and when they matter, and how the OGP process can be improved to deliver better reform.

Action plan accountability

Ensuring that all OGP members have access to basic support for membership and that civil society groups are well-coordinated requires people. This is the largest role played by the OGP Support Unit.

The Support Unit was founded in 2011, weeks after the launch of OGP. Staffing of the Partnership had previously been through either secondments from founding governments or through the Transparency and Accountability Initiative, a donor collaborative that closely supports OGP. In addition, Hivos, a major Dutch NGO, hosted a small “Civil Society Mechanism,” and Global Integrity hosted a corresponding “Networking Mechanism,” responsible for connecting governments with technical support.

Shortly after its launch, civil society, governments, and donors identified the need to deepen support for action plan design and implementation. Governments and civil society groups increasingly demanded that the basic needs of action planning be better serviced. As membership grew, so too would the services and the staff to help service those needs.

OGP shifted away from a model of secondment from other organizations (such as Hivos, Global Integrity, and the United States State Department) to having permanent staff, and quickly grew year after year. At the time of writing, the full contingent of Support Unit and Independent Reporting Mechanism staff is nearing 70 individuals. Staff, including leadership, are based in

every region around the world. The various elements were consolidated into a single legal entity—the OGP Secretariat—in 2018. This legal entity, composed of the Open Government Partnership Support Unit and Independent Reporting Mechanism, is a nonprofit organization chartered in Washington, D.C.

The highly international staff has increasingly decentralized over time, with staff concentrated in several hubs. The largest is in Washington, D.C., followed by Brussels, London, and Berlin. The Support Unit and IRM is broken into several teams, the largest of which are the Country Support Team and the IRM. Other teams include those dedicated to operations, communications, thematic policy areas, partnerships, data and research, and internal learning.

OGP Multi-Donor Trust Fund

Beginning in 2017, OGP, with the support of development partners, and working together with the World Bank, established the OGP Multi-Donor Trust Fund (or the MDTF). This was the first major venture into playing a role as a funder and to carry out direct implementation support.

The work directly supported World Bank client countries and local entities that participate in OGP, or intended to become eligible to participate in OGP. Key achievements of the MDTF since its inception include:

- Five countries received implementation grants to strengthen outcomes of their OGP commitments;
- Fifteen countries received support to facilitate their co-creation processes, in order to enhance the quality of inputs and consultations for more ambitious OGP action plans (nine of these awards are complete and six are ongoing);
- Two collaborative research projects are closing the knowledge gap in strategic areas in line with the OGP Research Agenda; and
- Eight expert partners assisted countries in peer knowledge exchange activities to facilitate implementation of commitments.

Annex B: The OGP model

Key decisions

OGP was created as an international partnership rather than a treaty-based or standards-based organization. This does not mean that membership in OGP is a free-for-all. Rather, it means that the quality of outcomes largely relies on a “race to the top” dynamic of friendly competition and the ability to compare between countries.

OGP’s founders launched an initiative that aimed to address the core problems of the twenty-first century. Early design choices were partly in response to the successes and failures of previous international initiatives. To that end, a few key decisions were made at the outset that tried to balance the need to support innovation while ensuring credibility:

Eligibility requirements

Governments needed a minimal level of credibility to join OGP. As a consequence, eligibility scores were introduced that approximated OGP’s values of transparency (right to information laws, open budgets), civic participation (civil liberties scores), and public accountability (asset disclosure by officials). Over time, requirements were added as it became necessary to ensure that governments did not engage in “open-washing.” Since inception, the OGP eligibility requirements included the Economist Intelligence Unit’s Civil Liberties score. While to some extent, they were a proxy for (still) missing data on the general quality of participation in a country, they served as a reminder that basic freedoms of expression, assembly, and association are fundamental to OGP; without those freedoms, a collaborative and deliberative process would be rendered extremely difficult.

Action over intention

Action plans are the heart of OGP. They are made up of concrete, ambitious commitments. This stands in contrast to other international initiatives, many of which tightly proscribe requirements and actions for members or which largely serve as places for

discussion. Unlike standard-setting organizations such as the Extractive Industries Transparency Initiative, OGP requires a certain process for action plan co-creation domestically. Initially, there were fewer rules around how civil society should be involved. After widespread concern that there was little to no consultation among many in the first action plans, the OGP Steering Committee introduced rules to encourage better participation by the public in the design of the action plan. Since their introduction, the rules have undergone one major revision following public consultation and are undergoing revision once again, each time with the aim of limiting *pro forma* public participation. In short, OGP members, on average, have improved tremendously over the years, but much work remains to be done, especially among those members that do not give feedback to the public on their input.

