Ambition & Implementation

This is one of four issue papers, each focused on an aspect of strategic importance arising from OPM's evaluation of OGP, 2019–2021, to contribute to the OGP Support Unit (SU) and Independent Reporting Mechanism's (IRM) strategic thinking. The research conducted as part of the evaluation focused on seven locations – five national members (Colombia, Kenya, Nigeria, Philippines and Ukraine) and two local government members (Elgeyo-Marakwet in Kenya and South Cotabato in the Philippines); and on three themes (Open Contracting (OC), Beneficial Ownership (BO) and Civic Engagement (CE)). A developmental evaluation approach was adopted, and OPM engaged with the SU and IRM on a regular basis concerning findings, insights and their implications.

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Overview

OGP works with partners to support open government (OG) reforms. This issue paper focuses on strategic orientation for strengthening OGP results. OGP has a strong track record in providing support to the development of national and local action plans (NAPs and LAPs), through a co-creation process which brings together government and non-government actors. The SU is seeking to understand what more could be done to enhance commitment implementation, and how the services which are provided can be made more effective.

This paper summarises evaluation insights about the drivers of ambition in the co-creation phase and notes that there is potential to do more to maintain continuity and momentum into the implementation phase, particularly in terms of sustaining civil society engagement. Many of the same drivers of strong process are relevant in both co-creation and implementation phases, including the motivation that comes from international engagements and political support, technical and financial support, government reformer capacity and civil society pressure.

Four overarching ways forward are analysed. They each build on what OGP is already doing successfully: (a) focusing on international drivers of change with a relatively light-touch engagement in country; and (b) focusing on strengthening domestic OGP systems and processes which can enhance reform implementation. Other suggested directions have a stronger focus on the content of reforms – either (c) domestically through further support to focal commitments, or (d) internationally through a focus on identified themes. Boundaries between the approaches are not watertight; indeed, in important respects they are mutually supportive. A

range of possible refinements to current practice are offered, particularly in terms of strengthening OGP processes and effectiveness.

Introduction

OGP intends that open government reforms should stretch members of the partnership beyond their current ways of working, to help them bring demonstrable benefits to citizens. In its early years, OGP focused on supporting and establishing platform processes and mechanisms, with a strong focus on co-creation to inspire ambition in the commitments made. By comparison, SU support during the implementation phase has been more limited, in part because so much is necessarily in the hands of governments, yet there is clear appetite to develop this role and a broad-based orientation to achieve positive change.

This issues paper explores the options for further support at the implementation phase, given that evaluation findings largely confirmed what OGP knows about key enablers and constraints in the co-creation phase. The central question is how to increase the effectiveness of SU support in the implementation phase. Given its limited funding and staff numbers, should the SU focus on strengthening the domestic level of engagement, or more on the international level? Should the focus be on services and processes available across the partnership for all commitments, or on targeted support to the content of particular commitments and themes?
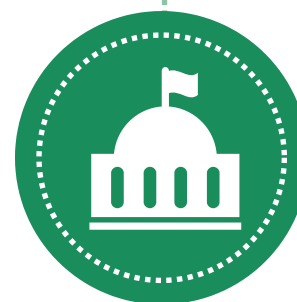
Key Findings

Ambition

OGP's *'Vital Signs'* analysis[1] found that an ambitious action plan is the strongest predictor of early positive results, although growth in the ambitious scope of commitments has tapered off over time. However, not all ambitious action plans have strong early results and the evaluation findings suggest the need to be more intentional about where and how the OGP/SU encourages greater levels of ambition, and the types of support provided. Across the evaluation locations, stakeholders recognised the SU's role in promoting ambitious commitments, although there was some disquiet about the definitions used in assessment (Box 1).

Box 1 - Understandings of Ambition

Striving for high Independent Reporting Mechanism (IRM) scores motivates ambition. However, some stakeholders felt that the OGP **definition of ambition and how it is assessed* should be more nuanced to reflect context- and commitment-specific considerations**, especially in reform areas for which there are no international standards. Stakeholders also offered these insights:

- **Commitments which involve working across government** are intrinsically more demanding than those within a single agency but also contribute to the linkages that are vital for OG. Colombia's fiscal transparency commitment achieved this through engaging multiple agencies and components – from the peace accord, the COVID-19 response and gender budgeting.

