

# Independent Reporting Mechanism (IRM): Slovak Republic Transitional Results Report 2019–2021

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This report was prepared in collaboration with Mária Žuffová, independent researcher

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## I. Introduction

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

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

This report covers the implementation of Slovak Republic's fourth action plan for 2019–2021. In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.<sup>1</sup> The IRM adjusted its implementation reports for 2018–2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

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

## II. Action Plan Implementation

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

### 2.1. General highlights and results

Slovak Republic's fourth action plan contained eleven commitments. These included, among others, commitments to publish government datasets in open formats, increase access to beneficial ownership data, encourage the creation of open educational sources, develop a national strategy for open science, and to strengthen collaboration between government and CSOs. Most of the commitments in this action plan are relevant to OGP values (access to information, civic participation, and public accountability) and build upon previous efforts.

Four (36%) of the commitments were fully completed, three (27%) were substantially completed, and three (27%) achieved only limited completion by the end of the implementation period. It was not possible to establish evidence of progress for Commitment 4, which aimed to "ensure full disclosure of beneficial ownership data." The percentage of fully completed commitments was lower than in the previous action plan. Progress was hampered by several factors: the change of government after the 2020 election and accompanying staff changes on all levels within ministries created discontinuity (see Commitment 8); the COVID-19 pandemic delayed or affected some of the activities that were intended to be in person, such as training programmes (see Commitments 5 and 7);<sup>1</sup> insufficient ownership (see Commitment 5), and inadequate interagency collaboration and changes in competencies (see Commitment 10).

Three commitments were assessed as noteworthy in the IRM design report.<sup>2</sup> However, only Commitment 2, to publish open government data and APIs, was complete at the end of the implementation period. Commitment 5 (supporting the creation and maintenance of online educational resources) has seen only limited completion as in previous action plans. As mentioned above, it is not possible to establish evidence of progress for Commitment 4.

Although the completion rate is lower than for the previous action plan, some commitments might help improve government practice over time. Action plans in Slovak Republic are legally binding documents at the central government level. As was mentioned in previous IRM reports, the legal commitment is a critical element of the OGP process in Slovak Republic, as it helps ensure that public agencies take commitments seriously and try to demonstrate progress. Compared to the pre-OGP period, some ministries are now more used to organising inclusive, participatory processes when creating a new policy due to iterative commitments in this area (see Commitments 2, 6, and 7). Similarly, the volume of information and data that the government publishes proactively has substantially increased (see Commitment 1).

### 2.2. COVID-19 pandemic impact on implementation

Some of the government measures adopted during the COVID-19 pandemic restricted human rights and civil liberties, as detailed in the IRM design report.<sup>3</sup> For example, foreigners without a valid permanent or temporary residence permit in Slovak Republic were prohibited from entering the country and even some Slovak citizens returning from abroad were denied entry to the country. The preventative measures to tackle the pandemic were constantly changing throughout the autumn and winter pandemic waves of 2020.<sup>4</sup>

The pandemic has not had a significant effect on the OGP process, as the Office of the Plenipotentiary (the government point of contact) adapted to the new situation relatively

quickly, and together with their partners, continued to offer meetings and events online.<sup>5</sup> While online participation can exclude some groups of citizens and actors, this was inevitable given COVID-19 restrictions. However, some events were postponed for several months (e.g., Open Government Week, initially planned for May 2020).<sup>6</sup> During the COVID-19 pandemic, the action plan<sup>7</sup> was already mid-way through implementation, so priorities set in 2019 did not change in response to the pandemic. However, the Office of the Plenipotentiary used this extraordinary situation to highlight the role of civil society and volunteerism<sup>8</sup> and argued for the importance of implementing some OGP commitments, such as access to open educational resources<sup>9</sup> and high-quality pandemic data in open formats.<sup>10</sup>

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<sup>1</sup> Office of the Plenipotentiary, “Koronavírus ovplyvňuje aj parti rozpočty” [Coronavirus also affects participatory budgets] (17 Apr. 2020), <https://bit.ly/3aGO9Yq>.

<sup>2</sup> See Mária Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021* (OGP, 30 Oct. 2020), <https://bit.ly/3uMEjHI>.

<sup>3</sup> *Id.*; Max Steuer, “Slovak Constitutionalism and the COVID-19 Pandemic: The Implications of State Panic” (IACL-AIDC Blog, 9 Apr. 2020), <https://bit.ly/2ZVBs1I>; and Martin Husovec, “Dobré a zlé správy o sledovaní občanov na Slovensku” [Good and bad news about state surveillance] (dennikn.sk, 26 Mar. 2020), <https://bit.ly/3cjO45o>.

<sup>4</sup> Dalibor Roháč, “What Happened to Slovakia’s Coronavirus Success Story?” (Foreign Policy, 16 Mar. 2021), <https://bit.ly/3ByjCkz>.

<sup>5</sup> See a discussion of webinars on open science together with the Slovak Centre of Scientific and Technical Information at Office of the Plenipotentiary, “Stratégia otvorenej vedy na Slovensku: S Centrom vedecko-technických informácií SR pokračujeme v aktívnej spolupráci” [Open Science Strategy in Slovakia: We continue to actively cooperate with the Centre of Scientific and Technical Information of the Slovak Republic] (22 May 2020), <https://bit.ly/3bx9cao>.

<sup>6</sup> Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2020: Staňte sa súčasťou najväčšieho podujatia k otvorenému vládnutiu na Slovensku!” [Open Government Week 2020: Become a part of the biggest open government event in Slovakia!] (19 Feb. 2020), <https://bit.ly/3bnw9Lz>; Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2020: Aktuálne informácie v kontexte súčasnej situácie” [Open Government Week 2020: Information in the context of the current situation] (3 Apr. 2020), <https://bit.ly/2K1J054>.

<sup>7</sup> Office of the Plenipotentiary, *Open Government Partnership National Action Plan of the Slovak Republic 2020 – 2021* (OGP, 5 Dec. 2019), <https://bit.ly/3bhUmmu>.

<sup>8</sup> Office of the Plenipotentiary, “Vyhlásenie splnomocnenca vlády SR pre rozvoj občianskej spoločnosti v súvislosti so súčasnou mimoriadnou situáciou” [Statement of the Plenipotentiary in Connection with the Current Emergency] (17 Mar. 2020), <https://bit.ly/3nR6i5Q>.

<sup>9</sup> Office of the Plenipotentiary, “Otvorené vzdelávacie zdroje ako nástroj podpory vzdelávania žiakov a študentov počas uzavretia škôl - zoznam zaujímavých odkazov” [Open educational resources as a tool to support the education of pupils and students during school closure - a list of interesting links] (12 Mar. 2020), <https://bit.ly/3CwV7ts>.

<sup>10</sup> Office of the Plenipotentiary, “Spríevodca otvoreným vládnutím v čase COVID-19: Otvorené data” [Guide to Open Government in Times of COVID-19: Open Data] (13 May 2020), <https://bit.ly/3pVDr36>.

## 2.3. Early results

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

Section 2.3 focuses on outcomes from implementing commitments that had an ambitious or strong design, per the IRM design report assessment or that may have lacked clarity and/or ambition but had successful implementation with “major” or “outstanding” changes to government practice.<sup>1</sup> Commitments considered for analysis in this section had at least a “substantial” level of implementation, as assessed by the IRM in Section 2.4.<sup>2</sup> While this section analyses the IRM’s findings for the commitments that meet the criteria described above, Section 2.4 includes an overview of completion for all the commitments in the action plan.

<b>Commitment 2: Publish open government data and APIs</b>	
<b>Aim of the commitment</b>	The commitment to publish open government data and APIs consisted of three milestones. All three aimed to tackle the varying quantity and quality of published datasets and APIs and set minimum standards of which datasets must be published as open data. <sup>3</sup> In a participatory manner, the government would identify a minimum of which datasets must be published. Then it would introduce this in practice and annually monitor implementation.
<b>Did it open government?</b>  <b>Marginal</b>	<p>The commitment was substantially complete.</p> <p>The Data Office of the newly established Ministry for Investments, Regional Development and Informatization<sup>4</sup> identified a mandatory minimum of datasets that central government authorities would have to publish in open formats—a so-called publication minimum.<sup>5</sup> There is vast evidence that the final document was created in a participatory manner; both the Office of the Plenipotentiary<sup>6</sup> and the Data Office<sup>7</sup> encouraged relevant civil society organisations (CSO), businesses, and the public to comment on the document. A CSO representative confirmed that the ministry is open to civil society’s suggestions, but that the limited capacity of ministerial personnel hampered the pace of implementing the commitment.<sup>8</sup></p> <p>The publication minimum now consists of 30 datasets, many of which are relevant to open government values (e.g., data on surplus state property; statistics on complaints; and statistics on freedom of information requests, organised events, and working groups). A CSO representative<sup>9</sup> stated they were satisfied with data that have been included and appreciated that the ministry went beyond mandatory publication and proactively published new datasets, such as a list of buildings accessible to people with disabilities.<sup>10</sup> In addition to the list of datasets,<sup>11</sup> the ministry also specified standards for publishing them and created templates to ensure consistency.<sup>12</sup> The Data Office has been open about its work and has published recorded meetings of its working groups on its YouTube channel.<sup>13</sup></p>

