

Independent Reporting Mechanism

Côte d'Ivoire
Co-Creation Brief 2022

Open
Government
Partnership



Independent
Reporting
Mechanism

Introduction

This brief from the OGP's Independent Reporting Mechanism (IRM) serves to support the co-creation process and design of the fourth action plan and to strengthen the quality, ambition, and feasibility of commitments. It provides an overview of the opportunities and challenges for open government in the country's context and presents recommendations. This brief does not constitute an evaluation of a particular action plan and its purpose is to inform the planning process for co-creation based on collective and country-specific IRM findings.

The Co-Creation Brief draws on the results of the research in the prior IRM reports (Action Plan Review, implementation/results reports), and draws recommendations from the data and conclusions of those reports. The brief also draws on other sources such as [OGP National Handbook](#), [OGP Participation and Co-creation Standards](#), and IRM guidance on [online OGP repositories](#) and [the minimum threshold for "involve"](#), to ensure that recommendations provided are up-to-date in light of developments since those IRM reports were written, and to enrich the recommendations by drawing on comparative international experience in the design and implementation of OGP action plan commitments as well as other context-relevant practice in open government. The co-creation brief has been reviewed by IRM senior staff for consistency, accuracy, and with a view to maximizing the context-relevance and actionability of the recommendations. Where appropriate, the briefs are reviewed by external reviewers or members of the IRM International Experts Panel (IEP).

The IRM drafted this co-creation brief in February 2022.

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Section I: Action Plan Co-Creation Process

Snapshot of previous co-creation processes in Côte d'Ivoire			
Iterative dialogue between civil society and government			
Government provides reasoned response			
Civil society could provide input			
Civil society was informed of the plan			
No consultation			
	Action Plan 1	Action Plan 2	Action Plan 3

Since joining OGP in 2015, Côte d'Ivoire has continuously broadened its co-creation process, leading to commitments that are increasingly aligned with civil society priorities. However, the design of commitments does not always fully indicate their ambition and relevance to open government. The IRM recommends that the OGP Technical Committee (CT-OGP) prioritize creating moments in the co-creation timeline to hone the milestones and open government lens of commitments. Greater transparency around OGP processes and implementation progress will also help to document achievements and lessons learned across action plans and to onboard new partners.

With a view to ensuring a strong co-creation process, the IRM recommends the following:

1. CT-OGP and the Civil Society Platform (PSCI-OGP) should establish moments during co-creation to identify and design commitments with a strong open government lens.
2. CT-OGP should work with commitment holders to ensure specific and clear milestones that reflect the full scope of planned activities and expected results.
3. CT-OGP should develop an OGP repository to provide timely, in-depth and historical information on activities and progress of Côte d'Ivoire's participation in OGP.
4. CT-OGP and PSCI-OGP should reinforce consultation mechanisms through robust documentation, communication, and outreach to new and current stakeholders.

RECOMMENDATIONS

Recommendation 1: CT-OGP should establish moments during co-creation to identify and design commitments with a strong open government lens.

Côte d'Ivoire's increasingly broad consultation process has led to commitments closely tied to national priorities. As participation is broadened and fresh ideas are introduced, it becomes increasingly important to review draft commitments to ensure a strong open government lens. A commitment has an open government lens if it sets out to make a policy area, institution or decision-making process more transparent, participatory or accountable to the public. OGP defines the open government values on page 20 of the [OGP Articles of Governance](#). There are several opportunities in the co-creation process where relevance to open government can be considered:

- Define the values of transparency, civic participation, and public accountability in introductory materials at the outset of the co-creation process to assist stakeholders in proposing and designing relevant reforms.
- Communicate a clear value proposition for open government to government officials to bolster support and engagement across government.

- Review commitment proposals as well as the action plan before final validation to ensure all commitments contain a clear open government lens.