Box 1 - Understandings of Ambition (*continued*)

- **Signalling intentions**: In the Philippines, the exposure associated with international commitments drives a pragmatic preference to under-commit (lower ambition) and over-performance. Yet, some NAP-5 commitments were intentionally over-ambitious as they represented continued commitment to reforms that face parliamentary barriers.

- **Commitments that respond to the voices of marginalised groups**: Some SU/IEP stakeholders raised the risk that broad inclusion in co-creating commitments might dampen ambition. Although this is arguable in the short term, a modest commitment that reflects the priority of a marginalised group or sector engaging in co-creation for the first time could be a step to something more ambitious in the longer term.

* The IRM is overseen by the International Expert Panel (IEP), which is also sensitive to the way that definitions and assessments of ambition shape commitments.

The evaluation findings on drivers of, and constraints to, ambition confirmed much existing OGP knowledge:

- **Global and regional engagements** provide inspiration and motivation for stakeholders from governments, partners and civil society. These are frequently linked to securing political leadership and support, including through action-forcing moments. For example, the evaluation contribution tracing confirmed that Kenya's commitment to OC was consolidated at the 2016 London Anti-corruption Summit, and the Governor of Elgeyo-Marakwet's commitment to OC work was cemented through being offered an Africa-wide OGP platform to present progress achieved.

- **Strategic partnerships**, often brokered by the SU, support ambition through supporting capacity development and providing technical expertise.

- **Government reformers' capacity** has a bearing on raising ambition. Even where there is a lack of technical expertise in specific policy areas, generic skills such as communication and the ability to engage across government and with civil society can contribute to building shared ownership and ambition.

- **Civil society pressure** can shape priorities and the relevance of reforms (as seen in the Nigeria BOT commitment), but there is a need to invest more in finding mechanisms that better enable civil society influence (see the Engagement & Inclusion issues paper).

Availability of financing affects the extent of ambition. SU and partner support to raising ambition during co-creation can create unmet expectations of funding, despite SU efforts to stress that OGP is not a donor. This can lead to frustration among reformers (see the Relevance and Resilience issues paper).

1 Vital Signs: https://www.opengovpartnership.org/ogp-vital-signs-10-years-of-data-in-review/#AP

Strengthening Continuity and Momentum through the Different Stages of the Action Plan Cycle

There is scope to do more to promote continuity and connection between the co-creation and implementation phases. To date, OGP thinking on ambition has focused on the co-creation phase, based on IRM findings that this supports later payoffs. Yet, the evaluation finds that ambition can develop or regress during the implementation phase, based on the factors mentioned above. For example, the Philippines civic engagement commitment was broadly envisaged in the action plan document, but the specifics of reform were developed throughout the implementation period, through ongoing dialogues with partners and stakeholders and evaluation of pilots.

The evaluation identifies the potential for, and value of, **more sustained CSO engagement from creation into implementation**, which the SU could prompt through guidance and sharing of effective practice. In Elgeyo-Marakwet for example, some CSOs collaborated with government in thematic working groups that were established during co-creation and continued into implementation. This positioned these CSOs to oversee the implementation of reforms which they helped to design and bolstered their ownership and influence. SU staff noted that such systematic connection across phases is rare but could strengthen implementation dynamics.

In the Philippines, in contrast, CSO co-holders for commitments were identified at the end of the NAP-5 co-creation phase. While these CSOs engaged in co-creation conversations which identified priorities for the NAP, they were not involved in implementation planning or development of the milestones for which they became 'co-responsible' - which reduced ownership among some CSOs. Developing and systematising a role for

CSOs in monitoring the implementation of commitments which they helped to inspire would support momentum from one phase to the next role for CSOs in monitoring the implementation of commitments which they helped to inspire would support momentum from one phase to the next.