	<p>However, the publication minimum has not yet been fully put into practice and its implementation been monitored. The corresponding decree on which datasets central authorities would have to publish as open data will enter into force together with the Act on Data (an outstanding commitment from the 2017–2019 action plan).<sup>14</sup> Only thereafter would central authorities be required to abide by the decree.<sup>15</sup> The draft Act on Data went through a public comment period twice but this did not lead to its adoption. Last time, the government refused to pass it shortly before the 2020 parliamentary election. The new draft<sup>16</sup>, prepared by the new government, will go through another public comment period in February 2022.<sup>17</sup> Nonetheless, some ministries are already proactively publishing data specified in the publication minimum. For instance, the Ministry of Agriculture and Rural Development publishes data on the ministry’s working groups,<sup>18</sup> data on petitions and complaints,<sup>19</sup> and data on subsidies.<sup>20</sup> The Ministry for Investments, Regional Development and Informatization publishes data on working groups<sup>21</sup> and statistics on freedom of information requests<sup>22</sup> (that are also published by the Ministry of Health).<sup>23</sup></p> <p>A representative of the Data Office argued that in future, it would also be important to follow what datasets people most engage with.<sup>24</sup></p> <p>At the time of writing this report (October 2021), the commitment’s contribution to open government was marginal. Nonetheless, it is expected that once the Act on Data is enacted, the change in government practice will be major as the publication minimum will substantially increase access to important government data.</p>
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<sup>1</sup> IRM design reports identified strong commitments as “noteworthy commitments” if they were assessed as verifiable, relevant, and have “transformative” potential impact. If no commitments met the potential impact threshold, the IRM selected noteworthy commitments from the commitments with “moderate” potential impact. For the list of Slovakia’s noteworthy commitments, see the Executive Summary of the 2019–2021 IRM design report (<https://bit.ly/3uMEjHl>).

<sup>2</sup> The following commitment was assessed as noteworthy in Slovakia’s design report but is not included in this section as its limited implementation provides insufficient progress to assess results: Commitment #4: Ensure full disclosure of beneficial ownership data.

<sup>3</sup> See Mária Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021* (OGP, 30 Oct. 2020), <https://bit.ly/3uMEjHl>.

<sup>4</sup> This ministry was previously known as the Office of the Deputy Prime Minister for Investments and E-government, which was responsible for this commitment.

<sup>5</sup> Data Office and Ministry for Investments, Regional Development and Informatization, “Rozpracovanie Publikačného Minima Štátnej Správy. Prispajte K Jeho Skvalitneniu” [Contribute to the development of the publication minimum of central government authorities] (accessed Jan. 2022), <https://bit.ly/3uTaXaD>. See also <https://bit.ly/2ZYDNuN> to download directly an example .xls file.

<sup>6</sup> Office of the Plenipotentiary, “Pridajte sa ku konzultáciám k publikačnému minimu otvorených dát štátnej správy” [Join the consultations about the publication minimum] (17 Nov. 2020), <https://bit.ly/2Yyfnb9>.

<sup>7</sup> Data Office and Ministry for Investments, Regional Development and Informatization, “Rozpracovanie Publikačného Minima Štátnej Správy. Prispajte K Jeho Skvalitneniu” [Contribute to the development of the publication minimum of central government authorities].

<sup>8</sup> Iveta Ferčíková (Alvaria, analyst) email to IRM researcher, 2 Nov. 2021.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Data Office and Ministry for Investments, Regional Development and Informatization, Data Publication Minimum, “Publikačné Minimum Štátnej Správy” [Public Administration Publishing Minimum] (accessed Jan. 2022), <https://bit.ly/3acBMxb>.

<sup>12</sup> Central meta-information system of public administration, “Štandardy pre publikačné minimum” [Approved standards] (METAIS, 17 Jan. 2022), <https://bit.ly/3ai62Xf>.

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- <sup>13</sup> Data Office and Ministry for Investments, Regional Development and Informatization, “Dátová Kancelária” [Data Office] (YouTube, Dec. 2021), <https://bit.ly/3mgeARu>.
- <sup>14</sup> Office of the Plenipotentiary, *Open Government Partnership National Action Plan of the Slovak Republic 2017 – 2019* (OGP, 13 Mar. 2017), <https://bit.ly/3fBDqj2>.
- <sup>15</sup> Milan Andrejkovič, “Týždeň otvoreného vládnutia 2021: Stav otvorených dát na Slovensku (MIRRI SR + ÚSV ROS)” [Open Government Week 2021: Status of Open Data in Slovakia (MIRRI SR + ÚSV ROS)] (talk at Open Government Week, Bratislava, 5 Oct. 2021).
- <sup>16</sup> Ministry of Justice, “LP/2021/55 Zákon o údajoch a o zmene a doplnení niektorých zákonov” [Act on Data and on amending certain laws] (Slov-lex, accessed Jan. 2022), <https://bit.ly/3l15Lr0>.
- <sup>17</sup> Ferčíková, email.
- <sup>18</sup> Ministry of Agriculture and Rural Development, “Zoznam pracovných skupín” [The list of working groups] (Data.gov.sk, 18 Nov. 2021), <https://bit.ly/3qRdLoY>.
- <sup>19</sup> Ministry of Agriculture and Rural Development, “Štatistický prehľad sťažností a petícií za roky 2011 až 2020” [Statistical overview of complaints and petitions for the years 2011 to 2020] (Data.gov.sk, 17 Feb. 2018), <https://bit.ly/3wXQJh7>.
- <sup>20</sup> Ministry of Agriculture and Rural Development, “Dotácie (schémy) - Odbor riadenia a kontroly technickej pomoci PRV” [Subsidies (schemes) - Department of Management and Control of RDP Technical Assistance] (Data.gov.sk, 2 Nov. 2021), <https://bit.ly/3coO1Yz>.
- <sup>21</sup> Ministry for Investments, Regional Development and Informatization, “MIRRI Pracovné skupiny” [Working groups] (Data.gov.sk, 30 Jun. 2021), <https://bit.ly/3kOWCjI>.
- <sup>22</sup> Ministry for Investments, Regional Development and Informatization, “MIRRI Prijaté žiadosti podľa infozákona (2021-05-13)” [Requests received under the Freedom of Information Act] (Data.gov.sk, 13 May 2021), <https://bit.ly/3kO0hGu>.
- <sup>23</sup> Ministry of Health, “Evidencia žiadostí MZ SR podľa § 211/2000 Zz za rok 2018” [The records of FOI requests sent to the Ministry of Health in 2018] (Data.gov.sk, 10 Apr. 2019), <https://bit.ly/30Lc8yd>.
- <sup>24</sup> Milan Andrejkovič, “Týždeň otvoreného vládnutia 2021: Stav otvorených dát na Slovensku (MIRRI SR + ÚSV ROS)” [Open Government Week 2021: Status of Open Data in Slovakia (MIRRI SR + ÚSV ROS)].

## 2.4. Commitment implementation

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

<b>Commitment</b>	<b>Completion</b> <i>(no evidence available, not started, limited, substantial, or complete)</i>
<b>1. Publish when ministries complete actions from government resolutions</b>	<p><b>Complete</b></p> <p>The government completed implementation of the commitment to publish, on an ongoing basis, how government departments implement and complete tasks resulting from government resolutions. The reports are now published on the Open Government Portal<sup>1</sup> on a quarterly basis. So far, the reports have been published for the last quarter of 2019, 2020, and the first quarter of 2021. The reports appear comprehensive and contain a summary statistic of tasks fulfilled on time, fulfilled with a delay, unfulfilled, or cancelled,<sup>2</sup> but their format is not very user-friendly. The reports include appendices where all unfulfilled tasks are detailed, including an explanation of why the government department was unable to complete the task on time. The latest report from the first quarter of 2021 mentions the ongoing COVID-19 pandemic as a reason for not fulfilling tasks. However, there is no easy way to check the completeness and reliability of provided information.<sup>3</sup></p> <p>A CSO representative welcomed the fulfilment of this commitment as an improvement<sup>4</sup> as previously, the reports could only be accessed through freedom of information requests.<sup>5</sup> However, a representative of the Office of the Plenipotentiary argued that how the reports were technically implemented and their format could be substantially improved.<sup>6</sup> The IRM researcher has found that currently, the reports are available in PDF format, which limits how this information can be analysed and compared. In addition, no information is available on who engages with these reports and how. The National Agency for Network and Electronic Services (NASES) and the Government Office<sup>7</sup> did not answer a request for the statistics on page visits for these sections of the Open Government Portal.</p>
<b>2. Publish open government data and APIs</b>	<p><b>Complete</b></p> <p>For details regarding the implementation and early results of this commitment, see section 2.3.</p>
<b>3. Publish data on the use of the EEA funds and subsidies</b>	<p><b>Substantial</b></p> <p>The Office of the Plenipotentiary published the qualitative assessment<sup>8</sup> on 9 June 2020,<sup>9</sup> after a two-week public comment period. The analysis compared what data is published on the Subsidy Scheme Module (SSM) online portal to what is published on central government departments' websites or on the national open data portal, Data.gov.sk. It contained similar findings as previous IRM reports.<sup>10</sup> The analysis concluded that many central departments prefer to</p>



