

Independent Reporting Mechanism (IRM): Seychelles Transitional Results Report 2019–2021

This report was prepared in collaboration with Mark Odaga and Eva Okoth, independent researchers.

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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 independent researchers Mark Odaga and Eva Okoth 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 Seychelles' first action plan for 2019-2021. In 2021, the IRM implemented a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.¹ The IRM adjusted its Implementation Reports for 2018-2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

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

II. Action Plan Implementation

The IRM Transitional Results Report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit 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

In 2019, Seychelles took the notable step of submitting its first ever action plan to OGP. The action plan included four commitments that aimed to open different areas of government (i) Strengthening public participation in the budget process; (ii) Implementation of the Access to Information Act; (iii) Implementation of the Fisheries Transparency Initiative (FiTI); and (iv) Creation of an e-Engagement portal to increase citizen responsiveness.

However, the COVID-19 pandemic and 2020 presidential elections inhibited implementation of the action plan. Seychelles' October 2020 election led to the first change in government since 1977.² This political transition led to a reshuffle of high-level officials and change in budget priorities. The pandemic added additional budget constraints and limited in-person activities. The change in government and the pandemic were the main barriers to implementation of commitments 1, 2, and 4. As a result, commitment 4 was not started, commitment 2 saw limited completion, and commitment 3 saw substantial implementation. Only commitment 1 was completed.

Commitment 3 is noteworthy as it strengthened government transparency in the fisheries sector through the production and publication of FiTI reports. The FiTI report process and its final recommendations prompted the Seychelles' Fishing Authority to increase the amount of fisheries information publicly available. Publication of data – such as vessel numbers, license fees, and payments by vessel type – has helped to inform public debate and parliamentary discussion on fair and sustainable fisheries practices.

Seychelles' lack of an online repository with information on the co-creation and implementation of OGP action plans means that the country is currently acting contrary to OGP process.

The Seychelles is currently in the process of strengthening its national OGP processes and structures. The IRM encourages continued efforts to engage civil society and formalize national OGP processes to ensure sustainable and inclusive open government efforts. In particular, the IRM recommends:

- Create a publicly accessible OGP website and repository, such as a webpage or Google Drive, with information on the multi-stakeholder forum, the latest action plan, and evidence of the design and implementation of OGP commitments.
- Communicate a clear value proposition that demonstrates to civil society how participation in OGP processes can advance their policy goals. Explore how civil society's policy priorities, such as climate policy, can be advanced through inclusion in the next action plan.
- Formalize the multi-stakeholder forum (MSF) and seek equal representation of civil society and government to oversee the development and implementation of OGP action plans.
- Collaboratively develop the MSF's mandate with civil society members and publish the mandate, proceedings, and membership on the repository.

2.2. COVID-19 pandemic impact on implementation

Just as has been the case globally, the COVID-19 pandemic altered the Government of Seychelles' plans in early 2020. Seychelles saw few COVID cases in the spring of 2020 in part due to a swift government response.³ However, 70 new cases were reported in the month of June 2020, and since then more positive cases have continued to be detected in an upward trend.⁴ The onset of COVID-19 led the government to declare a public health emergency and channel greater attention to curbing the disease.⁵ As elsewhere, Seychelles locked down schools and workplaces, and closed its international borders.⁶ Tourism, which accounts for approximately 24 percent of the country's gross domestic product, declined by 61 percent.⁷ The Finance Minister, Hasaan Noodir, reported that the effect was a reduction in tax revenue from \$566 million to \$519 million in the 2021 budget.⁸

Noting the adverse impact of COVID-19, the government reorganized its priorities to protect its most vulnerable citizens.⁹ The government made an extra provision of RS 30 million for welfare assistance and RS 10 million for the unemployment relief scheme in its annual budget.¹⁰ Resultantly, little to no provision was made for funding the activities stipulated under the four commitments.

Movement and health restrictions also hindered the implementation of activities that required in-person meetings. As an example, both government and civil society cited COVID-19 restrictions as a barrier to the effective implementation of commitments 1, 2, and 3. In the case of commitment 4, the limited budgetary allocation appeared to be a key impact of the effects of COVID-19. CSOs envisioned to participate in implementation of the commitments, such as the Citizen Engagement Platform Seychelles (CEPS), focused their efforts on assisting the government as volunteer workers to directly fight the virus.¹¹ CEPS is a platform representing most CSOs in the Seychelles, which receives government funding.¹² CEPS was the main CSO engaged in OGP processes in the Seychelles under the first action plan.