Implementation

The evaluation highlighted nuanced and highly context-specific factors affecting the implementation of different commitments. These are similar to the drivers of raising ambition in co-creation (see 2.1 above), but play out in different ways, particularly in terms of political support, resourcing and reformer capacity.

SU support in the following areas is key to progress.

Focus themes and commitments: There are examples of the effectiveness of an SU focus on particular themes and commitments in specific countries (Box 2), as opposed to providing broad-based services universally - which risk the SU's efforts being spread too thinly to gain traction.

> ❝❞ *'OGP commitments are international which motivates implementation. The OC working group enabled effective planning, problem-solving and collaboration, while the milestones clarify steps and roles. This differs with non-OGP consultations, where CSOs don't know which suggestions government adopt.'* **CSO, South Cotabato**

Box 2 - SU Support to Focus Commitments

OGP SU 'advanced support' to Nigeria's Beneficial Ownership Transparency (BOT) commitment had clear benefits for political support and progress towards the reform. Building on Nigeria's verbal commitment to BOT at the 2016 London Anti-corruption Summit, the SU worked with donors and CSOs to promote a BOT NAP commitment and facilitated entry points for partner technical support. The SU's ongoing engagement with a key Minister (the OGP Nigeria Chair) was instrumental in motivating his support for BOT, including his work to gain presidential assent for BOT legislation and liaising with civil society on parliamentary advocacy. The SU achieved this through ongoing meetings with the Minister; opening space for him to present on BOT at international events; and promoting Nigeria's membership of high-profile forums such as the Beneficial Ownership Leadership Group and the OGP Steering Committee. The SU's ongoing engagement with key civil servants and CSOs was a factor in motivating them to push through the challenges of BOT. Meanwhile government reformers described the multi-donor trust fund as underpinning commitment to implement BOT to international standards and for bolstering political support.

SU 'advanced support' to the Philippines OC commitment during co-creation similarly promoted ambition and provided an entry point for partner Hivos to engage. However, implementation of the reform was affected by a drop-off in political support (affected by political transition). Additionally, the key CSO transparency network which has capacity to engage government on procurement issues has withdrawn from OGP due to a perceived lack of political commitment and perceives the NAP OC commitment as too 'technical/systems' focused. This has raised challenges for the SU

Box 2 - SU Support to Focus Commitments *(continued)*

SU in how to assess the wider enabling environment in deciding where there will be returns on investing in targeted support, and the trade-off between focused support for short-term technical milestones and attention to influencing broader enablers of more ambitious reforms.

International OGP platform: There is clear value in the SU using OGP global and regional events to spotlight achievement and reinforce political commitment for implementation. This is seen in the examples above from Nigeria and Elgeyo-Marakwet. There was also a significant revival of political commitment seen after the Philippines citizen participatory audit commitment was given the 'OGP Starred Commitment' award at an OGP international event. Some partners felt, however, that OGP events are too celebratory rather than providing a space for more constructive critical analysis of why specific reforms do not move forward – which could enable learning and apply pressure to improve implementation.

The **IRM monitoring framework** also provided some incentive for implementation in the sampled locations, affected by seeking to gain good ratings and international prestige, although some CSOs noted that more ongoing or dialogue-based learning and progress tracking would be useful. The IRM has recently piloted 'implementation check-ins' which brought key stakeholders together for dialogue on progress and challenges. Such check-ins were particularly successful in the Ukraine, in providing a space for reflection, re-energising commitment and collaborations, and applying inter-agency pressure. Some of the check-ins were less successful suggesting that further learning is required before significant roll out.

Financial resources and support: Limited public funding is a common constraint for both ambition and implementation. It is important to distinguish between 'lack of finance' as the real problem, and it masking a deeper issue such as a lack of political will or problems in the wider public financial management system: ministry disbursement of funds was often a greater challenge than allocation. The fact that OGP does not provide significant funding reinforces the position that responsibility for implementation lies with government members.