Commitments to improve the quality of public service delivery are popular among African OGP countries. However, there is opportunity to strengthen the open government lens of such commitments. For example, Côte d'Ivoire has prioritized access to education across OGP action plans, particularly through the [2016 commitment](#) to establish the [Virtual University of Côte d'Ivoire \(UVCi\)](#). This reform addressed a national priority but did not include a strong connection to open government, as written. Examples of how an open government approach could be applied to advance public service delivery, such as higher education, include:

- To advance **transparency**, stakeholders could publish information and data that strengthen the public's ability to monitor UVCi's efforts and participate in decision-making, such as UVCi governance processes, budget and spending, and quality assessments. UVCi could use the [open data portal](#) to publish data on applications, enrollment, and degree completion or analytics on platform use. UVCi students could support open data efforts through 'hackathons', such as [in Ghana](#).
- To strengthen **public accountability** of government services, the Ministry of Higher Education and Scientific Research could partner with civil society and students to develop a mechanism to collaboratively monitor education delivery and provide recommendations, as demonstrated by [the Philippines](#).
- To strengthen **civic participation**, the Ministry of Higher Education and UVCi leadership could establish channels for students and other stakeholders to participate in decision-making around education service delivery.

Recommendation 2: CT-OGP should work with commitment holders to develop specific and clear milestones that reflect the full scope of planned activities and expected results.

Côte d'Ivoire has gradually improved the design of commitments with each action plan. And yet, Côte d'Ivoire's commitments continue to score low in terms of potential for results. This low level of ambition is sometimes due to limited clarity of the full scope of intended results in the commitment text. For example, several commitments, such as Commitment 2 in Côte d'Ivoire's [2018-2020 action plan](#) achieved more than what was planned. A more concrete and comprehensive description of activities in the action plan will allow implementers, the IRM, and external partners to more accurately monitor and contribute to open government reforms.

For example, the milestones for participatory budgeting commitments show an increase in clarity and ambition from the [2018](#) to [2020](#) action plan. However, there remains further room for clarity, like in milestone 1, "establishment and activities of the working group on the preparation of the decree and subsequent texts." More details would help to shed light on how the milestone will contribute to the commitment's objective. For example, information on whether the group will involve multiple stakeholders and the group's level of engagement and degree of decision-making power in developing the decree and texts would help clarify how these activities will work towards the expected participatory budgeting reforms.

To draft specific and clear milestones, the IRM recommends that CT-OGP:

- Consider bringing together policy experts, implementing agencies, and CSOs with technical knowledge after broad consultations have defined the thematic priorities in

order to identify the specific activities that would contribute to the commitment's policy objective.

- Review the draft action plan to verify that milestones describe concrete activities with a clear connection to the overall policy aim before final validation of the action plan.
- Share the draft action plan for input from their OGP Country Support contact. The IRM is also available to provide a design workshop towards the end of the co-creation process on one or two draft commitments selected by CT-OGP.

If Côte d'Ivoire undertakes a four-year action plan, it may be difficult to provide a detailed description of every planned activity at the start. In this case, Côte d'Ivoire could develop an implementation plan that lays out concrete steps for the first two years. Implementers can then reconvene at the halfway point to assess the progress and obstacles thus far and update the implementation plan for the remainder of the period. The IRM will also hold an implementation check-in meeting with key stakeholders at the halfway point.

Recommendation 3: CT-OGP should develop an OGP repository to provide timely, in-depth and historical information on activities and progress of Côte d'Ivoire's participation in OGP.

CT-OGP oversees robust OGP consultation processes. However, only basic information about consultations is publicly available through the [Facebook](#) page. [CT-OGP](#) and [PSCI-OGP's](#) websites also lack up-to-date information. CT-OGP should develop a public OGP repository that provides an in-depth and historical record of open government progress and lessons learned to date.

The [Participation and Co-Creation Standards](#) encourage members to practice maximum transparency to facilitate participation and accountability throughout the OGP process. In particular, countries must maintain an up-to-date OGP website that either functions as or is accompanied by a repository. Under the minimum requirements of these standards, the multistakeholder forum or government must demonstrate that:

- The OGP website contains the latest action plan.
- They published a co-creation timeline with information on opportunities for stakeholders to participate published at least two weeks in advance on the OGP website/page.
- They published basic rules on participation in the MSF.
- The repository includes at least one piece of evidence of co-creation and one piece of evidence of implementation from the last 6 months.
- They documented input received from stakeholders on the action plan.