	<p>publish data on Data.gov.sk more than on the SSM portal. Departments reported that the process for uploading data to the SSM portal is complicated and requires many intermediaries. The analysis also recommended several improvements for the portal, but it remains unclear whether its operator (the National Agency for Network and Electronic Services or “NASES”) will implement them. NASES was expected to produce an additional analysis of the portal, which was supposed to address its technical deficiencies. However, there is no available evidence that NASES authored a comprehensive analysis.</p> <p>An important outcome related to the publication of the EEA Funds and Subsidies data is that it has become a part of the publication minimum (see Commitment 2).<sup>11</sup> When the Act on Data comes into force, central government departments will be required to publish this data in open formats.</p>
<p><b>4. Ensure full disclosure of beneficial ownership data</b></p>	<p><b>No evidence available</b></p> <p>There is no clear evidence of progress on this commitment, which sought to apply and implement international beneficial ownership standards<sup>12</sup> to the data held in the Register of Legal Entities, Businesses, and Public Authorities.<sup>13</sup> It also sought to ensure data interconnectedness from this register with the Register of Public Sector Partners (the main beneficial ownership register).<sup>14</sup></p> <p>While the EU Directive has been transposed,<sup>15</sup> there is no evidence of implementing beneficial ownership standards. The data published in the Register of Public Sector Partners<sup>16</sup> does not fully follow the standards. As can be seen from the register, while the beneficial ownership data is available as open API,<sup>17</sup> it is unclear if other standards are upheld (e.g., if protocols for identifying and investigating red flags in the data were developed and involve collaboration with law enforcement authorities).<sup>18</sup> In addition, the Register of Legal Entities, Businesses, and Public Authorities does not publish publicly available beneficial ownership data. A representative of the Plenipotentiary stated that they have no information from the ministries on how the commitment is being implemented.<sup>19</sup> The Ministry of Justice,<sup>20</sup> which is formally responsible for this task, did not answer requests for information.</p> <p>A CSO representative stated that interconnectedness of the two registers would improve the work of investigative journalists and activists.<sup>21</sup> She also stressed its importance for public authority contracting, as it would enable faster verification that companies are eligible for public contracts.</p>
<p><b>5. Support the creation and maintenance of educational resources online</b></p>	<p><b>Limited</b></p> <p>The commitment included several milestones. However, for most, there is little evidence of what was accomplished, despite the pandemic raising the importance of open educational resources. “Open education” encompasses resources, tools and practices that are free of legal, financial</p>

	<p>and technical barriers and can be fully used, shared and adapted in the digital environment.</p> <p>The Ministry of Education initially appointed the general director of pre-primary and primary education to coordinate the open education agenda.<sup>22</sup> However, this falls short of creating a dedicated unit as expected by the action plan commitment. Moreover, the responsibility for this agenda has changed several times and at the moment, the ministry cannot clearly indicate who oversees it.<sup>23</sup> The lack of ownership of open education topics within the ministry has been persistent, leading to limited action. A CSO representative argued that this lack of ownership and expertise is the main reason why they see all OGP efforts in open education to have not succeeded.<sup>24</sup></p> <p>There is no publicly available evidence of activities carried out to promote open educational sources and train teachers, and a CSO representative was unaware of any actions taken.<sup>25</sup> The IRM researcher was unsuccessful in contacting the Ministry of Education<sup>26</sup> and therefore filed a FOI request.<sup>27</sup> In response, the Ministry’s Methodology and Pedagogy Centre referred to a hybrid training, organised from 1 January to 31 October 2021, on both using repository resources for digital educational resources<sup>28</sup> and on creating educational resources.<sup>29</sup> Six hundred and ninety-three teachers have participated in the training, and 273 have completed it. The Centre also provided syllabi for the courses, but there is no reference to open educational resources and only one mention of licensing policies; it is unclear to what extent the courses focused on open education. The syllabi<sup>30</sup> refer to “digital” sources, which as discussed in previous IRM reports, the ministry uses interchangeably with “open” sources.</p> <p>The milestone to adopt legislative changes concerning the use of open licenses for selected, newly created, and publicly funded educational resources was also not implemented. Although the School Act<sup>31</sup> was amended several times, it did not include a provision requiring open licensing of newly created educational resources. In response to the COVID-19 pandemic, Section 13 of the law introduced special provisions requiring that educational resources be provided under open licenses in the event of an emergency. However, by this provision, open licences are granted only for the period of an emergency.</p> <p>The Office of the Plenipotentiary completed the milestone to monitor, disclose, and continually update the open educational resources database, in a participatory manner. At the time of writing this report, the list<sup>32</sup> included over 30 resources. The Office of the Plenipotentiary also promoted available open educational resources on its social media.<sup>33</sup> As reported in previous IRM reports, this office has been replacing the role of the ministry to a great extent in open education topics.<sup>34</sup></p>
<p><b>6. Advance and implement the National</b></p>	<p><b>Complete</b></p>

**Strategy for Open Science**

The National Strategy for Open Science<sup>35</sup> was adopted on 9 June 2021, together with the Action Plan for Open Science.<sup>36</sup> Its preparation was led by the Open Access point of contact,<sup>37</sup> an office responsible for promoting, and providing guidance on, open access in the Slovak academic and scientific community. The process of discussing and drafting the strategy took place from June to September 2020 and was open to relevant stakeholders. The first draft of the strategy was publicly available online,<sup>38</sup> and anyone interested could comment on it anonymously or using their affiliation. Several events were organised to raise awareness of participating in the drafting process.<sup>39</sup> Yet, the message did not reach some scientific communities; a representative of Žijem vedu (I Live in Science) stated that they did not receive any communication in this regard.<sup>40</sup> All in all, over 70 comments were submitted. The comparison of the draft strategy with the adopted version demonstrates that most comments were addressed. However, some comments<sup>41</sup> questioned the need for a national repository for research and data (this was a commitment from the previous action plan)<sup>42</sup> when international alternatives with a broader reach are available. Researchers also emphasised that if open access should become a norm, then research-funding agencies need to change grant conditions to require (and support) open access by default. Nonetheless, as was already emphasised in the previous IRM reports,<sup>43</sup> the academic and scientific community felt problems beyond open access needed to be dealt with urgently.

The second milestone—to launch pilot open access projects in selected scientific institutions—was also completed.<sup>44</sup> On 1 September 2021, the Scientific Library of the Slovak Centre of Scientific and Technical Information (CVTI SR)<sup>45</sup> launched the Open Science Publishing House, which will support the Slovak academic and scientific community in publishing their work in open access under the CCBY 4.0 license.<sup>46</sup> The representative of CVTI SR stated that the Publishing House plans to set up a fund to pay for the manuscripts' royalties and reviewers' fees. Although it was established just recently, the Publishing House already is collaborating with authors on their manuscripts, due to be published at the beginning of 2022.<sup>47</sup>

As a part of the second milestone, the Central Library of the Slovak Academy of Sciences launched its institutional repository,<sup>48</sup> where authors can upload digital versions of their works under the green Open Access framework.<sup>49</sup> A scientist at the Slovak Academy of Sciences stated that the repository does not create any additional burden to her work, as her institute has a dedicated person who uploads works on the researchers' behalf.<sup>50</sup> She acknowledges some benefits of the repository, e.g., it collects researchers' information required for grants. Nonetheless, she would instead welcome the creation of a repository of internationally recognized grant evaluators for each scientific area,<sup>51</sup> as grant distribution for science and research in Slovak Republic has been accompanied by a lack of transparency and appropriate expert judgement in the past.<sup>52</sup>

**7. Develop training to support participatory policymaking and put it into practice**

**Substantial**

The government substantially completed the commitment to identify and create public policies in a participatory manner with civil society involvement. Four ministries participated in this commitment: the Ministry of Education to develop a new grant scheme supporting youth development in a participatory manner;<sup>53</sup> the Ministry of Agriculture and Rural Development to work on the National Forestry Program for the period 2021–2030;<sup>54</sup> the Ministry of Interior to draft the Act on Volunteering (an unfulfilled commitment from previous action plans);<sup>55</sup> and the Ministry of Environment to create a Water Policy Concept for the period 2021–2027.<sup>56</sup> The Office of the Plenipotentiary mapped participatory processes for each of these policies and confirmed that to a varied extent, these four ministries created public policies participatively.<sup>57</sup> The IRM understands, however, the processes did not go beyond previous attempts by ministries to implement participatory policy implementation.

No information about a new grant scheme to support youth development is available on the Ministry of Education’s website. However, a CSO representative argued that participatory processes could have started earlier and with more regular engagement.<sup>58</sup> That said, he highlighted the work of *Iuventa* (the youth council governed by the ministry) that engaged relevant actors in all stages of the grant scheme creation and responded to feedback.

The National Forestry Program for 2021–2030 has a dedicated website.<sup>59</sup> However, information concerning the participatory processes is limited.

IRM researcher was unable to identify any publicly available information on the participatory nature of creating the Act on Volunteering.