Furthermore, in the wake of the pandemic, the government presented a revised budget themed "*New Priorities in A New Reality*", which was substantially different from the original one, whose theme was "*Equitable Results-Shared Prosperity*." The new budget's spending priorities included healthcare, food security, social protection, infrastructure, and improved security.¹³ Therefore, the government and CSOs shifted attention and resources away from the reforms envisioned in the 2019 action plan toward addressing the immediate effects of the health crisis.

² BBC, Seychelles election: Wavel Ramkalawan in landmark win, <https://www.bbc.com/news/world-africa-54681360>

³ Republic of Seychelles, Ministry of Health, Seychelles records first cases of COVID-19, <https://www.health.gov.sc/index.php/2020/03/16/seychelles-records-first-cases-of-covid-19/>

⁴ Republic of Seychelles, Ministry of Health, <http://www.health.gov.sc/>

⁵ Voluntary National Review 2020, Republic of Seychelles.

<http://www.finance.gov.sc/uploads/files/Voluntary%20National%20Review%202020%20-Seychelles.pdf> p. 109

⁶ Reuters COVID-19 Tracker – Seychelles, <https://graphics.reuters.com/world-coronavirus-tracker-and-maps/countries-and-territories/seychelles/>

⁷ Reuters, Seychelles tourism revenues down 61% in 2020 due to COVID, finance minister says, <https://www.reuters.com/article/seychelles-economy-idUSL8N2KM4G7>

⁸ Ibid.

⁹ Voluntary National Review 2020, Republic of Seychelles, p. 110

¹⁰ Voluntary National Review 2020, Republic of Seychelles, p. 112

¹¹ Voluntary National Review 2020, Republic of Seychelles, p. 112

¹² Citizen Engagement Platform Seychelles, <https://www.ceps.sc/>

¹³ Voluntary National Review 2020, Republic of Seychelles, p. 113

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, new IRM Results Report will not continue using DIOG as an indicator.

Section 2.3 focuses on outcomes from the implementation of 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.¹ Commitments considered for analysis in this section had at least a “substantial” level of implementation, as assessed by the IRM in Section 2.4.² While this section provides the analysis of the IRM’s findings for the commitments that meet the criteria described above, Section 2.4 includes an overview of the level of completion for all the commitments in the action plan.

| Commitment 3: Implementation of the Fisheries Transparency Initiative | |
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| Aim of the commitment | This commitment aimed to increase transparency in the fisheries industry through the publication of the Seychelles’ first Fisheries Transparency Initiative (FiTI) report. Previously, fisheries information was unavailable, only partially available, of bad quality, or not set out objectively and accessibly. Therefore, the FiTI report is intended to encourage greater disclosure of fisheries information to inform public debate and policy making. The commitment also aimed to communicate the findings of the report to the broader fishing community and formally apply for FiTI membership. ¹⁴ |
| Did it open government? Marginal | <p>Commitment 3 was substantially completed and resulted in marginal improvement to government transparency in the fisheries sector during the implementation period.</p> <p>The Seychelles formed a FiTI national multi-stakeholder group (NMSG) in 2017 under a decision by the Cabinet of Ministers. The 12 NMSG members include government representatives from the ruling and opposition parties, representatives of small and large-scale fishing and processing, two members of civil society, two members of CEPS, and one youth representative.¹⁵ Philippe Michaud, Special Adviser in the Office of the Vice President of the Republic and Chair of the NMSG, noted that it is a challenge to engage fishermen, particularly artisanal and small-scale fishermen in the NMSG due to the Seychelles’ nascent culture of public participation and lack of organized private-sector associations.¹⁶</p> |

¹ IRM Design Reports identified strong commitments as “**noteworthy commitments**” if they were assessed as verifiable, relevant and “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 Seychelles’ noteworthy commitments, see the Executive Summary of the 2019-2021 IRM Design Report: <https://www.opengovpartnership.org/documents/seychelles-design-report-2019-2021/>

² The following commitments assessed as noteworthy in Seychelles’ IRM Design Report are not included in this section because their limited implementation means there is not enough progress to assess results: Commitment 2: Implementation of the Access to Information Act.