Good ideas come from everywhere

A core aim of the Partnership was to bring in not only long-running, stable democracies but to bring in those countries that had more recent authoritarian pasts. To that end, OGP has served as an interesting laboratory, where innovations such as open budgets coming from countries like South Africa have been taken up and adopted by countries from the Philippines to the United States (see the “Fiscal openness” section in Part IV “Seeds for Democratic Renewal” for more examples). This has broken down what can be an unproductive (and often false) dichotomy between developed and developing countries. It allows information to be shared around the world.

Of course, there is tremendous variety between OGP countries in terms of formal and informal structures for government and civil society to interact on matters of policy. This has played out notably where some wealthier countries struggled to establish ongoing multistakeholder forums around their open government work, while other countries, not often considered high performers, were able to bring people together as a part of OGP.

Other times, well-known problems, such as harassment of civil society groups and journalists or a weak capacity or desire of civil-society engagement, affects OGP directly. In this sense, there is a need to reflect on the relative power between civil society and government in some OGP countries. Assuming that civil society can freely, willingly, and robustly interact with high-level officials in each country assumes the existence of liberal democracy, according to the 2016 *Mid-Term Review*¹² of OGP's four year strategy (for more details, see "Highlights from two external reviews" in Part III "The OGP Model Works" of this report). Sometimes the differences in maturity of democracy are significant, although this distinction, too, has begun to break down with rising authoritarianism, even in established democracies.

Civil society and government parity

Collaborative decision-making is not only a feature of domestic multistakeholder forums, it also manifests at the international level in OGP. The principle of parity is most clearly expressed in the makeup of the OGP Steering Committee, which governs the strategic direction of the partnership at the global level.

The OGP Steering Committee is composed of equal parts civil society and government. This level of parity is relatively unique in international organizations. (There are famously tripartite organizations, such as the International Labor Organization and the Extractives Industry Transparency Initiative, but none has equal parity between government and civil society groups.) The consequence of such parity is that a majority of Steering Committee members can regularly pass ambitious reforms on the direction and governance of OGP. This allows the organization to adapt to emerging issues relatively quickly and in a way that reflects civil society concerns as well. This is in contrast to many other purely intergovernmental bodies or other consensus-based bodies. This has been critical with regard to some issues such as passing the OGP response policy or major changes to regular rules review (see "History of OGP Safeguards" below for more information on these).

Independent accountability

Another key element of OGP has been the development of independent accountability, primarily through the Independent Reporting Mechanism (IRM).

The IRM has a dual mandate. It is primarily the accountability arm of OGP, capturing the best of what action plans have to offer and identifying where they need to improve to make future implementation stronger. Further, it plays a critical role in learning, both at the domestic level and across the Partnership.

The IRM was established as independent to ensure the highest integrity, according to accountability and research principles. While the chief of the IRM reports to the chief executive for fiduciary purposes, the content of various reports on action plans are reviewed by experts, with opportunities for comment by government and civil society. The final word on what is published in a report, however, falls to the IRM staff and an international panel of experts.

The scope of the IRM's reporting has changed over the years. The initial focus of the IRM was on completion of action plan commitments. This changed quickly, as the Steering Committee introduced inducements to make action plans (and their development) more consultative and more ambitious. Going one step further, the IRM began capturing "early results," investigating whether government behavior actually changed as a result of an action plan.

This independent accountability is by no means the only method for encouraging progress from action plan to action plan, but as this paper shows, it is an important element in improving OGP actions.

Annex C: Action plans and policy

How OGP action plans affect policy

Taking action through OGP matters. Where data is available, there is growing evidence that putting a commitment in an action plan is correlated with results. This is most notable and traceable with anti-corruption commitments, where there is detailed information on policy implementation. Where action is not taken, there is often real-world backsliding, as in the case of civil liberties.

In 2019, beginning with the *OGP Global Report*, the OGP Support Unit began compiling and republishing third-party data on open government. This has allowed the OGP community to track the direction of change across different policy areas. Table 1. presents the latest data collected through the *OGP Global Report* research.¹³ The table lists the 14 areas of open government, the average OGP country score on each topic, and the most common “action implication.” (See endnote for definition of action implications.)