Of the four selected public policies, only the Water Policy Concept has been adopted. Its creation was preceded by a wide range of participatory processes which were thoroughly documented. The dedicated working group consisted of representatives of relevant government departments, academia, and civil society.<sup>60</sup> A CSO representative confirmed that the key stakeholders were well identified and had plenty of opportunities for engagement.<sup>61</sup> The working group met regularly (3–5 times a year) and published its meeting minutes on a dedicated website.<sup>62</sup> The working group was led by a professional facilitator and operated openly, e.g., it welcomed suggestions for new members. In addition, eight expert groups were created, which dealt with specific topics, such as drinking water supplies, wastewater disposal and treatment, landscape management, adaptation for climate change (floods, droughts), and fishing.<sup>63</sup> All in all, almost 300 people participated in creating the Water Policy Concept.<sup>64</sup> A CSO representative stated that except for short timeframes for commenting on the documents, the participatory processes were well organised and thorough. There was enough room for discussion, and comments and proposals were considered.<sup>65</sup>

	<p>The Office of the Plenipotentiary completed the second milestone (implementing an educational program for public servants on participatory policymaking) as a part of its 'Participation' project.<sup>66</sup> In 2019, the Office created a syllabus for the program<sup>67</sup> and piloted it with three groups of public servants working for the central government, regional government, and municipalities;<sup>68</sup> the goal was to train them to lead participatory processes.<sup>69</sup> At the central government level, public servants from seven ministries and two other central government bodies expressed their interest in participating.<sup>70</sup> However, the Office of the Plenipotentiary couldn't provide information on which central government bodies actually took part or the final numbers of public servants who participated in the training. The main aim of the training program was to equip public servants to oversee the creation of public policy using quality participative processes.<sup>71</sup> Professional guarantors of the programme were public policy scholars.<sup>72</sup> The four-day training was held in person from September 2019 until February 2020.</p> <p>Gradually, the Office of the Plenipotentiary published other activities, such as collaborations with universities<sup>73</sup> and a series of webinars about participation, on its website<sup>74</sup> and its YouTube channel.<sup>75</sup> One hundred and forty-two attendees followed live the introductory discussion<sup>76</sup> and about 70–80 people attended each webinar.</p>
<p><b>8. Modify public participation report for legislative processes</b></p>	<p><b>Limited</b></p> <p>At first, personal changes in the relevant ministries<sup>77</sup> and the COVID-19 pandemic<sup>78</sup> hampered the progress of this commitment. Prior to the parliamentary election in February 2020, a working group of public administration and civil society representatives discussed the new templates for the public participation report for legislative processes.<sup>79</sup> However, after the election, this working group did not immediately resume its work. As a result, the initial deadline for this commitment (30 June 2020) has been postponed several times to the current deadline (31 December 2021).</p> <p>In August 2021, the Deputy Prime Minister for Legislation and Strategic Planning Štefan Holý published preliminary information on the amendment of the Act on Lawmaking.<sup>80</sup> A representative of the Office of the Plenipotentiary stated that they used the public comment period to remind the government of the commitment to create new templates for reports on public participation.<sup>81</sup> The Office of the Plenipotentiary coordinated the working group as a part of the implementation of the commitment. Other members were ministries, central government departments, and the CSO, Via Iuris. The working group drafted two formalized templates for two levels of public involvement in legislative processes: "Information" and "Involvement/Discussion."<sup>82</sup> These drafts were communicated to the Deputy Prime Minister for Legislation and Strategic Planning. However, they have not been submitted to the government yet. Therefore, completion of this commitment was assessed as limited.</p>

<p><b>9. Support civil society and intersectoral collaboration through 2021- 2027 ESIF programming period</b></p>	<p><b>Complete</b></p> <p>In 2020, the newly established Ministry for Investments, Regional Development and Informatization published the first draft of a partnership agreement for the 2021–2027 programming period of the European structural and investment fund<sup>83</sup> and organised five online consultations with 100 civil society representatives.<sup>84</sup> The sixth round of consultation focused on engaging the wider public. The ministry published information on the partnership agreement and CSO and public consultations on its website.<sup>85</sup></p> <p>Feedback from involved stakeholders, together with the Office of the Plenipotentiary’s recommendations (which advocated for inter-sectional partnerships with CSO representatives),<sup>86</sup> were documented for each proposed policy.<sup>87</sup> The documents show that the ministry responded to most of the comments, and provided justification for when comments were not accepted. Some comments raised objections about the heavy administrative burden for applying for European funds by CSOs and the public administration (as also highlighted in the IRM Design report).<sup>88</sup> However, the ministry concluded that evaluating the comments should concern only the substantive part of the partnership agreement and so did not comment on the implementation method and management of activities. It is unclear how the bureaucratic component of the European funds might be resolved.</p> <p>The Office of the Plenipotentiary published a report summarizing the consultation processes, concluding that they could have been more participatory and could have applied the partnership principle more thoroughly.<sup>89</sup> The report stated that the implementation period was too short for having a meaningful feedback exchange.</p> <p>In addition, the Office of the Plenipotentiary has been working on making information about European funds accessible to the wider public.<sup>90</sup> It created a training programme for public servants who prepare calls for European funds,<sup>91</sup> and published brief guidelines on how to write clearly.<sup>92</sup></p>
<p><b>10. Broaden the publication of legislative and non-legislative materials on the Slov-lex portal</b></p>	<p><b>Limited</b></p> <p>The list of internal regulations of ministries and central government bodies for 2016–2021 are available on the Slov-lex portal. The full texts are linked under their document reference numbers.<sup>93</sup> The internal regulations of only some ministries are published whereas the aim of the commitment was to publish them for all ministries and central authorities. The other milestone, to enable regional and local governments to publish their generally binding regulations, has not started. The Office of the Plenipotentiary stated that the reason behind the delay might be that the content administrator and technical operator of Slov-lex have changed from the Ministry of Justice to the Office of the Government.<sup>94</sup> Although the preliminary information on amending the Act on Lawmaking (published August 2021) stated the aim of increasing publications on the</p>

	Slov-lex portal, including generally binding regulations, <sup>95</sup> the current status of the amendment is unclear. <sup>96</sup>
<b>11. Monitor the current action plan implementation and design a new action plan</b>	<p><b>Substantial</b></p> <p>The Office of the Plenipotentiary has continued to be transparent and inclusive throughout the action plan implementation. It publishes information about implementing commitments and upcoming events using different communication channels like its website,<sup>97</sup> social media accounts,<sup>98</sup> and Trello.<sup>99</sup> Trello is particularly useful as it updates progress on individual commitments. Although information for some commitments was missing,<sup>100</sup> in general, Trello was being updated. At the time of writing this report (December 2021), the Office of the Plenipotentiary had yet to publish a self-assessment of the Slovak Republic's 2019–2021 OGP action plan.</p> <p>The Office of the Plenipotentiary has continued to bridge relations between government and civil society. During implementation, the Office of the Plenipotentiary organised its flagship OGP Week event in 2020<sup>101</sup> and 2021.<sup>102</sup> Beyond OGP Week and unrelated to the commitments in the current action plan, a lot of events happen under the umbrella of OGP in Slovak Republic<sup>103</sup> (and some were relevant to commitments in previous action plans).<sup>104</sup></p> <p>In October 2021, the Office of the Plenipotentiary established its first multistakeholder forum, which has since met twice.<sup>105</sup> It consists of government and CSO representatives (explained further in Section III, below).</p>

<sup>1</sup> Government Office, “ Informácia o plnení úloh z uznesení vlády SR” [Information on the fulfilment of tasks resulting from the government’s resolutions] (Open Government Portal, 2022), <https://bit.ly/3uvHnrv>.

<sup>2</sup> For example, see the latest report from the first quarter of 2021: Government Office, “Detail informácie o plnení úloh z uznesení vlády SR” [Details of the fulfilment of tasks from resolutions of the Government of the Slovak Republic ] (Open Government Portal, 6 Aug. 2021), <https://bit.ly/3BfAptz>.

<sup>3</sup> Lucia Lacika (Office of the Plenipotentiary), interview by IRM researcher, 13 Oct. 2021.

<sup>4</sup> Veronika Prachárová (Slovak Governance Institute), email to IRM researcher, 4 Oct. 2021.

<sup>5</sup> See Mária Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021* (OGP, 30 Oct. 2020), <https://bit.ly/3uMEjHl>.

<sup>6</sup> Lacika, interview.

<sup>7</sup> The IRM researcher emailed the National Agency for Network and Electronic Services, which was then forwarded on 4 October 2021 to the Government Office who is in charge of the requested information. As the Government Office did not respond for three weeks, a second email was sent to them on 25 October 2021.

<sup>8</sup> Dr. Ing. Oliver Rafaj, *Analýza zverejňovania informácií v module dotačných schém* [The analysis of information publication in the Subsidy Scheme Module online portal] (Office of the Plenipotentiary, 2020), <https://bit.ly/3ioVSbVv>.

<sup>9</sup> Office of the Plenipotentiary, “Hodnotíme, aké informácie poskytuje Modul dotačných schém” [We evaluate what information is provided by the Subsidy Scheme Module online portal] (9 Jun.2020), <https://bit.ly/3B0bo5q>.

<sup>10</sup> See Mária Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Implementation Report 2017–2019* (OGP, 16 Apr. 2020), <https://bit.ly/3D8uEON> and Mária Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Special Accountability Report 2014–2015*, (OGP, 18 May 2017) <https://bit.ly/3D0ogsl>.

<sup>11</sup> Data Office and Ministry for Investments, Regional Development and Informatization, “Rozpracovanie Publikáčného Minima Štátnej Správy. Prispejte K Jeho Skvalitneniu” [Contribute to the development of the publication minimum of central government authorities] (accessed Jan. 2022), <https://bit.ly/3uTaXaD>. See also <https://bit.ly/2ZYDNuN> to download an example .xls file.