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| | <p>The NMSG submitted Seychelles' application to the global FiTI Secretariat on 6 March 2020 (milestone 1).¹⁷ On 3 April 2020, FiTI approved the application and Seychelles' status was subsequently elevated to 'candidate country.' The Seychelles is now eligible to become an FiTI 'compliant country' after its first validation is completed. FiTI expected to complete Seychelles' first validation by October 2022.¹⁸</p> <p>During the implementation period, the NMSG oversaw the drafting of Seychelles' first FiTI report, meeting at least three times to review drafts and submit recommendations. On 16 April 2021, the NMSG submitted the FiTI report and gave a public presentation (milestone 2).¹⁹ It should also be noted that the NMSG published Seychelles' second FiTI report on 15 December 2021, after the implementation period.²⁰</p> <p>As the first FiTI report notes, publication is not an end in itself but rather a means to highlight areas where greater information disclosure is needed and facilitate informed public debate and policy making.²¹ In particular, the report emphasizes the importance of greater publication of private fishing access agreements and information on subsidies to the large-scale fishing sector.²²</p> <p>Importantly, the drafting process of the first FiTI report resulted in more comprehensive and accessible publication of fisheries information online by the Seychelles Fishing Authority (SFA).²³ According to the report, "some foreign fishing access agreements, fisheries research studies, licensing data etc. have now been published and can be accessed [online] without any restrictions or costs." Following publication, SFA implemented several recommendations from the report, such as online publication of data on vessel numbers, license fees, and payments by vessel type.²⁴</p> <p>Philippe Michaud also states that the FiTI process has prompted the government to avoid entering into agreements with confidentiality clauses that prevent their disclosure. Notably, members of parliament met with the NMSG on 30 September 2021 to discuss the report findings.²⁵ Members of parliament expressed particular concern around fishing agreements with non-disclosure clauses and highlighted the importance of public information on the status of fish stocks.²⁶</p> <p>Dissemination and trainings foreseen in milestones 3 and 4 were carried out to a limited extent due to the COVID-19 pandemic. Restrictions on in-person meetings particularly inhibited outreach to fishermen who were not accessible through virtual means.²⁷ According to the government's self-assessment report, the NMSG is developing a handout on the importance of transparency for small-scale fishing.²⁸ The Seychelles' report received domestic and international media coverage as the first FiTI report released.²⁹ Moreover, the NMSG is partnering with parliamentarians to mobilize increased engagement and dissemination of the reports within their respective fishing communities.³⁰</p> <p>Implementation of this commitment has resulted in a marginal improvement to government transparency in the fisheries sector. The production and publication of FiTI reports resulted in greater disclosure and dissemination of fisheries information by the Seychelles' Fishing</p> |
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| | <p>Authority.³¹ Moreover, the report directly resulted in conversations with members of the National Assembly on the importance of transparency around fishing contracts and stocks.³²</p> <p>The 2020 FiTI report highlighted the importance of the Ministry of Fisheries and Blue Economy's initial work toward publishing information on the beneficial ownership of companies in the fisheries sector.³³ The Ministry and NMSG should consider whether including this reform in the next OGP action plan would support these efforts.</p> <p>The next step is to leverage FiTI report findings and newly disclosed information to inform civic participation and public accountability in the fisheries sector.³⁴ To do so the IRM recommends:</p> <ul style="list-style-type: none"> • The Seychelles Information Commission and NMSG develop a roadmap for cooperation to advance mutually beneficial access to information and fisheries transparency efforts. • The NMSG and parliamentarians communicate the findings and their importance to small-scale and artisanal fishermen. In particular, making use of newly disclosed information on fish stocks to take action against overfishing.³⁵ • The NMSG also consider how to sensitize commercial and small-scale fishermen on opportunities to participate in decision making and accountability around fisheries governance. |
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2.4. Commitment implementation

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

| Commitment | Completion: |
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| Commitment 1: Strengthening public participation in the budget process | <p>Complete:</p> <p>This commitment aimed to create opportunities for civil society to engage with ministries, departments, and agencies in the budget process as well as legal and policy review processes.³⁶ It was designed against a backdrop of government plans to enhance civil society engagement from as far back as 2015 under the Programme Performance Based Budgeting (PPBB).³⁷ Despite this aim, the government had not established a formal mechanism for civil society engagement, which remained limited and tended to be sought retrospectively after the budget had been given.³⁸</p> <p>The Ministry of Finance, Economic Planning and Trade (MoFTIEP) committed to review the budget calendar and include engagement with CEPS and CSOs; engage with CEPS and CSOs in line with an amended budget calendar; and work with CEPS to provide civil society training and sensitization programs on policy and legal instruments.³⁹</p> <p>MoFTIEP amended the budget calendar to include meetings with CEPS and business associations (milestones 1 and 2). According to the 2021 budget calendar provided by MoFTIEP, the Ministry of Finance met with CEPS and business associations during the strategic</p> |