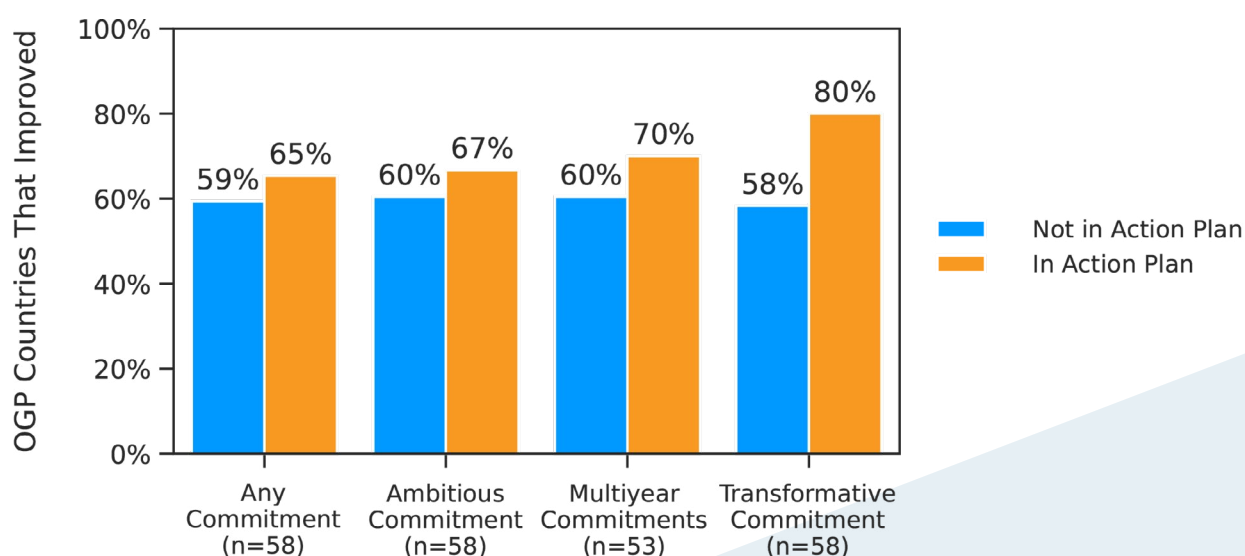
Between 2019 and 2021, countries have mostly improved in the areas of beneficial ownership, fiscal openness, and open data on public services.

On the other side of the spectrum, performance has continued to decline in the area of civil and political rights, namely, free expression (including defending journalists and activists), free assembly, and free association. Although most declines have been small, more than half of OGP countries saw declines in protecting journalists and activists. Scores also declined, though to a lesser extent, in freedom of assembly. A bright spot is that a few OGP countries did improve across a variety of civil liberties issues, including Armenia, Ecuador, and Jamaica.

Evidence from this data suggests that members are using their OGP action plans to advance policy areas and make real-world changes. Countries that make commitments related to beneficial ownership and budget transparency have become more open in these areas. OGP countries that have made commitments in these areas—especially ambitious commitments across multiple action plans—have improved more than other OGP countries (see Figure 1).

FIGURE 1. Improvements in beneficial ownership transparency across OGP countries

OGP countries that address beneficial ownership transparency in their action plans saw greater improvements in the collection of beneficial ownership data between 2013 and 2020.



Source: OGP Vital Signs - 10 Years of Data Review, based on data from the Tax Justice Network's Financial Secrecy Index

TABLE 1. Third-party metrics show varying levels of OGP-member performance

Policy Area	Most Common Action Implication	Average Third-Party Score for OGP Countries (0–4)
Anti-Corruption		
Beneficial Ownership	Consider Action*	0.9
Open Contracting	Implement for Results^	2.1
Civic Space		
Freedom of Assembly	Share Innovation~	2.9
Freedom of Association	Share Innovation	3.2
Defending Journalists and Activists	Consider Action	2.6
Open Policy-Making		
Participation in Lawmaking	Consider Action	2.4
Regulatory Governance	Share Innovation	2.6
Access to Information		
Right to Information	Implement for Results	2.4
Open Data (Water/Sanitation)	Consider Action	1.9
Open Data (Health)	Consider Action	1.9
Open Data (Education)	Consider Action	1.8
Fiscal Openness		
Transparency	Implement for Results	2.3
Participation	Implement for Results	0.7
Oversight	Consider Action	2.5

* These members have room for improvement in the respective policy area according to the third-party score and have not leveraged their OGP action plans to address the issue. They may consider reforms in the respective policy area, either within or outside of the OGP framework.

^ These are members making OGP commitments to improve their performance in the respective policy area. As members that have demonstrated political commitment through OGP, the next step is ensuring that implemented commitments have maximal impact.

~ As leaders, these members may consider playing a peer-support role by sharing their experiences and innovations with others in OGP, if they are not already doing so.