<sup>12</sup> Beneficial Ownership Leadership Group, *Declaration of national commitment to meet the Beneficial Ownership Transparency Disclosure Principles* [draft] (Open Ownership, 2020) <https://www.openownership.org/uploads/oo-disclosure-principles.pdf>.

<sup>13</sup> Available at: <https://rpo.statistics.sk/rpo/#search>.

<sup>14</sup> Available at: <https://rpvs.gov.sk/rpvs>.

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- <sup>15</sup> Financial Stability, Financial Services and Capital Markets Union, “Anti-money laundering directive V (AMLD V) - transposition status” (European Commission, 3 Nov. 2021) <https://bit.ly/3iVEYli>.
- <sup>16</sup> Available at: <https://rpvs.gov.sk/rpvs>.
- <sup>17</sup> Ministry of Justice, “Open data” (accessed Jan. 2022), <https://bit.ly/30FpZWVY>.
- <sup>18</sup> Beneficial Ownership Leadership Group, *Declaration of national commitment*.
- <sup>19</sup> Lacika, interview.
- <sup>20</sup> IRM researcher, emails to the Ministry of Justice, 22 Oct. 2021 and 10 Nov. 2021.
- <sup>21</sup> Xénia Makarová (Zastavme korupciu Foundation) email to IRM researcher, 4 Nov. 2021.
- <sup>22</sup> Office of the Plenipotentiary, “B.10 Určiť autoritu na MŠVVaŠ SR zodpovednú za systematickú a koordinovanú tvorbu digitálneho edukačného obsahu, vrátane otvorených vzdelávacích zdrojov, na všetkých úrovniach predprimárneho, základného a stredného vzdelávania” [B.10 Designate an authority at the Ministry of Education, Youth and Sports of the Slovak Republic responsible for the systematic and coordinated creation of digital educational content, including open educational resources, at all levels of pre-primary, primary and secondary education] (Trello, 12 Nov. 2019), <https://bit.ly/3irlgxE>.
- <sup>23</sup> See Centre Of Scientific And Technical Information Of The Slovak Republic, “Details” (accessed Jan. 2022), <https://bit.ly/3DBldaH>.
- <sup>24</sup> Ján Gondol’ (member of the Slovak UNESCO committee, open data and open education expert, SPy o.z. co-founder), interview by IRM researcher, 21 October 2021.
- <sup>25</sup> *Id.*
- <sup>26</sup> The IRM researcher emailed the Ministry of Education’s pre-primary and primary education section on 4 October 2021. On 11 October, the section responded that Ms. Kalašová, who was appointed to oversee open education, was no longer responsible for this agenda (the Office of the Plenipotentiary was unaware of this), and directed the IRM researcher to the ministry’s high school section. On 11 October, the IRM researcher sent a new request to the ministry’s high school section. On 13 October, the high school section forwarded the IRM researcher’s request to the information technologies section, suggesting it is their responsibility. As of 25 October 2021, the IRM researcher has received no response.
- <sup>27</sup> IRM researcher, freedom of information request sent to the Ministry of Education, 25 Oct. 2021 (available upon request).
- <sup>28</sup> For better context, please see the assessment of the digital educational resource repository in previous IRM reports. The licensing of materials, among many other issues, was problematic as most of the materials in the repository have restricted licenses.
- <sup>29</sup> Ministry of Education, Methodology and Pedagogy Centre, response to an FOI request by the IRM researcher, 5 Nov. 2021, (available upon request).
- <sup>30</sup> *Id.*
- <sup>31</sup> Ministry of Justice, “245/2008 Z. z. Časová verzia predpisu účinná od 15.01.2022 do 31.03.2022” [245/2008 Z. z. Time version of the regulation effective from 15.01.2022 to 31.03.2022] (Slov-lex, accessed Jan. 2022) <http://bit.ly/359F6Fp>.
- <sup>32</sup> Office of the Plenipotentiary, “Otvorené vzdelávacie zdroje: Splnomocnenec sa stretol so štátnou tajomníčkou Ministerstva školstva, vedy, výskumu a športu SR” [Open educational resources: The Plenipotentiary met with the State Secretary of the Ministry of Education, Science, Research and Sport of the Slovak Republic] (Ministry of Interior, 8 Jul. 2020), <https://bit.ly/3A8coTH>.
- <sup>33</sup> Office of the Plenipotentiary, “Otvorené vzdelávacie zdroje ako nástroj podpory vzdelávania žiakov a študentov počas uzavretia škôl - zoznam zaujímavých odkazov” [Open Educational Resources as a tool to support pupils' and students' learning during school closures - a list of interesting links], (Facebook, 14 March 2021), <https://www.facebook.com/notes/845618096251897/>. The post had a reach of 30,000 users.
- <sup>34</sup> See Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Implementation Report 2017–2019*.
- <sup>35</sup> Center for Scientific and Technical Information of the Slovak Republic, *Národná stratégia Pre 2021 – 2028 Otvorenú Vedu* [National Strategy for Open Science] (accessed Jan. 2022), <https://bit.ly/3l6srNL>.
- <sup>36</sup> Ministry of Education, Science, Research and Sport, *Akčný Plán Pre Otvorenú Vedu* [Open Science Action Plan], (accessed Jan. 2022), <https://bit.ly/3opTITV>.
- <sup>37</sup> Centrum vedecko-technických informácií SR [Slovak Centre of Scientific and Technical Information]: <https://bit.ly/3opwl6n>.
- <sup>38</sup> The draft of the National Strategy for Open Science is available at: <https://bit.ly/3D7c6hA>.
- <sup>39</sup> Slovak Centre of Scientific and Technical Information, “Národná stratégia pre otvorenú vedu” [National Strategy for Open Science] (Facebook, 17 Aug. 2020), <https://bit.ly/2Y9M921>.
- <sup>40</sup> Dominika Fričová (post-doc at the Institute of Neuroimmunology of the Slovak Academy of Science and Co-founder of the Žijem vedu initiative), interview by IRM researcher, 19 Oct. 2021.
- <sup>41</sup> See the anonymous contributor’s comments from 4 August 2020 in the draft of the National Strategy for Open Science: <https://bit.ly/3D7c6hA>.
- <sup>42</sup> Office of the Plenipotentiary, *Open Government Partnership National Action Plan of the Slovak Republic 2017 – 2019* (OGP, 13 Mar. 2017).
- <sup>43</sup> See Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021*.
- <sup>44</sup> Lacika, interview.
- <sup>45</sup> Slovak Centre Of Scientific And Technical Information, “Details” (accessed Jan. 2022), <https://bit.ly/3DBldaH>.
- <sup>46</sup> Jitka Dobbersteinová (Slovak Centre of Scientific and Technical Information) email to IRM researcher, 14 and 28 Oct. 2021.
- <sup>47</sup> *Id.*
- <sup>48</sup> Central Library of the Slovak Academy of Sciences, Institutional repository, <https://www.library.sk/ar1-sav/>.