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| | <p>planning and presentation phases of budget preparation. This is an improvement from the calendar for the 2020 budget, which did not explicitly include moments for consultation with non-government stakeholders.⁴⁰ MoFTIEP documents indicate that the Ministry intends to continue consulting CEPS and business associations in forthcoming budgets and economic planning.⁴¹</p> <p>CEPS organized community and online consultations that included representatives from the Ministry of Finance and Central Bank to discuss the public's budget priorities. In-person consultations were limited to 30 attendees due to the pandemic. CEPS then communicated this input to MoFTIEP during the two scheduled meetings. CEO of CEPS Alvin Laurence stated that CEPS produced reports following consultations with the government and the public. However, the IRM researcher did not receive documented evidence of these reports. Laurence notes that CEPS also provided feedback to the government on Results Based Management reforms undertaken with the International Monetary Fund.⁴²</p> <p>Laurence noted that there is currently no process in place for the ministry to directly respond to budget suggestions received from civil society or the public. However, the Minister of Finance responds generally to comments received through public statements following budget debates. Laurence stated that establishing a direct means for the government to respond to budget concerns remains an area for opportunity. Laurence shared that there is some evidence of civil society influencing the government's budget decisions. For example, the government amended plans to raise bus fares on Sundays and holidays in response to CEPS' input last year.⁴³</p> <p>CEPS worked with the Central Bank of Seychelles and Register General to provide some training to CSOs on policy and legal instruments (milestone 3). CEPS and the government convened sessions on topics such as CSO roles and responsibilities under the Registration Act and increasing the age of pension funds.⁴⁴ However, the COVID-19 pandemic and change in government prevented all planned trainings from taking place.⁴⁵ Moreover, sensitizations that took place did not include information and capacity building related to CSOs' participation in budget preparation. Therefore, these trainings did not directly contribute to the commitment's overall policy objective. Laurence noted that CEPS' engagement with the Ministry of Finance improved over the implementation period. However, CEPS' quarterly meetings with the Office of the Vice President stopped after the change in government, resulting in less engagement with the government on national matters outside the Ministry of Finance.⁴⁶</p> <p>The Ministry of Finance and CEPS completed all three milestones foreseen in this commitment. However, these activities represent modest steps toward greater civic participation in the budget process.⁴⁷ MoFTIEP designated and conducted two meetings with CEPS and business associations during development of the 2021 budget. At these meetings, CEPS communicated budget priorities gathered from the community. Resultantly, this commitment made incremental steps toward greater civic participation in preparation of the national budget and economic planning documents.</p> |
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| | <p>Several factors limited this commitment's open government results. These include the fact that the commitment was designed to include modestly ambitious commitments as well as challenges presented by the COVID-19 pandemic and change in government. Foremost, direct participation in the budget process was limited to CEPS and three business associations. Moreover, the consultation process does not yet include a mechanism for the Ministry of Finance to inform civil society or the public on how their input influenced the final budget. Finally, while some CSO sensitizations took place on related issues, these meetings did not strengthen CSOs' ability to participate in the budget process.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The government should allocate the funding and human resources necessary for opening up the budget process. • MoFTIEP should establish a structured feedback mechanism system with citizens and civil society. This will help track the effectiveness of citizen engagement in the budget and legislative processes. It will also help evaluate the extent to which feedback/input from the public influences the final budget and legislative decisions. • MoFTIEP and CEPS should conduct civil society training on opportunities to engage in the budget process. Trainings could also provide a forum in which civil society is consulted on how to design participation and communication channels with MoFTIEP. • MoFTIEP and CEPS should publicly document meetings, trainings, consultations, and assessments to facilitate monitoring implementation of this reform. |
| <p>Commitment 2: Implementation of the Access to Information Act</p> | <p>Limited:</p> <p>This commitment aimed to address obstacles to implementing the 2018 Access to Information Act. The act allows for broad access to government-held information. However, a civic and bureaucratic culture of secrecy and the delayed establishment of the Information Commission has inhibited implementation of the law.⁴⁸</p> <p>The Information Commission and Department of Information committed to enhance proactive information disclosure and increase citizen understanding around their access to information (ATI) rights. The key milestones included delivery of training programs for information commissioners; sensitization of public authorities on disclosure; appraisal of the state of government records; public sensitization campaigns; and establishment of an access to information webpage for every government entity.⁴⁹</p> <p>This commitment saw limited completion. Sensitization of the public on ATI was limited, appraisal of the state of government records was not achieved, and not every government entity has established an access to information webpage. Positively, the Information Commission made progress training information officers and public authorities.⁵⁰</p> |