The SU's work with international actors and strategic partners to align interest in pursuing particular themes and priorities has been important in leveraging funding, for example in relation to BOT work. This links significantly with OGP's role as a neutral broker. Astute use of relatively modest levels of funding has been strategic. In Nigeria, for example, limited funding from the MDTF, backed by careful engagement from SU staff, supported both technical capacities to set up the BOT registry to international standards, and helped maintain political buy-in. In Ukraine, OGP Eastern European Partnership (EaP) funding was used amongst other things, to translate key OGP guidance documents that would otherwise have been inaccessible to key stakeholders.

Partner technical and financial support: All of the OGP commitments included in the evaluation were supported by strategic partners who played a substantial role in driving implementation. Their technical support to fund, design, and operationalise the technical side of OG reforms was crucial in all locations - for example, IT systems for open contracting, civic tech and BOT. Government reformers across locations also valued their ongoing support to strategic thinking on the reforms, funding and assessing pilots, and technical inputs to plans, legislation and policy - such as with OC in Kenya, with BOT in Nigeria, and BO verification in Ukraine. There is risk, however, of international partner support displacing domestic CSO engagement - a point explored in the Engagement and Inclusion Paper.

Ongoing meetings and check-ins with SU staff and strategic partners also helped create momentum and bolster motivation. In several cases, as with OC in the Philippines, the SU or partners played a role in supporting inter-agency collaboration, where bureaucratic hierarchies and norms made this difficult for government reformers to achieve. Partners, with the SU, also played key roles in nurturing political support, for example with OC work in both Kenya and South Cotabato. In some cases, partners also supported governments to draft funding proposals (e.g. the MTDF grant for Nigeria BOT) and facilitated international peer learning on the operationalisation of reforms, as with BO verification in Ukraine.

The capacity of lead government reformers to implement the commitments is nurtured through partner technical support, but administrative, relational and political skills are still required. Where reformers had these strengths, as in BOT work in Nigeria, Civic Engagement in the Philippines, or Open Monitoring in South Cotabato, they were clear enablers. Conversely, weaknesses were frequently an implementation bottleneck. In the Philippines domestic CSO strategic partners had the skills, networks and knowledge of how the government works to take on these roles where reformer skills were weak – something that international strategic partners were not necessarily well placed to do.

Domestic OGP structures: Guidance, requirements, established mechanisms and processes are better established for the co-creation phase than for implementation – unsurprisingly since much more is in the hands of national actors, who are working in their unique contexts. There is, however, potential for OGP to build on what is currently in place.

For example:

- **Quarterly monitoring**: OGP requires implementing agencies to submit quarterly monitoring forms to the OGP Secretariat or multi-stakeholder forum (MSF). In some cases, this provided an incentive to demonstrate progress, as in Ukraine - where the OGP is domiciled in a high-level government office. These internal monitoring systems were less effective in other countries, and CSO participation in monitoring was often weak. In the Philippines, for example, MSF oversight was limited by the difficulty of reviewing ten commitments in short meetings; by weak commitment from some senior government representatives to attending these meetings; and their limited knowledge of the granular details of NAP commitments. MSFs also lack the mandate to require actions from implementing agencies.

- **Thematic working groups** established under the MSFs (promoted by the SU through guidance and peer learning) were generally an effective forum in the sampled locations. As in OC work in Kenya and South Cotabato, these enabled in-depth discussion of progress, challenges and next steps, and promoted inter-agency collaboration and pressure as well as civil society engagement, inputs and tracking of progress. In other cases, such as the Philippines such forums were not established or, in the case of the Nigeria BOT, not functioning. This was identified as a key gap in potential levers in the implementation phase.

- **OGP Secretariats and Points of Contact** (POCs) are key drivers, through ongoing engagement and support to implementing agencies. In South Cotabato, for example, the POC had the necessary political, administrative and technical skills to push forward commitment implementation - and was motivated by both achieving progress on OG and the potential to gain international profile and prestige through the OGP platform.