- <sup>49</sup> Green Open Access is defined as “the practice of placing a version of an author’s manuscript into a repository, making it freely accessible for everyone. The version that can be deposited into a repository is dependent on the funder or publisher. Unlike Gold OA, the copyright for these articles usually sits with the publisher of, or the society affiliated with, the title and there are restrictions as to how work can be reused.” Springer, “What is Open Access?” (accessed Jan. 2022), <http://bit.ly/2lxLdK4>.
- <sup>50</sup> Fričová, interview.
- <sup>51</sup> *Id.*
- <sup>52</sup> Spectator staff, “Education minister fails to explain distribution of EU money” (The Slovak Spectator, 27 Jul. 2017), <https://bit.ly/3BGOPSL>.
- <sup>53</sup> Peter Papšo (High School Section, Ministry of Education), email to IRM researcher, 5 Nov. 2021.
- <sup>54</sup> The Ministry of Agriculture and Rural Development and National Forest Center created a website dedicated to the National Forestry Program: ‘Lesy Pre Spoločnosť’, homepage (accessed Jan. 2022), <http://nlp.nlcsk.org/>.
- <sup>55</sup> Office of the Plenipotentiary, “Dobrovoľníctvo” [Volunteering] (accessed Jan. 2022), <https://bit.ly/3a1ybSl>.
- <sup>56</sup> Ministry of Environment, “Konceptia vodnej politiky na roky 2021-2030 s výhľadom do roku 2050” [Water policy concept 2021-2030 with a view to 2050] (accessed Jan. 2022), <https://bit.ly/3pFsHnE>.
- <sup>57</sup> Office of the Plenipotentiary, “Národný lesnícky program SR na obdobie rokov 2022 – 2030 (Ministerstvo pôdohospodárstva a rozvoja vidieka SR)” [National Forestry Program of the Slovak Republic for the period 2022 - 2030 (Ministry of Agriculture and Rural Development of the Slovak Republic)] (22 Feb. 2020), <https://bit.ly/3ivE9zs>; Office of the Plenipotentiary, “Vodný plán Slovenska 2022 – 2027 (Ministerstvo životného prostredia SR)” [Water Plan of Slovakia 2022 - 2027 (Ministry of the Environment of the Slovak Republic)] (22 Feb. 2020), <https://bit.ly/3FcTXkm>; and Office of the Plenipotentiary, “Novela Zákona o dobrovoľníctve (Ministerstvo vnútra SR)” [Amendment to the Volunteering Act (Ministry of the Interior of the Slovak Republic)] (22 Feb. 2020), <https://bit.ly/3uyXl4m>. Please note that information about participatory processes related to the Ministry of Education’s new grant scheme to support youth development has not been updated (Office of the Plenipotentiary, “Príprava novej dotačnej schémy na podporu práce s mládežou (Ministerstvo školstva, vedy, výskumu a športu SR)” [Preparation of a new subsidy scheme to support youth work (Ministry of Education, Science, Research and Sports of the Slovak Republic)] (22 Feb. 2020), <https://bit.ly/3nYLA4p>). However, the Ministry of Education involved several CSOs in the process of drafting the new grant scheme, such as The Youth Council of Slovakia, Association of Regional Youth Councils, Platform of Volunteer Centres and Organizations, Association of Low-Threshold Programs for Children and Youth, IPčko, and O. z. Ichtys.
- <sup>58</sup> Juraj Lizák (Youth Council of Slovakia), email to IRM researcher, 8 Nov. 2021.
- <sup>59</sup> The Ministry of Agriculture and Rural Development and National Forest Center, ‘Lesy Pre Spoločnosť’, homepage.
- <sup>60</sup> Ministry of Environment, “Členovia pracovnej skupiny pre tvorbu Konceptie vodnej politiky” [Members of the working group for the creation of the Water Policy Concept] (Jan. 2021), <https://bit.ly/3y5msNL>.
- <sup>61</sup> Miroslav Očadlík and Andrea Hajdúchová ([World Wide Fund for Nature WWF Slovakia](http://www.worldwildlife.org/)), email with IRM researcher, 15 Dec. 2021.
- <sup>62</sup> Ministry of Environment, “Konceptia vodnej politiky na roky 2021-2030 s výhľadom do roku 2050” [Water policy concept 2021-2030 with a view to 2050].
- <sup>63</sup> Ministry of Environment, “Tematické zameranie expertných skupín pre tvorbu konceptie vodnej politiky” [Thematic focus of expert groups for the creation of water policy concept] (accessed Jan. 2022), <https://bit.ly/3lKNdTO>.
- <sup>64</sup> Martina Paulíková (Ekopolis Foundation, facilitator of the Water Policy Concept processes addressed in this commitment), email to IRM researcher, 11 Nov. 2021.
- <sup>65</sup> Očadlík and Hajdúchová, email.
- <sup>66</sup> Office of the Plenipotentiary, the website of the national project, “Participation” (accessed Jan. 2022), <https://www.participacia.eu>.
- <sup>67</sup> Office of the Plenipotentiary, “Vzdelávací program Participatívna tvorba verejných politík” [Educational program Participatory public policy making] (accessed Jan. 2022), <https://bit.ly/3mkSK1R>.
- <sup>68</sup> The central government group consisted of twenty members. There is not information on the numbers of attendees of the other groups.
- <sup>69</sup> Office of the Plenipotentiary, “Vzdelávací program Participatívna tvorba verejných politík” [Educational program Participatory public policy making].
- <sup>70</sup> Ministry of Justice; Ministry of Interior; Ministry of Culture; National Security Office; Ministry of Environment; Office of the Government; Ministry of Transport and Construction; Ministry of Education; and Ministry of Labour, Social Affairs and Family.
- <sup>71</sup> Lucia Lacika and Barbara Gindlová (Office of the Plenipotentiary), emails to IRM researcher, 18 and 25 Oct. 2021.
- <sup>72</sup> Michal Sedlačko (Lecturer and Research Fellow, University of Applied Sciences, FH Campus Wien) and Alexandra Poláková Suchalová (Lecturer, Faculty of Social and Economic Sciences, Comenius University).
- <sup>73</sup> At the Comenius University’s Department of Political Science, the Office of the Plenipotentiary collaborated with civil society to offer a course entitled “Public Policies in Slovakia.” Ministry of the Interior, “Vysoké školy a participácia” [Higher education institutions and participation] (accessed Jan. 2022), <https://bit.ly/3uDmmuZ>.
- <sup>74</sup> Office of the Plenipotentiary, “Školenia: Otvárame celoročný vzdelávací online cyklus o participácii” [Courses: We are opening a year-round online educational cycle on participation] (accessed Jan. 2022), <https://bit.ly/3ityVWbx>.
- <sup>75</sup> Office of the Plenipotentiary, “NP Parti Usv Ros” [YouTube profile of the national project, Participation] (accessed Jan. 2022), <https://bit.ly/3HCjFOL>.
- <sup>76</sup> The Office of the Plenipotentiary, “Na občanoch záleží” [Citizens matter] (accessed Jan. 2022), <https://bit.ly/3nsP6ES>.
- <sup>77</sup> Office of the Plenipotentiary, “B.18: Participatívnym spôsobom upraviť formalizované vzory Správy o účasti verejnosti na tvorbe právnych predpisov a výsledný návrh predložiť na rokovanie vlády SR.” [B.18: In a participatory manner, adjust the

formalized models of the Report on Public Participation in the Creation of Legal Regulations and submit the resulting proposal to the Government of the Slovak Republic.] (Trello, 22 Feb. 2021), <https://bit.ly/3ouVWV1WV>.

<sup>78</sup> Lucia Lacika (Office of the Plenipotentiary), email to IRM researcher, 18 Oct. 2021.

<sup>79</sup> See Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021*.

<sup>80</sup> Ministry of Justice, “PI/2021/194 PREDBEŽNÁ INFORMÁCIA k návrhu zákona, ktorým sa mení a dopĺňa zákon č. 400/2015 Z. z. o tvorbe právnych predpisov a o Zbierke zákonov Slovenskej republiky a o zmene a doplnení niektorých zákonov v znení neskorších predpisov a ktorým sa menia a dopĺňajú niektoré zákony” [PI / 2021/194 PRELIMINARY INFORMATION on the draft law amending Act no. 400/2015 Coll. on the Creation of Legal Regulations] (Slov-lex, 21 Oct. 2022), <https://bit.ly/3DEncvI>.

<sup>81</sup> Bystrík Antalík (Office of the Plenipotentiary), email to IRM researcher, 18 Nov. 2021.

<sup>82</sup> Lacika, email; and Antalík, email.

<sup>83</sup> Ministry for Investments, Regional Development and Informatization, “Návrh priorit pre Partnerskú dohodu SR na roky 2021 – 2027” [Proposal of priorities for the Partnership Agreement 2021-2027] (accessed Jan. 2022), <https://bit.ly/3wnxM7a>. The Partnership Agreement 2021–2027 covered five topics: ecological Slovakia for future generations; mobility, transport and connectivity; quality life in the regions; innovative Slovakia; and social, just, and educated Slovakia.

<sup>84</sup> Office of the Plenipotentiary, “Konzultácie o návrhu Partnerskej dohody aj so zástupcami občianskej spoločnosti” [Consultation on the draft Partnership Agreement also with representatives of civil society], (19 Oct. 2020), <https://bit.ly/3bLZgtE>.

<sup>85</sup> Ministry for Investments, Regional Development and Informatization, “Národná konzultácia k eurofondom 2021 – 2027” [National consultation on European funds 2021 – 2027] (accessed Jan. 2022), <https://bit.ly/3mZnlNr>.

<sup>86</sup> Office of the Plenipotentiary, “Odporúčania pre nastavenie systému implementácie princípu partnerstva v programovom období EŠIF 2021-2027” [Recommendations for setting up a system for implementing the partnership principle in the ESIF 2021-202 programming period] (Sep. 2020), <https://bit.ly/3mS1VbK>.

<sup>87</sup> Ministry for Investments, Regional Development and Informatization, “Vyhodnotenie pripomienok k CP 1 zaslaných v rámci Národnej konzultácie k eurofondom 2021 – 2027” [Evaluation of comments on the policy Innovative Slovakia - sent within the National Consultation on European funds 2021 – 2027] (2021), <https://bit.ly/3lxsiLD>; Ministry for Investments, Regional Development and Informatization, “Vyhodnotenie pripomienok k CP 2 zaslaných v rámci Národnej konzultácie k eurofondom 2021 – 2027” [Evaluation of comments on the policy Ecological Slovakia for future generations - sent within the National Consultation on European funds 2021 - 2027] (2021), <https://bit.ly/3c4lG9T>; Ministry for Investments, Regional Development and Informatization, “Vyhodnotenie pripomienok k CP 3 zaslaných v rámci Národnej konzultácie k eurofondom 2021 – 2027” [Evaluation of comments on the policy Mobility, transport and connectivity, - sent within the National Consultation on European funds 2021 - 2027] (2021), <https://bit.ly/3ADpGtn>; Ministry for Investments, Regional Development and Informatization, “Vyhodnotenie pripomienok k CP 4 zaslaných v rámci Národnej konzultácie k eurofondom 2021 – 2027” [Evaluation of comments on the policy Social, just and educated Slovakia - sent within the National Consultation on European funds 2021 – 2027] (2021), <https://bit.ly/3lxXSJf>; Ministry for Investments, Regional Development and Informatization, “Vyhodnotenie pripomienok k CP 5 zaslaných v rámci Národnej konzultácie k eurofondom 2021 – 2027” [Evaluation of comments on the policy Quality life in the regions - sent within the National Consultation on European funds 2021 – 2027] (2021), <https://bit.ly/3bRp5Zr>.