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| | <p><i>Access to information training for public officials</i></p> <p>The Information Commission held several trainings for public officials on access to information. On 24 October 2019, the Information Commission held a half-day workshop for information officers on responsibilities under the ATI Act in regard to making information available and responding to requests for information.⁵¹ An induction meeting for a group of information officers was held on 16 June 2020 and a second meeting with an information officer and representatives from other government departments was held on 5 October 2021.⁵² On 15 October 2021, a sensitization session was conducted on the Access to Information Act 2018 with staff at the Department of Risk and Disaster Management. However, the IRM did not find evidence on the substantive issues covered in comparison with the intended themes listed under the first milestone.</p> <p><i>Records management and access to information webpages</i></p> <p>The Government of Seychelles did not conduct an appraisal of executive records to determine the state of government records.⁵³ The government also did not establish an ATI webpage for every government entity in the implementation period. The Department of Information Communications Technology (DICT) submitted an ATI webpage template in July 2021 for approval and once it was approved, all government entities were expected to have set up an ATI webpage by November-October 2021.⁵⁴ At the time of compiling this report, there was no evidence that all government departments had set up such a webpage.</p> <p><i>Civil society training and public outreach</i></p> <p>There was no evidence that the Information Commission appointed CSOs to undertake education and citizen sensitization on ATI. The government stated that budget cuts, emergency health measures, and the freeze of hiring for the technical person in charge of delivering education and sensitization inhibited outreach efforts.⁵⁵ Alvin Laurence of CEPS also noted that most CSOs had already received their government grants and resources for the year, and that these grants were tied to specific projects not related to ATI.⁵⁶ The IRM also did not find evidence that outreach efforts intentionally targeted marginalized groups, including schools, the elderly, and persons with disabilities, as envisioned in milestone 8.</p> <p>The Information Commission did publish a “How-to Manual of the Access to Information Act, 2018.”⁵⁷ An additional summary on how-to-access information was shared on the website and via Facebook in September 2021.⁵⁸ Several government entities have published the manual, such as the Central Bank of Seychelles,⁵⁹ Seychelles Civil Aviation Authority,⁶⁰ and the Judiciary of Seychelles.⁶¹</p> <p>Training for government officials on access to information and the publication of a 'how to' guide are incremental positive steps toward implementation of the ATI law. However, financial and human resource</p> |
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| | <p>constraints inhibited key activities such as public sensitization, proactive information disclosure and a review of the state of government records.</p> <p>The COVID-19 pandemic has restricted access to information across the globe. At the same time, the pandemic has made citizen access to accurate and timely information such as public health statistics and services and emergency government spending all the more important.⁶² Therefore, the IRM recommends that the Information Commission and Department of Information continue expanding citizens' access to information through the following:</p> <ul style="list-style-type: none"> • Continue to support government agencies' proactive disclosure of information through ATI webpages and National Bureau of Statistics to reduce the burden of responding to information requests. • Continue to train public servants on record keeping and responding to ATI requests with a specific aim to counter the culture of government secrecy. • Continue public outreach efforts through diverse and accessible formats such as videos, animations, braille, and texts in local languages to inform the public on how to access information. • Conduct targeted training with journalists and CSOs on the legal framework around access to information and consult participants on the accessibility of channels for information disclosure. • Expand on the existing access to information statistical report to include analysis of the information presented and qualitative analysis of implementation of the ATI law.⁶³ |
| <p>Commitment 4: Creation of an e-Engagement portal to increase citizen responsiveness</p> | <p>Not Started:</p> <p>This commitment aimed to create a platform through which the government could better respond to citizen concerns and citizens could participate in national decisions. Despite the existence of government department websites through which the public can raise some of these concerns, "public concerns are rarely addressed, and this renders citizens frustrated and distrustful of government institutions."⁶⁴</p> <p>Implementation of this commitment was not started. The government intends to continue project planning in 2022 with the hope that the platform will be implemented in 2023, pending budget approval.⁶⁵ Budget constraints limited implementation of this commitment. If this reform is continued, the IRM recommends that implementers take into consideration the following:</p> <ul style="list-style-type: none"> • The government should allocate the necessary budget to implement the platform, which can then be used to solicit public input on future OGP action plans and open government reforms. • The government and civil society evaluate the legal framework underpinning the e-engagement portal and consider whether a legal mandate would facilitate government responsiveness to citizen comments and complaints once the portal is launched. |