OGP countries also outperform non-OGP countries where data is available. Since 2011, OGP countries have improved more than non-OGP countries in beneficial ownership transparency, fiscal transparency, and open contracting, regardless of whether they had commitments related to these topics.

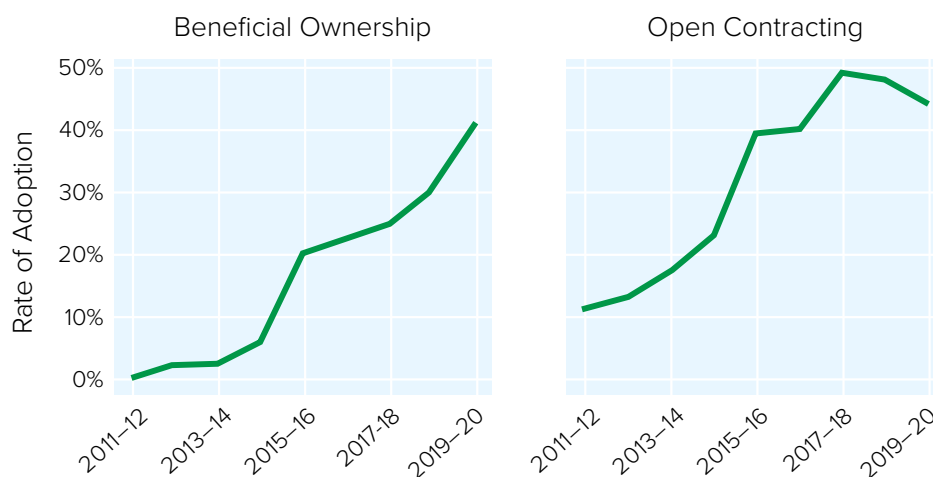
In addition to exploring commitments in anti-corruption areas, members are also advancing reforms in areas such as engaging with marginalized or under-represented communities and advancing climate action. For example, Canada conducted a GBA+ review of all draft commitments to ensure the full plan considered the needs of all equity-seeking groups.¹⁴ Through its commitment on Increasing Participation in Environmental Policy, Germany hosted four events, including a youth dialogue and a large-scale online consultation, to solicit citizen input on policy topics such as climate change, conservation, and resource efficiency.¹⁵

Data is not yet available that provides policy-level comparative data on topics such as these. For that reason, much of the data remains based on cases and emerging patterns. Nonetheless, we see emerging trends that may be more rigorously investigated at a future date, given data. Until then, the remainder of this section takes a policy-area by policy-area approach, identifying inspirational stories of how reformers used OGP to undertake important reforms.

Action plans have increasingly focused on a subset of anti-corruption reforms. The number of commitments related to beneficial ownership, and open contracting in particular, is significantly increasing (see Figure 2). However, many topics closely related to anti-corruption—such as whistleblowing and lobbying—still see few commitments, despite their effectiveness.

FIGURE 2. Increasing adoption of beneficial ownership and open contracting reforms

The rate of adoption is defined as the percentage of action plans that include at least one commitment related to the topic



Source: OGP Vital Signs – 10 Years of Data in Review

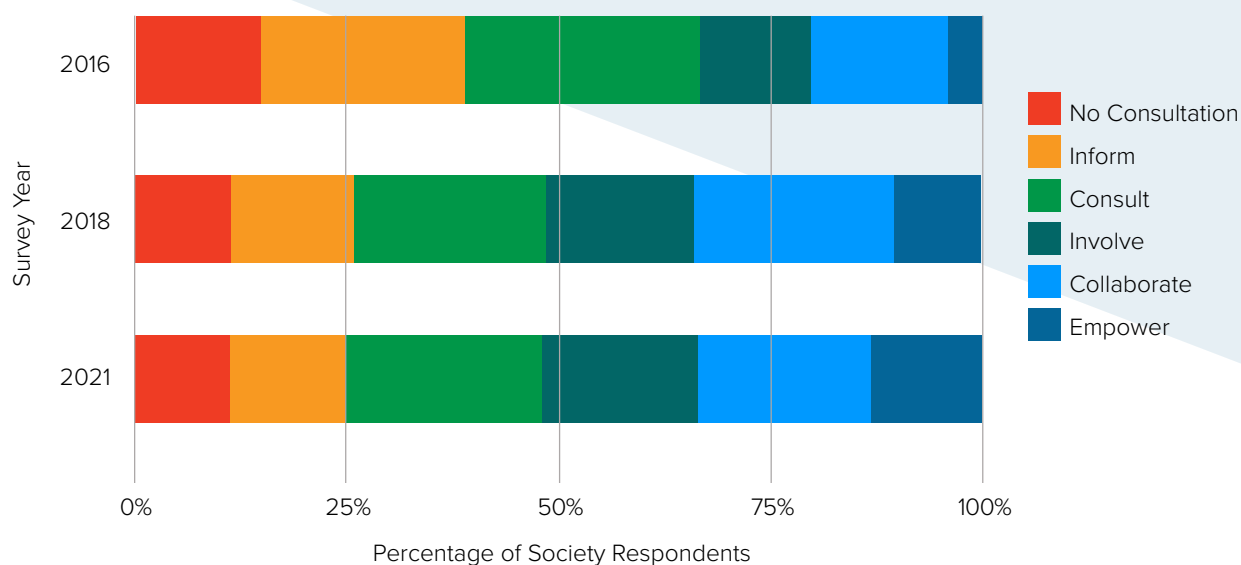
OGP countries are also improving on third-party metrics related to anti-corruption. For example, according to the Tax Justice Network's Financial Secrecy Index, OGP countries in the past decade have improved in recording and publishing beneficial ownership data. During this time, they have also improved more than non-OGP countries.