<sup>88</sup> See Žuffová, *Independent Reporting Mechanism (IRM): Slovakia Design Report 2019–2021*.

<sup>89</sup> Office of the Plenipotentiary, “Správa z konzultácií so zástupcami/kyňami mimovládnych neziskových organizácií k návrhu Operačného programu Slovensko pre programové obdobie 2021 – 2027” [Report on consultations with CSO representatives on the draft of the Operational Programme Slovakia for the programming period 2021-2027] (2021), <https://bit.ly/3DBTTcK>.

<sup>90</sup> Office of the Plenipotentiary, “Písanie zrozumiteľných úradných textov k fondom EÚ je celoeurópskou témou” [Writing clear official texts on EU funds is a Europe-wide topic] (24 Aug. 2021), <https://bit.ly/2Yrc5GQ>.

<sup>91</sup> Marcel Ištván, “Návrh vzdelávacieho programu pre oblasť zrozumiteľnej komunikácie” [Proposal of an educational program in the area of comprehensible communication] (Office of the Plenipotentiary, 2021), <https://bit.ly/3wmXkkR>.

<sup>92</sup> The Office of the Plenipotentiary, *Texty nie sú tresty – Komunikačno-štylistická príručka* [Texts are not punishments - Communication-stylistic handbook] (The Office of the Plenipotentiary and the Ministry of Investments, Regional Development and Informatization of the Slovak Republic, 2020) <https://bit.ly/3DuQ1KE>.

<sup>93</sup> Slov-lex, “Vykonávacie predpisy” [Implementing rules] (2021), <https://www.slov-lex.sk/vykonavacie-predpisy>.

<sup>94</sup> Lacika, interview.

<sup>95</sup> Ministry of Justice, “PI/2021/194 PREDBEŽNÁ INFORMÁCIA k návrhu zákona, ktorým sa mení a dopĺňa zákon č. 400/2015 Z. z. o tvorbe právnych predpisov a o Zbierke zákonov Slovenskej republiky a o zmene a doplnení niektorých zákonov v znení neskorších predpisov a ktorým sa menia a dopĺňajú niektoré zákony” [PI / 2021/194 PRELIMINARY INFORMATION on the draft law amending Act no. 400/2015 Coll. on the Creation of Legal Regulations] (Slov-lex, 21 Oct. 2021), <https://bit.ly/3DEncvI>.

<sup>96</sup> Antalík, email.

<sup>97</sup> Office of the Plenipotentiary, “Iniciatíva pre otvorené vládnutie v praxi” [Open Government Partnership in practice] (accessed Jan. 2022), <https://bit.ly/3lhAdnV>.

<sup>98</sup> Office of the Plenipotentiary, “Splnomocnenec vlády SR pre rozvoj občianskej spoločnosti” [Plenipotentiary of the Government of the Slovak Republic for the Development of Civil Society] (Facebook, 27 Jan. 2022), <https://www.facebook.com/SplnomocnenecROS>; and Office of the Plenipotentiary, “OGP Slovensko” [OGP Slovakia] (YouTube, 19 Nov. 2021), [https://www.youtube.com/channel/UCvc9yQ\\_9nA3OFk-ZZHx-\\_1A/](https://www.youtube.com/channel/UCvc9yQ_9nA3OFk-ZZHx-_1A/).

<sup>99</sup> Office of the Plenipotentiary, “Akčný plán Iniciatívy pre otvorené vládnutie na roky 2020 – 2021” [Open Governance Initiative Action Plan 2020-2021] (Trello, accessed Jan. 2022), <https://bit.ly/2Yj69G>.

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<sup>100</sup> For instance, there is almost no information about commitments on open education on the Trello profile. *Id.*

<sup>101</sup> Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2020” [Open Government Week 2020] (accessed Jan. 2022), <https://bit.ly/3BJNjz7>.

<sup>102</sup> Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2020” [Open Government Week 2020] (accessed Jan. 2022), <https://bit.ly/3BJNjz7>; Office of the Plenipotentiary, “Slovenská republika si pripomína desiate výročie členstva v medzinárodnej Iniciatíve pre otvorené vládnutie” [The Slovak Republic commemorates the tenth anniversary of membership in the International Open Government Initiative] (19 Oct. 2021), <https://bit.ly/3GVbbn9>.

<sup>103</sup> Office of the Plenipotentiary, “Otvorene o otvorenom vládnutí: Dobrovoľníctvo vo verejnej správe ako cesta záujmu ľudí o spoločnosť” [Openly about open government: Volunteering in public administration as a way of people's interest in society] (13 Jul. 2021), <https://bit.ly/3kcox4K>; and Office of the Plenipotentiary, “Otvorene o otvorenom vládnutí: O rodičoch, bez rodičov? Zapájanie rodičov do tvorby verejných politík” [Openly about open government: About parents, without parents? Involving parents in public policy making] (12 July 2021), <https://bit.ly/3ERBrNM>.

<sup>104</sup> Office of the Plenipotentiary, “Otvorene o otvorenom vládnutí: Boj proti korupcii vo vnútri verejnej inštitúcie: Ako vytvoriť na pracovisku atmosféru dôvery namiesto strachu” [Openly about open government: Fighting corruption within a public institution: How to create an atmosphere of trust instead of fear in the workplace] (20 May 2021), <https://bit.ly/3wgKd4l>.

<sup>105</sup> The first meeting took place on 20 October 2021 and the second meeting took place on 10 November 2021.

### III. Multistakeholder Process

#### 3.1. Multistakeholder process throughout action plan implementation

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

OGP’s *Articles of Governance* also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to the OGP process. Slovak Republic **did not act** contrary to OGP process.<sup>1</sup>

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

**Table 3.1: Level of Public Influence**

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply it to OGP.<sup>2</sup> In the spirit of OGP, most countries should aspire to “collaborate.”

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

The Office of the Plenipotentiary has been the lead agency in charge of Slovak Republic’s OGP commitments since 2011. As concluded in the previous IRM reports, the Office of the Plenipotentiary is open and inclusive when it comes to creating new action plans. It closely collaborated with CSO representatives and gave them opportunities to set the agenda. A CSO representative confirmed that the Office of Plenipotentiary is doing a lot of important work in topics related to open government values, especially in encouraging participation at all levels (national, regional, local) across different age groups.<sup>3</sup>

In October 2021, the Office of the Plenipotentiary addressed the main limitation of the OGP process in Slovak Republic by establishing a formalised multistakeholder forum (MSF). The first two meetings were attended by both government and CSO representatives. However, the interest of Slovak civil society in OGP has been rather low<sup>4</sup> and some CSOs stated they lack capacity to act as MSF members; therefore, the Office of the Plenipotentiary published a call for new MSF members representing CSOs.<sup>5</sup> A CSO representative confirmed that Slovak CSOs do not have resources to participate in different boards, councils, and working groups without being compensated, and that not all CSOs have positive relationships with the Office.<sup>6</sup>

Nonetheless, the participatory processes during implementing the action plan was uneven among different public authorities. While creating the action plan is largely under full control of the Office of the Plenipotentiary (however, implementing authorities still must endorse proposed commitments), implementation depends on authorities in charge of particular commitments. As described in Section 2.4, some authorities did not hold any consultations (Ministry of Education in Commitment 5) while others (Ministry for Investments, Regional Development and Informatization in Commitment 9 and Slovak Centre of Scientific and Technical Information in Commitment 6) involved the public and gave them opportunities to influence the agenda.

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<sup>1</sup> Acting Contrary to Process: Country did not meet (1) “involve” during the development or “inform” during implementation of the action plan, or (2) the government fails to collect, publish, and document a repository on the national OGP website in line with IRM guidance.

<sup>2</sup> IAP2, “IAP2 Spectrum of Public Participation” (2018),

[https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum\\_8.5x11\\_Print.pdf](https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf).

<sup>3</sup> Zuzana Čáčová, (Open Society Foundation), email to IRM researcher, 29 Nov. 2021.

<sup>4</sup> Lucia Lacika (Office of the Plenipotentiary), interview by IRM researcher, 13 Oct. 2021.

<sup>5</sup> Office of the Plenipotentiary, “Otvárame tvorbu nového Akčného plánu Iniciatívy pre otvorené vládnutie na roky 2022–2024 a hľadáme ďalších partnerov z občianskej spoločnosti” [We are opening the creation of a new OGP Action Plan for the years 2022-2024 and we are looking for other partners from civil society] (29 Oct. 2021), <https://bit.ly/3F8MFxx>.

<sup>6</sup> Čáčová, email.