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| | <ul style="list-style-type: none"> • DICT should collaborate closely with civil society and citizens in designing and testing online engagement tools to ensure usability and effectiveness. • The OGP multi-stakeholder forum, or other appropriate body, should prepare a communication plan to popularize the portal and facilitate the shift in citizens' behavior from social media toward also making use of the government platform, when appropriate. |
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¹⁴ Seychelles National Action Plan, 2019 - 2021, <https://www.opengovpartnership.org/documents/seychelles-action-plan-2019-2021/> p. 15

¹⁵ Ministry of Fisheries and the Blue Economy, FiTI National Multistakeholder Group, <http://www.mofbe.gov.sc/FiTI/national-multi-stakeholder-group/>

¹⁶ Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021.

¹⁷ Seychelles Self-Assessment Report 2019 – 2021, <https://drive.google.com/drive/u/0/folders/1JK5ZPF55bHVe1qUu08-RE-fx-LqH94y4>; FiTI, Seychelles, <https://www.FiTI.global/seychelles>

¹⁸ FiTI, Seychelles, <https://www.FiTI.global/seychelles>

¹⁹ Seychelles Self-Assessment Report 2019 - 2021, p.31, <https://drive.google.com/drive/u/0/folders/1JK5ZPF55bHVe1qUu08-RE-fx-LqH94y4>; Seafood Source, Seychelles becomes first country to submit Fisheries Transparency Initiative Report, <https://www.seafoodsource.com/news/environment-sustainability/seychelles-makes-history-with-fisheries-transparency-initiative-report>; Open Government Partnership, Seychelle's Fisheries: We have Nothing to Hide; We Have Everything to Share, <https://www.opengovpartnership.org/stories/seychelles-fisheries-we-have-nothing-to-hide-we-have-everything-to-share/>

²⁰ Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021; Press Release: Seychelles releases its 2020 Fisheries Transparency Initiative (FiTI) Report, <https://www.sfa.sc/index.php/fisheries-report-other-document?task=download.send&id=167&catid=33&m=0>

²¹ Seychelles 1st Report to the Fisheries Transparency Initiative, p.13 <https://www.sfa.sc/index.php/e-library/fisheries-report?task=download.send&id=137&catid=33&m=0> See also the factsheet: <https://www.sfa.sc/index.php/e-library/reports/documents?task=download.send&id=110&catid=33&m=0>

²² Fisheries Transparency Initiative, Transparency of Fisheries in Seychelles (Launch of Seychelle's First FiTI Report, 16 April 2021) Background Information, p.6, https://www.mfa.gov.sc/uploads/downloads/FiTI_SYC_LaunchForum_Background_20210419.pdf

²³ Seychelles Fishing Authority, SFA Publications & Other Fisheries Reports, <https://www.sfa.sc/index.php/e-library/sfa-reports-other-documents>

²⁴ Seychelles 1st Report to the Fisheries Transparency Initiative, p.6, <https://www.sfa.sc/index.php/e-library/reports/documents?task=download.send&id=111&catid=33&m=0>

²⁵ Seychelles National Assembly, Members Learn More About Fisheries Transparency Initiative, <https://www.nationalassembly.sc/media/news/2021-09/members-learn-more-about-fisheries-transparency-initiative>; <https://www.nation.sc/articles/10718/assembly-members-learn-more-about-fisheries-transparency-initiative>

²⁶ Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021.

²⁷ Seychelles Self-Assessment Report 2019 - 2021, p. 31; Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021.

²⁸ Seychelles Self-Assessment Report 2019 – 2021, <https://drive.google.com/drive/u/0/folders/1JK5ZPF55bHVe1qUu08-RE-fx-LqH94y4>

²⁹ Seychelles' first FiTI Report [2019], released on 16 April 2021 Examples of media coverage and stakeholder reactions. Provided to the IRM, 15 July 2021, FiTI International Secretariat.

³⁰ Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021.