The field of anti-corruption work is vast, from money laundering and bribe paying to graft and embezzlement. All of that work could not be captured in any single report. Instead, this report highlights two policies which have a significant impact on the control of corruption—beneficial ownership transparency and open contracting.

Civil society engagement

FIGURE 3. Civil society involvement in action plan creation

To what extent does your government involve civil society in OGP during action plan creation?



Commitments

FIGURE 4. The potential of OGP to deliver change

In the past 12 or 18–24 months, have you become more or less positive about the potential of OGP to deliver change in your country/subnational entity?

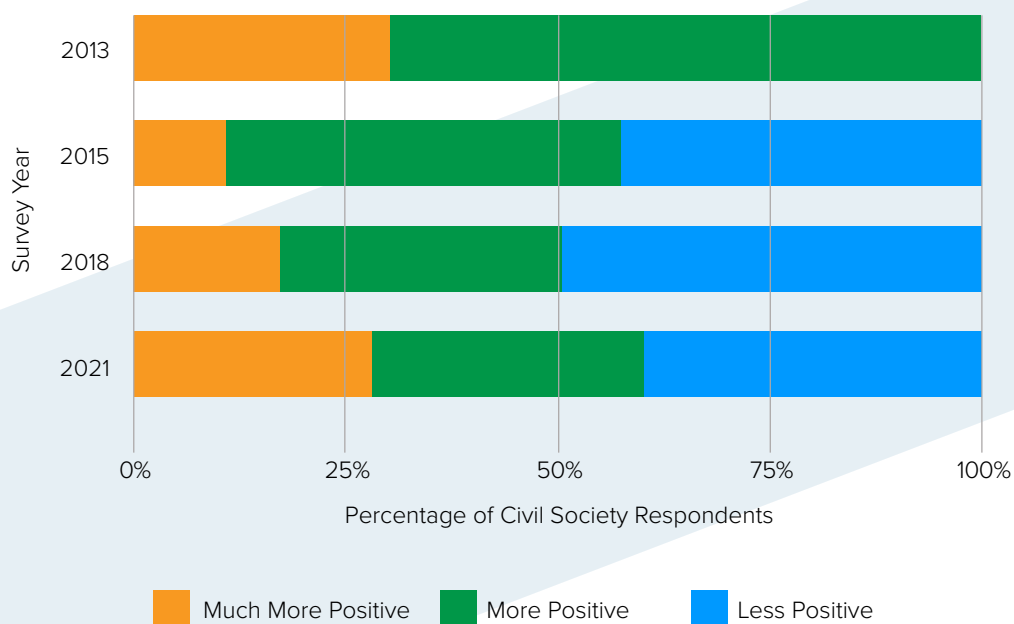


TABLE 2. Peer Exchange

A Timeline of Major OGP Summits & Exchanges	
Summits/Exchange	Year
Launch of OGP at UNGA	2011
First Global Summit in Brasilia	2012
Africa Regional Meeting in Kenya	2013
Global Summit in London	2013
Asia Pacific Regional Meeting in Bali	2014
Europe Regional Meeting in Dublin	2014
Americas Regional Meeting in San Jose	2014
Africa Regional Meeting in Dar es Salaam	2015
Global Summit in Mexico City	2015
Americas Regional Meeting in Uruguay	2016
Africa Regional meeting in Cape Town	2016
Global Summit in Paris	2016
Americas Regional Meeting in Buenos Aires	2017
Asia Pacific Leaders Forum in Jakarta	2017
European Leaders Forum in Milan	2018
Global Summit in Tbilisi	2018
Asia Pacific Regional Meeting in Seoul	2018
Global Summit in Ottawa	2019