## 3.2. Overview of Slovak Republic's performance throughout action plan implementation

Key:

Green= Meets standard

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

Red= No evidence of action

Multistakeholder Forum	During Development	During Implementation
<p><b>1a. Forum established: During the development of the action plan, a multistakeholder forum (MSF) did not exist. There were only different working groups who worked in parallel. On 20 October 2021, the Office of the Plenipotentiary held the first MSF meeting,<sup>1</sup> which aims to include public administration and civil society representatives.</b></p>	Green	Green
<p>1b. Regularity: It is reasonable to expect that the frequency of quarterly meetings required by OGP will be met (the first meeting of the MSF was on 20 October 2021 and the second one for 10 November 2021). The Office of Plenipotentiary confirmed<sup>2</sup> that MSF meetings will occur more frequently ahead of the new action plan preparation, but even after that, the forum will meet at least once every three months.</p>	Yellow	Green
<p>1c. Collaborative mandate development: The MSF's remit, membership, and governance structure have not been developed. The mandate is not clear. However, since its first meeting was in October, it will be necessary to follow up if these will be developed in the next months.</p>	Yellow	Yellow
<p>1d. Mandate public: As the MSF currently lacks a clear mandate, there is no information to be published. There is no timeline for establishing the MSF modus operandi and its long-term operating details are unclear.</p>	Yellow	Red
<p><b>2a. Multistakeholder: At the first meeting of the MSF, both governmental and nongovernment representatives were present. However, since this was only the first meeting, it will be necessary to follow up if this composition will be maintained throughout the creation and implementation of the action plan.</b></p>	Yellow	Green
<p>2b. Parity: During the implementation of the action plan, in some working groups, there were more civil society representatives than public administration representatives. Others, such as the implementation working group, consisted solely of public administration representatives.</p>	Yellow	Green

<p>The newly established MSF include both government and nongovernment representatives.</p>		
<p><b>2c. Transparent selection: There is no formal selection procedure for taking part in MSF. Interested civil society representatives are free to join. The Office of the Plenipotentiary recently published a call for new CSO members of the MSF.<sup>3</sup> The selection criteria are basic and do not restrain participation. They include at least minimal experience with the public administration, interest in open government topics, and the ability to commit to two hours of meetings per month.</b></p>	Yellow	Green
<p>2d. High-level government representation: The working groups did not include high-level representatives with decision-making authority from the government. The new MSF also does not include high-level government representatives. That said, they attend some of the national OGP events organised by the Office of the Plenipotentiary. For instance, justice minister, Mária Kolíková, attended a discussion during OGP week.<sup>4</sup></p>	Red	Yellow
<p><b>3a. Openness: The working groups and MSF accept input and representation on the action plan process from civil society and other stakeholders outside the forum.</b></p>	Green	Green
<p>3b. Remote participation: The Office of the Plenipotentiary is open to remote participation and helps accommodate the needs of different stakeholders at their request. However, information on the opportunities for remote participation is not publicly available.</p>	Green	Green
<p>3c. Minutes: The Office of the Plenipotentiary proactively communicates and reports back on its decisions, activities, and results to government and civil society stakeholders. It also publishes the meeting minutes from some working groups. However, these are not published in a regular and systematic manner. It is important to note that some of these working groups are not coordinated by the Office of the Plenipotentiary. However, the minutes from the first MSF meeting, on 20 October 2021, are also not publicly available.</p>	Yellow	Yellow

Key:

Green= Meets standard

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

Red= No evidence of action

<b>Action Plan Implementation</b>	
4a. Process transparency: The Office of the Plenipotentiary publishes all OGP-related information on its website, <sup>5</sup> social media, <sup>6</sup> and updates on commitments to Trello. <sup>7</sup> The website also has an OGP-dedicated section. <sup>8</sup> The Office of the Plenipotentiary publish self-assessment reports. The last recently published self-assessment report is a final report on implementation for the OGP 2017–2019 action plan. <sup>9</sup>	Green
4b. Communication channels: Although the Office of the Plenipotentiary’s website and its Trello channels do not allow visitors to comment on the content, the Office of the Plenipotentiary facilitates direct communication through emails with different stakeholders to respond to action plan implementation.	Green
4c. Engagement with civil society: There are multiple opportunities for civil society to discuss the implementation of the action plan. The Office of the Plenipotentiary organised several events for civil society that are dedicated to different themes in the action plan. <sup>10</sup>	Green
4d. Cooperation with the IRM: The Office of the Plenipotentiary shares the link to the IRM report with central government departments <sup>11</sup> and publishes it on its website to encourage input during the public comment period. <sup>12</sup>	Green
4e. MSF engagement: As MSF had its first meeting just recently, there is no evidence yet to establish if it monitors and deliberates on how to improve implementation of the NAP. Engagement with civil society for implementing commitments was uneven among different public authorities.	Yellow
4f. MSF engagement with self-assessment report: Again, as MSF had its first meeting just recently, there is no evidence yet to establish if it engages with the self-assessment report. Moreover, the Office of the Plenipotentiary has not yet published the self-assessment report for the 2020–2021 OGP action plan. The last recently published self-assessment report is the final self-assessment of the 2017–2019 OGP action plan implementation, and civil society and the public had the opportunity to provide feedback on its draft. <sup>13</sup>	Green
<b>4g. Repository: The Office of the Plenipotentiary documented, collected, and published a repository on the domestic OGP website in line with IRM guidance.<sup>14</sup></b>	Green



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- <sup>1</sup> Lucia Lacika (Office of the Plenipotentiary), email to IRM researcher, 25 Oct. 2021.
- <sup>2</sup> Lucia Lacika (Office of the Plenipotentiary), interview by IRM researcher, 13 Oct. 2021.
- <sup>3</sup> Office of the Plenipotentiary, “Otvárame tvorbu nového Akčného plánu Iniciatívy pre otvorené vládnutie na roky 2022–2024 a hľadáme ďalších partnerov z občianskej spoločnosti” [We are opening the creation of a new OGP Action Plan for the years 2022-2024 and we are looking for other partners from civil society] (29 Oct. 2021), <https://bit.ly/3F8MFxx>.
- <sup>4</sup> Office of the Plenipotentiary, “Stav právneho štátu na Slovensku” [Rule of Law in Slovakia] (YouTube, 24 Sep. 2020), <https://www.youtube.com/watch?v=8rG45Db4eFo>.
- <sup>5</sup> Office of the Plenipotentiary’s official website: <https://www.minv.sk/?ros>.
- <sup>6</sup> Office of the Plenipotentiary’s Facebook profile (<https://www.facebook.com/SplnomocnenecROS>) and YouTube profile ([https://www.youtube.com/channel/UCvc9yQ\\_9nA3OFk-ZZHx-IA/](https://www.youtube.com/channel/UCvc9yQ_9nA3OFk-ZZHx-IA/)).
- <sup>7</sup> Trello profile of the Office of the Plenipotentiary: <https://bit.ly/2Yj69gG>.
- <sup>8</sup> Office of the Plenipotentiary’s official website, OGP-dedicated section: [https://www.minv.sk/?ros\\_ogp](https://www.minv.sk/?ros_ogp).
- <sup>9</sup> Office of the Plenipotentiary, *Záverečná Hodnotiaca Správa Akčného plánu Iniciatívy pre otvorené vládnutie v Slovenskej republike na roky 2017 – 2019* [Final Evaluation Report Action plan Open governance initiatives In Slovak republic for the years 2017 – 2019] (accessed Jan. 2022), <https://bit.ly/3jDcgGr>.
- <sup>10</sup> See Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2020” [Open Government Week 2020] (accessed Jan. 2022), <https://bit.ly/3BJNjz7>; Office of the Plenipotentiary, “Týždeň otvoreného vládnutia 2021” [Open Government Week 2021], (accessed Jan. 2022), <https://bit.ly/3AGOdhb>; and Ministry of the Interior, “Slovenská republika si pripomína desiate výročie členstva v medzinárodnej Iniciatívy pre otvorené vládnutie” [The Slovak Republic commemorates the tenth anniversary of membership in the International Open Government Partnership] (19 Oct. 2021), <https://bit.ly/3GVbbn9>.
- <sup>11</sup> Lucia Lacika (Office of the Plenipotentiary), email to IRM researcher, 25 Oct. 2021.
- <sup>12</sup> Office of the Plenipotentiary, “Nezávislá hodnotiacia správa k tvorbe akčného plánu na roky 2020-2021 otvorená pre spätnú väzbu” [Independent evaluation report on the development of the 2020-2021 action plan open for feedback] (30 Sep. 2020), <https://bit.ly/3iOntDq>.
- <sup>13</sup> Office of the Plenipotentiary, *Záverečná Hodnotiaca Správa Akčného plánu Iniciatívy pre otvorené vládnutie v Slovenskej republike na roky 2017 – 2019* [Final Evaluation Report Action plan Open governance initiatives In Slovak republic for the years 2017 – 2019].
- <sup>14</sup> IRM, Guidance for online repositories, <https://www.opengovpartnership.org/documents/irm-guidance-for-online-repositories/> (1 Mar. 2020)

## IV. Methodology and Sources

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

The International Experts Panel (IEP) of the IRM oversees the quality control of each report. The IEP is composed of experts in transparency, participation, accountability, and social science research methods.

Current membership of the International Experts Panel is

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

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual<sup>1</sup> and in Slovak Republic's Design Report 2019-2021.

### About the IRM

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



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

## Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.<sup>1</sup> A summary of key indicators the IRM assesses is below:

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

### Results oriented commitments?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design is one that clearly describes the:

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

## Starred commitments

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

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

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

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<sup>1</sup> OGP, IRM Procedures Manual, <https://www.opengovpartnership.org/documents/irm-procedures-manual> (16 Sept. 2017)