³¹ Seychelles Fishing Authority, SFA Publications & Other Fisheries Reports, <https://www.sfa.sc/index.php/e-library/sfa-reports-other-documents>

³² Seychelles Nation, Assembly members learn more about fisheries transparency initiative, <https://www.nation.sc/articles/10718/assembly-members-learn-more-about-fisheries-transparency-initiative>

³³ Fisheries Transparency Initiative, Transparency of Fisheries in Seychelles (Launch of Seychelle's First FiTI Report, 16 April 2021) background information, p.6, https://www.mfa.gov.sc/uploads/downloads/FiTI_SYC_LaunchForum_Background_20210419.pdf; Coalition for Fair Fisheries Arrangements, Seychelles FiTI report: Stakeholders make recommendations regarding access by fleets of foreign

origin, <https://www.cffacape.org/publications-blog/seychelles-FiTI-report-stakeholders-make-recommendations-regarding-access-by-fleets-of-foreign-origin>

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³⁵ Philippe Michaud, Consultant, Ministry of Fisheries and the Blue Economy and FiTI Seychelles National Lead, interview with IRM researcher, 16 December 2021.

³⁶ Seychelles OGP National Action Plan 2019 - 2021 (NAP), <https://www.opengovpartnership.org/documents/seychelles-action-plan-2019-2021/> p.155

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⁴² Alvin Laurence, CEO of CEPS, interview with IRM researcher, 17 January 2022; Seychelles Nation, CEPS members learn more about forthcoming economic reform programme, <https://www.nation.sc/articles/9918/ceps-members-learn-more-aboutforthcoming-economic-reform-programme>

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⁴⁸ Seychelles Design Report 2019 - 2021, p.7, <https://www.opengovpartnership.org/documents/seychelles-design-report-2019-2021/>

⁴⁹ Seychelles' First Open Government National Action Plan 2019-2021,

<https://www.opengovpartnership.org/documents/seychelles-action-plan-2019-2021/> p. 10

⁵⁰ Seychelles Self-Assessment Report, 2019 - 2021, <https://drive.google.com/drive/u/0/folders/1JK5ZPF55bHVe1qUu08-RE-fx-LqH94y4>, pp. 20 - 21

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III. Multi-stakeholder Process

3.1 Multi-stakeholder 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. Seychelles **acted contrary** to the OGP process as there is no online OGP repository.⁶⁶

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

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply it to OGP.⁶⁷ 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 Seychelles' 2020 election and the COVID-19 pandemic both contributed to a lack of organized oversight of implementation of the action plan.⁶⁸ There is no evidence that a multi-stakeholder group monitored implementation of the Seychelles' first action plan. The action plan was designed by an informal drafting committee mostly comprised of government representatives.⁶⁹ However, the IRM researcher did not find evidence that this committee continued its involvement during implementation. A change of government in October 2020 resulted in turnover of government staff involved in the OGP process and individual commitments. Seychelles' OGP process shifted from the Office of the Vice President to the Ministry

of Finance. Elizabeth Agathine and Shirin Alexandra Pillay-Laporte from the Ministry of Finance were appointed as the new OGP points of contact.⁷⁰

Seychelles is currently acting contrary to OGP process as the government has not developed a repository with information on the development and implementation of OGP action plans.⁷¹ The FiTI NMSG webpage offers a good example of a repository that includes the NMSG members, terms of reference, meeting minutes, and key documents.⁷² The IRM recommends that the government establish a similar webpage for OGP activities.

While there was no joint oversight of the action plan as a whole, implementation of commitment 1 facilitated some government-civil society engagement through the Ministry of Finance's consultation with CEPS during the budget process.⁷³ Moreover, Seychelles' FiTI NMSG continued to collaborate through the production of Seychelles' first FiTI report under commitment 3. Resultantly, CEPS and NMSG were both informed of the progress of their respective commitments. Moreover, Seychelles' Self-Assessment Report was developed in consultation with relevant ministries and validated by representatives of CEPS.⁷⁴

At the time of writing, OGP points of contact Elizabeth Agathine and Shirin Alexandra Pillay-Laporte noted that Seychelles was in the process of formalizing OGP processes prior to developing the second action plan. As the Seychelles institutionalizes OGP processes, the IRM recommends that the government:

- Create a publicly accessible OGP website and repository, such as a webpage or Google Drive, with information on the multi-stakeholder forum, the latest action plan, and evidence of the design and implementation of OGP commitments.
- Communicate a clear value proposition that demonstrates to civil society how participation in OGP processes can advance their policy goals. Explore how civil society's policy priorities, such as climate policy, can be advanced through inclusion in the next action plan.
- Formalize the multi-stakeholder forum (MSF) and seek equal representation of civil society and government to oversee the development and implementation of OGP action plans.
- Collaboratively develop the MSF's mandate with civil society members and publish the mandate, proceedings, and membership on the repository.