FIGURE 5. Number of peer exchanges tripled from 2015 to 2017

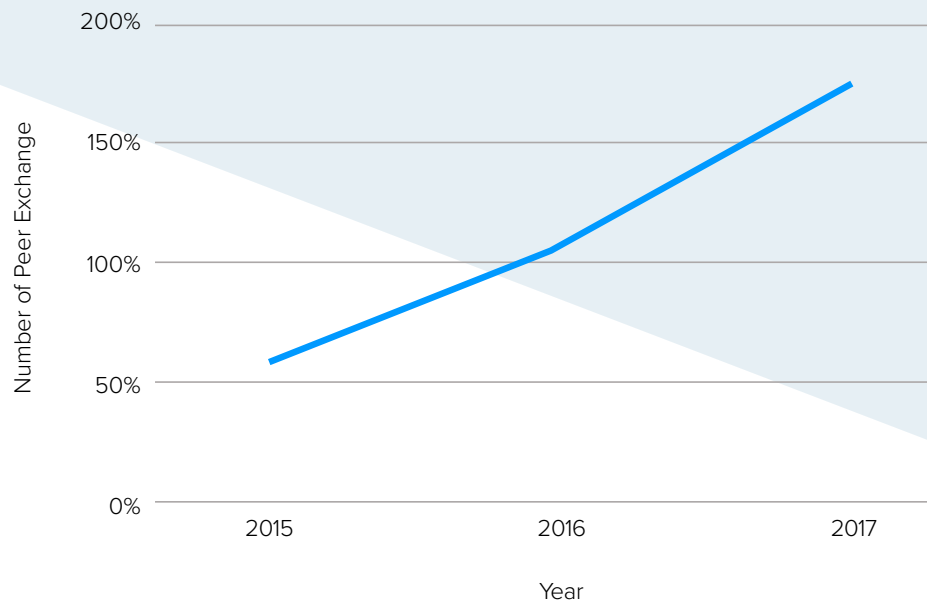
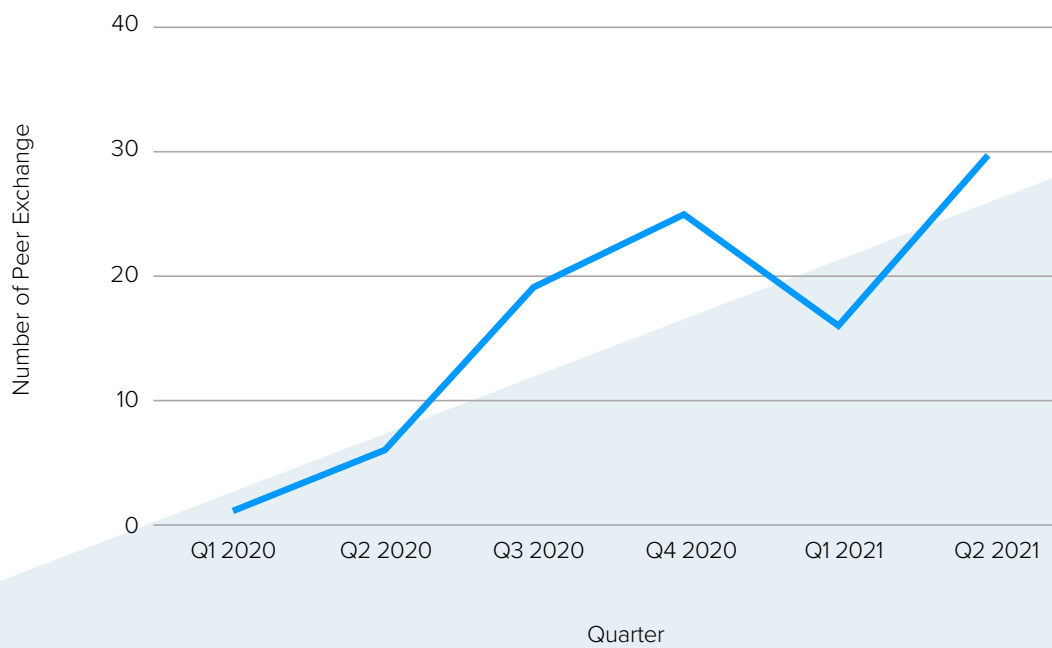


FIGURE 6. Peer exchanges are recovering from pandemic drop



Global leadership

OGP partners with many multilateral organizations to support government and civil society reformers. This support allows for more effective design and implementation of OGP commitments. This support takes two forms: formally organized coalitions and formal partnerships.