OGP's strategic domicile within government can affect its influence and reach across government, which can support implementation processes. This was seen in Nigeria, where the Minister for Finance, and MSF chair, was able to bring other political actors on board to take forward the BOT reform. However, the **personal commitment of MSF chairs and other political actors** to drive OGP processes and reforms forward was a more important factor. For example, CSOs in the Philippines contrasted the role of a former MSF chair, who used his political agency to drive implementation and broaden the basis of support, while a more recent MSF chair was more passive, thus highlighting the common challenge with fostering deeper political commitment.
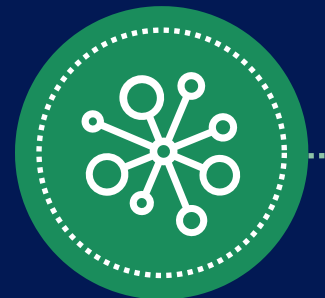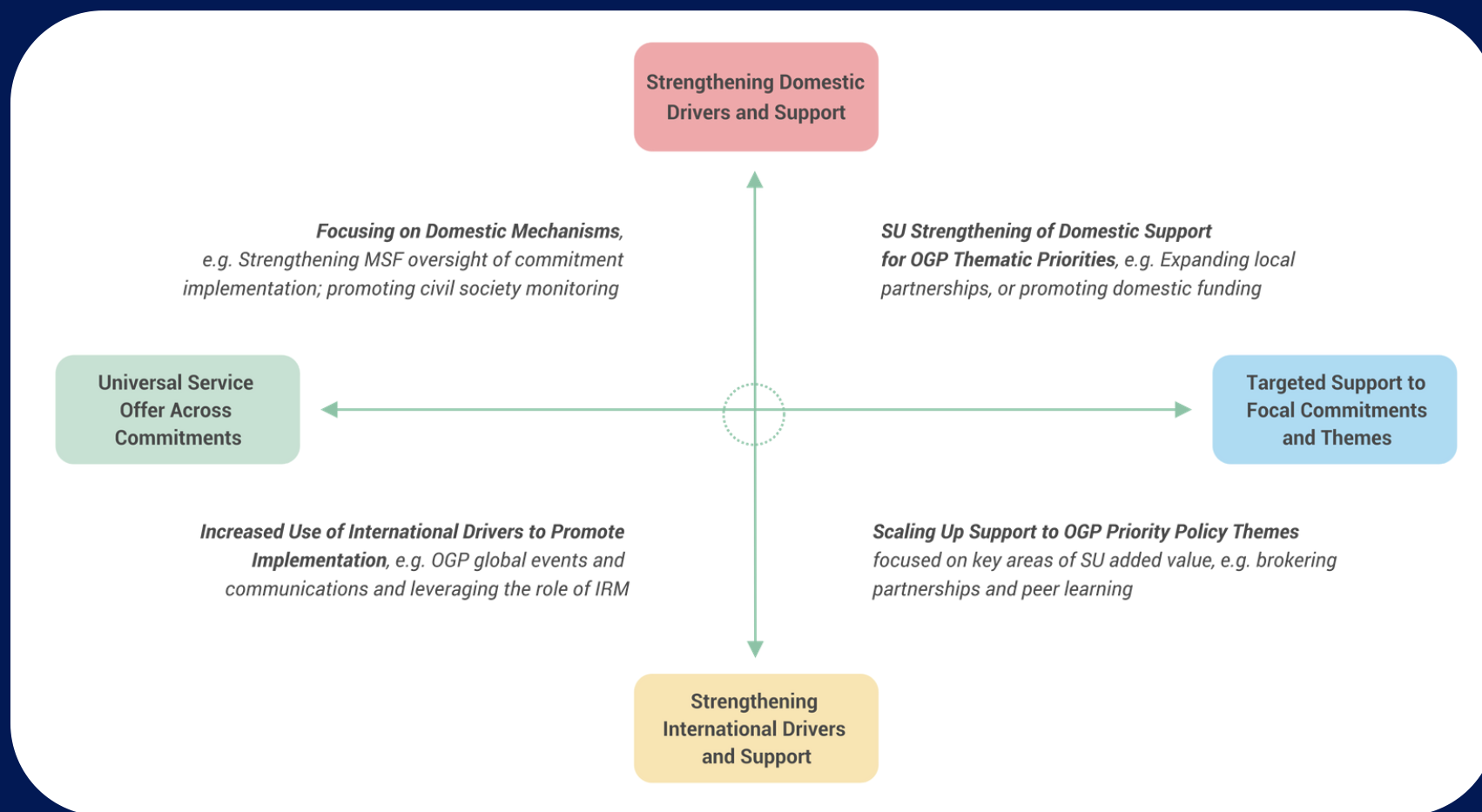
Implications for the SU