⁶⁶ 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/webpage in line with IRM guidance.

⁶⁷ IAP2's Public Participation Spectrum, IAP2, 2014,

https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf

⁶⁸ Seychelles Self-Assessment Report, <https://drive.google.com/drive/u/0/folders/1JK5ZPFS5bHVe1qUu08-RE-fx-LqH94y4> p. 40

⁶⁹ Seychelles 2019-2021 IRM Design Report, <https://www.opengovpartnership.org/documents/seychelles-design-report-2019-2021/>

⁷⁰ Elizabeth Agathine and Shirin Alexandra Pillay-Laporte, Economic Planning Department, Ministry of Finance, Government of the Seychelles and OGP Points of Contact, interview with IRM researcher, 30 November 2021.

⁷¹ IRM Guidance for Online Repositories, <https://www.opengovpartnership.org/documents/irm-guidance-for-online-repositories/>

⁷² Ministry of Fisheries and Blue Economy, FiTI National Multistakeholder Group, <http://www.mofbe.gov.sc/FiTI/national-multi-stakeholder-group/>

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⁷⁴ Ibid.

3.2 Overview of Seychelles' 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

| Multi-stakeholder Forum | During Development | During Implementation |
|--|--------------------|-----------------------|
| 1a. Forum established: The IRM researcher did not find evidence that a forum oversaw implementation of the action plan. | Yellow | Red |
| 1b. Regularity: The IRM researcher did not find evidence that a forum oversaw implementation of the action plan. | Green | Red |
| 1c. Collaborative mandate development: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Red | Red |
| 1d. Mandate public: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Red | Red |
| 2a. Multi-stakeholder: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Green | Red |
| 2b. Parity: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Red | Red |
| 2c. Transparent selection: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Yellow | Red |
| 2d. High-level government representation: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Green | Red |
| 3a. Openness: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Yellow | Red |
| 3b. Remote participation: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. However, CEPS remotely met with the government to review and validate the Self-Assessment Report. ⁷⁵ | Red | Yellow |

3c. Minutes: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan.

Yellow

Red

Key:

Green= Meets standard

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

Red= No evidence of action

| Action Plan Implementation | |
|--|--------|
| 4a. Process transparency: The Seychelles does not have a website or repository with information on OGP processes or progress. | Red |
| 4b. Communication channels: The government did not provide a platform, such as an OGP website or repository, where the public could gather information or provide updates on implementation progress. | Red |
| 4c. Engagement with civil society: The government did not hold meetings with civil society to discuss the action plan as a whole. However, the government met with CEPS to discuss and validate the self-assessment report. Additionally, CEPS and NMSG engaged with the government through implementation of commitments 1 and 3. ⁷⁶ | Yellow |
| 4d. Cooperation with the IRM: The government circulated the report during the prepublication period to gather feedback from stakeholders. | Green |
| 4.e MSF engagement: The IRM researcher did not find evidence of a forum to oversee implementation of the action plan. | Red |
| 4.f MSF engagement with self-assessment report: The government met with CEPS to discuss and validate the self-assessment report. ⁷⁷ | Yellow |
| 4.g. Repository: The Seychelles does not have a OGP website or repository. As a result, Seychelles is currently acting contrary to OGP process. | Red |

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 Manual⁷⁸ and in Seychelle'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.



This report was prepared in collaboration with independent researchers **Mark Odaga** advocate at the High Court of Kenya and **Eva Okoth** an environmental justice lawyer and advocate at the High Court of Kenya.

⁷⁵ Elizabeth Agathine and Shirin Alexandra Pillay-Laporte, Economic Planning Department, Ministry of Finance, Government of the Seychelles and OGP Points of Contact, interview with IRM researcher, 30 November 2021.

⁷⁶ Ibid.

⁷⁷ Seychelles Self-Assessment Report, <https://drive.google.com/drive/u/0/folders/1JK5ZPFS5bHVe1qUu08-RE-fx-LqH94y4>

⁷⁸ 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.⁷⁹ 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.

⁷⁹ “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>