TABLE 3: OGP's Multilateral Coalitions and Partnerships

Formally Organized Coalitions	Memoranda of Understanding
<ul style="list-style-type: none"> • Beneficial Ownership Leadership Group (launched with the Government of the UK, currently co-convened with Open Ownership) • Gender Coalition • Open Algorithms Network • OGP Coalition on Justice • Civic Space Network • Community of Practice on Water and Open Government (in partnership with Fundación Avina, Stockholm International Water Institute, Water Integrity Network, and the World Resources Institute) • Communities of Practice on Beneficial Ownership Transparency in Latin America, Eastern Partnership, Western Balkans • Open Governance Network for Europe (in partnership with The Democratic Society) • Open Parliament e-Network (OPeN) • OGP Practice Group on Dialogue and Deliberation • Nordic+ group of countries 	<ul style="list-style-type: none"> • African Peer Review Mechanism • Extractive Industries Transparency Initiative • Inter-American Development Bank • International Institute for Democracy and Electoral Assistance • International Republican Institute • Korea Development Institute School of Public Policy and Management • Natural Resources Governance Institute • Open Contracting Partnership • Open Data Charter • Organisation for Economic Co-operation and Development • The B Team • Transparency International • UN Development Programme • World Bank • World Justice Project • World Vision

Annex D: Safeguards

Responding to threats on citizen participation

- **IRM assessment of action plans** (since founding): Beginning with its original reports, the IRM has featured country context, including basic assessments of civil and political rights. Increasingly, IRM reports may make recommendations on reforms or potential commitments that can help improve the operating environment for non-governmental actors.
- **Procedural review** (2014): While not explicitly targeting civil and political rights, the procedural review requires that OGP governments consult with civil society and have some amount of regular meetings (among other minimum requirements unrelated to civil and political rights). A country that is found to have not followed procedures for two consecutive action plan cycles is automatically placed under review by the Steering Committee and may be placed on inactive status if it fails to address the problems that led to the review.
- **Response policy** (2015): The OGP response policy allows civil society organizations and individuals associated with the OGP process to file a formal complaint to the Steering Committee to address concerns with government harassment. These claims are investigated by the Support Unit and, if found valid, the Steering Committee, with the member, agrees on a plan of action to resolve the issue at hand. (See “History of OGP Safeguards.”)
- **OGP values check** (2017): In response to concerns that authoritarian countries intended to join OGP, and that the eligibility requirements were not sufficient to safeguard OGP, the Steering Committee introduced the OGP Values Check. The Values Check specifically looks at whether government interfered in the operations of non-governmental organizations - an explicit focus on freedom of association.
- **Targeted action plan support** (2018): Increasingly, in addition to the corrective action, there are positive efforts to bring civil liberties commitments and other activities to bolster democracy into action plans. One

notable effort was when civil society groups met around the Canada Global Summit to develop potential commitments and advocacy to improve democracy.

- **Rapid response protocol** (2020): The OGP Steering Committee authorized the Rapid Response Protocol in cases where there is a stalled OGP process due to concerns over a violation of OGP values (including civil liberties concerns). The strictly time-bound protocol complements the more comprehensive procedural review. Depending on the situation, it allows for a CEO statement, fact-finding initiatives, external consultation and discussion to propose a way forward, diplomatic outreach (including the appointment of envoys), and recommendations for a fuller response through the Response Policy (see above).

History of OGP safeguards

Azerbaijan is not the only case where the expectation that OGP members would uphold democratic values clashed with growing authoritarianism in a country. Other countries have parted ways with OGP - some before joining, some after playing leadership roles.

These concerns have been present since before OGP's founding. At the time, India was supposed to join OGP as a founder, but a convergence of domestic and international concerns led to a change of plans. Anti-corruption hunger strikes made headlines worldwide, and a growing number of RTI activists faced retribution for their legal activism, including nearly 100 killings, imprisonment, and other forms of harassment. Added to the domestic controversies was the ongoing concern of the Indian government that an independent reporting mechanism would threaten the sovereignty of the nation. Although activists from India were both inspirational and actual founders of OGP, the government ultimately did not join. As democracy continues to decline in the country (rendering the country ineligible to join OGP), India's full participation remains a missed opportunity, an opportunity to learn from the innovations of the world's largest democracy, and perhaps for its citizens, to leverage OGP, to

partially halt or reverse the slide into authoritarianism. (India is now no longer eligible to join OGP.)