As noted above, the SU sees potential in focusing more support at the implementation phase. Action plan co-creation is more within the SU's sphere of influence. Yet once the transition is made to the implementation phase, the work is dispersed across multiple implementing agencies, with varied politics and dynamics at play. A simple scaling up of SU support is not feasible as it is already overstretched, and OGP members' expectations of SU support needs to be sensitively managed.

It is critical to work through the trade-offs between various 'good things to do', to identify where, in a given context, the SU can add most value and has most potential to achieve results. The following diagram helps situate the discussion of key options for the SU in terms of implementation support. There are merits to each strategy and no clear 'ideal' way forward.

The horizontal axis covers a spectrum between providing universal guidance and support across all commitments and targeted support to focus themes and commitments. The vertical axis presents a spectrum from focusing on international to national/local drivers of change and working to strengthen domestic platforms. This spectrum also links to the discussions on 'gearing' in the issues paper on International and Political Incentives. The boundaries between the quadrants are porous, so the best fit in any given context might sit on a line between one quadrant and the next.
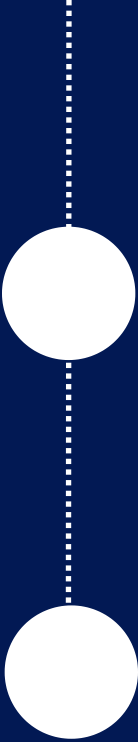

Strengthening Domestic Drivers and Support

Focusing on Domestic Mechanisms, e.g. Strengthening MSF oversight of commitment implementation; promoting civil society monitoring

SU Strengthening of Domestic Support for OGP Thematic Priorities, e.g. Expanding local partnerships, or promoting domestic funding

Universal Service Offer Across Commitments

Targeted Support to Focal Commitments and Themes

Increased Use of International Drivers to Promote Implementation, e.g. OGP global events and communications and leveraging the role of IRM

Scaling Up Support to OGP Priority Policy Themes focused on key areas of SU added value, e.g. brokering partnerships and peer learning

Strengthening International Drivers and Support

Using international drivers more in the implementation phase (bottom-left quadrant): This direction includes a more intentional focus on leveraging the 'magic' of the OGP international platform to incentivise commitment implementation through global and regional events. Variations on former

tactics, such as 'Starred Commitments', might be used, although some although some partners suggested using these events as an opportunity for more constructive critical analysis, for learning and to apply pressure.

The evaluation found OGP communications on peer examples can be inspiring, but present accessibility challenges. Many stakeholders feel overwhelmed with the volume of OGP communications and guidance, find navigating the website difficult, and cannot readily translate peer examples to their contexts. Further consideration of how to strengthen the accessibility and use of such universal services is important, as these weaknesses push further work to the country support teams, such as an ongoing need for basic orientation to OGP ('OGP-101') and verbal explanations of written guidance. Other suggestions included more work to motivate domestic actors (e.g. universities) to do some of the ongoing 'OGP-101' work which consumes much SU time. This starts to shift consideration into the opportunities of the top left quadrant.

In terms of other options, it is not helpful for the OGP/SU to move further into direct support, not least because of the funding challenge. Further support, in the form of the MDTF for example, would imply a significant change to OGP's value proposition, with the risk of raising members' expectations and reliance on OGP for funding, while detracting from OGP's valued position as a neutral broker, inspirer and motivator. It would also require different staff skills. A suggestion from an SU staff member was to consider whether the SU could shape a 'market-place' for donors and country stakeholders to build collaborations on focus themes without SU direct brokering.

Strengthening domestic OGP platform oversight and support to commitment implementation (top-left quadrant): the objective here is to strengthen the ecosystem for collaboration between country reformers, civil society and partners, and to promote organic expansion of work on commitments, rather

than scaling up SU direct support. Work would focus on establishing or strengthening domestic mechanisms oriented towards promoting implementation.