Russia, too, was once a member of OGP. Under the leadership of Dmitry Medvedev, the government went so far as to assemble a multistakeholder forum and present a draft action plan in 2013. With the return of Vladimir Putin to the presidency, however, the Russian government chose to withdraw from membership. To quote Helen Darbishire, leader of Freedom Info Europe (and current Steering Committee member), the day of Russia “leaving OGP was a good day for OGP and a bad day for the Russian people,” meaning that, while OGP’s reputation was protected, the Russian people would have benefited from more open government that might have come with a potential action plan.

Three other cases are worth mentioning. Turkey, which has also undergone further decline in democratic values, left the Partnership, as a result of declining engagement. Despite the best efforts of OGP staff, Steering Committee members, and civil society in the country, Turkey failed to continue to engage and failed to deliver a new action plan for three consecutive cycles. In 2016 it was placed in inactive status and in 2017 it was withdrawn from the Partnership.

By contrast, Hungary left the Partnership in a more public fashion. At the time, concern had been growing about the ruling party interference in independent civil society. Indeed, a police raid¹⁶ on three Norway-funded organizations led Hungarian NGOs to file a complaint under the Response Policy. As the full Steering Committee sought to resolve these concerns throughout 2015, the Hungarian government continued to lobby for its involvement in OGP. Despite the best efforts of activities and reformers in government, Prime Minister Viktor Orban, publicly announced Hungary’s withdrawal from OGP through a letter and televised speech on the eve of OGP’s Paris Summit in December of 2016.¹⁷ While the Response Policy had been invoked, it was declared concluded,¹⁸ as a consequence of the withdrawal. Again, it is one of the tragedies of the last decade that what was once one of central Europe’s shining stars of democratization, and a hotbed of innovation after the fall of the Berlin Wall, has become not only a bastion of illiberalism, but increasingly, an exporter.

A third regrettable case has been that of Tanzania. While Tanzania has always struggled to balance central authority with pluralistic democracy, the last several decades had seen a net positive improvement. Tanzania became an OGP Steering Committee member almost immediately after OGP’s founding. It worked on critical public service delivery commitments and commitments to strengthen the access to information regime. In 2015, it even hosted the Africa Regional Meeting, welcoming and recruiting new members from around the globe. After the conclusion of the term of President Jakaya Kikwete, however, despite a presidential campaign focused on anti-corruption, President John Magufuli withdrew from OGP on the grounds that open government was an initiative solely of his predecessor rather than of the nation as a whole. In an echo of earlier withdrawals, Tanzania left the Partnership in 2018.

Two events of importance followed Tanzania’s withdrawal. First Kigoma, one of the original OGP Local Pioneers (see Section “Open States” in Part II “Growing our Strength”), was given special status by the Steering Committee, as most local members must be located within an OGP national member. Despite initial resistance by the national government, Kigoma’s reformers in government and civil society remain a vital part of the OGP community.

Steering Committee member Aidan Eyakuze, Executive Director of Twaweza East Africa, a large Tanzanian NGO, underwent similar harassment at the hands of the Tanzanian government. Accused of illegally collecting data under the 2015 Statistics Act, his passport was suspended, making his in-person participation in OGP difficult. While his passport has since been restored, and Mr Eyakuze will assume the role of civil society co-chair in 2022, there remain a number of concerns around what transpired.

First, the passage and use of official statistics acts limiting how the public (and companies) can produce, use, and deploy statistics is a growing phenomenon, especially within Africa. Second within Tanzania it is unclear whether the unexpected passing on President Magufuli will usher in the wave of pluralism for which many were hopeful. The return of Tanzania to the fold of OGP would be valuable to all involved but only under the sincere commitment of the government to principles of openness and democracy.

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Thank you to the entire OGP community - reformers inside and outside of government, our funders, our partners across sectors - for your support and inspiration the last decade. On to the next one!

About OGP

OGP is an international partnership that brings together reformers in government and civil society to create action plans that make governments more participatory, inclusive, responsive, and accountable. In the spirit of broad collaboration, OGP is overseen by a Steering Committee that includes representatives of governments and civil society organizations. To become a member of OGP, participating countries must endorse a high-level Open Government Declaration, co-create an action plan with the public, and commit to independent reporting on progress.

OGP formally launched on September 20, 2011, when eight founding governments endorsed the Open Government Declaration and announced their country action plans. Today, 78 OGP participating countries and 76 local governments have made more than 4,500 commitments to make their governments more open and accountable.

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