Particular actions might include MSF oversight and CSO monitoring, through universal guidance and targeted country support, such as:

- Specific guidance and lesson-sharing on MSF oversight – including how this role could be reimagined and strengthened.

- More frequent 'implementation check-ins', one year into action plans, to create a space for collective reflection, pressure and re-energising collaboration.

- Guidance on and provision for a CSO role in implementation, to improve the transition between the phases, such as through CSO engagement in thematic working groups and detailed design. Monitoring provides a particular opportunity, through guidance and support to develop indicator frameworks.

- Promote lessons and tactics on securing domestic funding for reforms.

- Guidance on the costing of reforms, including long-term costs, at the co-creation stage.

- Identification of a set of modules focused on building 'generic' skills among key government and CSO actors (e.g. brokering, collaboration) that could also be applied to other commitments.

Scaling-up support to OGP priority policy themes (bottom-right quadrant): The SU currently provides advanced support to ten commitments globally, and noted that, at current capacity, it could not expand to significantly more. The SU might consider a limited scaling-up of the approach, with focus on reforms that might inspire other countries. Alternatively, the SU could focus on deepening its services to support strategic reforms, concentrating on the SU's key areas of added value in the country. These were identified as peer exchanges, brokering partnerships, political navigation (through both in-person engagements, and leveraging and nurturing energies on focus themes in the international domain), and bringing diverse stakeholders to the same table. It could also involve creating spaces for thought leadership and inspiration on additional policy themes, but also attention to the different pace of change at international and country levels (see paper on Connecting Global and National Engagements).

SU efforts to strengthen domestic support for focus commitments (top-right quadrant), in a small number of target commitments and countries/sub-nationals, through support such as promoting local partnerships and domestic funding. Lessons on what the SU might do differently include being more intentional in convening international and local partners during co-creation, as this can set the foundation for stronger collaboration in the implementation phase. Extended action plan periods and frameworks to promote links between them are one consideration, but a larger challenge is the tendency for partners to move onto new themes and locations before reforms have become fully embedded. SU staff raised the need to balance this tension in their strategies, and to consider what might incentivise partners to stay longer

or go more deeply, but to do so in a way which avoids the stagnation of energies in the international OGP domain. In the shorter term, related to strengthening existing approaches, SU suggestions included more systematic internal SU sharing of knowledge on emerging donor priorities; and considering how to scale up, in a more intentional way, the use of peer exchanges for focus themes.

Next Steps

The points below are based on the research observations and evaluation dialogues with the SU and are intended to contribute to OGP planning and strategy review.

Short term and practical

- Consider building costing into the co-creation process.

- Be more explicit about CSO roles in implementation phase, including monitoring, and developing guidance on this.

- Review experience to date on IRM check-ins on implementation and consider how to scale up and establish them as standard practice.

- Systematic internal sharing of donor institutional priorities for funding support.

- Formalise the flexibility / possibility of a longer time horizon for action plans.

- Enable a more critical, less celebratory, analysis of implementation progress of different reforms, to promote learning and follow-up from international events.

Medium term and strategic

- Consider whether limited expansion of the Focus Commitment strategy is feasible and the trade-offs that would be acceptable in moving towards such an expansion.

- Define ambition more precisely to take account of stakeholder feedback that it is too open to interpretation.

- Be more specific about potential civil society roles in the implementation phase, including the potential to establish CSO monitoring, support lesson learning, and consider the development of relevant guidance.

- Identify a modular set of services to build key reformer's 'generic' capacity (collaboration and brokering skills, etc).

- Consider the development of guidance and targeted work to strengthen domestic monitoring of implementation, with MSF oversight. For example, the scope to make domestic implementation monitoring part of OGP requirements; or to broker partner support to develop implementation dashboards, in order to give all stakeholders a common base of information.

- Use the schematic diagram in Section 3 to support further learning about the considerations and variables about what works well and less well in different circumstances. A systematic approach to assessing options could link to the SU's planning and contribution analysis and be the basis for significant learning over time.

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