The IRM recommends that CT-OGP review existing communication and transparency channels to identify the information gaps and next steps. In addition to updating the existing websites, CT-OGP and PSCI-OGP could make use of a free platform, such as Google Drive or Dropbox as a repository. Côte d'Ivoire is encouraged to aim beyond the minimum transparency requirements listed above by proactively publishing input gathered through consultations and evidence of implementation across all commitments. Examples of comprehensive OGP websites in the region include [Morocco](#), [Tunisia](#), and [Jordan](#).

Recommendation 4: CT-OGP and PSCI-OGP should reinforce consultation mechanisms through robust documentation, communication, and outreach to new and current stakeholders.

Côte d'Ivoire's co-creation process for the [2020-2022 action plan](#) exemplified strong government-civil society collaboration. As a next step, the IRM recommends that CT-OGP and PSCI-OGP focus on robust documentation, communication, and outreach to new stakeholders. To increase transparency and participation for those not already involved in OGP processes, the IRM specifically recommends that:

- CT-OGP aim above the minimum requirements by documenting and publishing civil society feedback received throughout the various stages of co-creation, rather than just at the end of the action plan development process.
- CT-OGP and PSCI-OGP continue to actively seek to engage a broad range of stakeholders. At a minimum, countries are expected to (i) publish the co-creation timeline and opportunities for stakeholders to participate at least two weeks in advance on the OGP website/page and (ii) conduct outreach to stakeholders beyond the multistakeholder forum to raise awareness of OGP and opportunities to get involved.
- CT-OGP expand on the practice of responding to civil society input in meetings to also publish a written response describing what civil society suggestions were and were not incorporated into the action plan and why.

Section II: Action Plan Design

AREAS OF OPPORTUNITY FOR COMMITMENTS

Some areas of opportunity for the fourth action plan include strengthening civic space and media freedom, open government at the local level, and continuing ambitious reforms on fiscal openness and asset transparency.

AREA 1. Strengthening Civic Space and Media Freedom

Côte d'Ivoire currently meets the [OGP values check](#) for the protection of civic space. However, there remain opportunities to strengthen the environment for Ivorian civil society organizations and journalists and ensure that Côte d'Ivoire continues to meet the OGP values check criteria.

Côte d'Ivoire could build on [previous commitments](#) to liberalize the television space. IRM recommendations in the [2018-2020 Hybrid Report](#) suggest that stakeholders consider opportunities to strengthen legal protections for journalists. The report also recommended continued implementation of the Public Information Act to facilitate timely and fulsome access to information. As one example, Morocco's High Audio-Visual Communication Authority, through the [2018 action plan](#), trained civil society on making use of radio and television to support their advocacy objectives. HAVC also committed to develop an e-learning platform and guide to Morocco's media legal framework.

Côte d'Ivoire could also draw from other examples in which OGP members have used their action plans to reinforce the freedoms of assembly and association:

- Through [Jordan's 2018 action plan](#), civil society and the government partnered to review and simplify the process for CSO registration. Reinforcing government

transparency and accountability in the CSO registration process could further strengthen Côte d'Ivoire's score for "CSO entry and exit" under the [OGP values check](#).

- Under [Morocco's 2021 action plan](#), the Ministry of Human Rights and Relations with Parliament committed to publish information on CSO partnership opportunities and government grants awarded to CSOs by region and thematic area in [a unified portal](#).
- Nigeria is currently working on [a commitment](#) to register and create a federal budget line for civil society organizations (CSOs), create safeguards to protect CSOs against undue supervision, and develop guidelines for peaceful protests with the Nigerian police force.

For more information see OGP's [Civic Space Fact Sheet](#) and list of [Actions to Protect and Enhance Civic Space](#).

AREA 2. Open Government at the Local Level

Côte d'Ivoire could follow the example of OGP members who incrementally introduced open government at the local level. Côte d'Ivoire could consider a commitment that would establish a strong foundation for ongoing ambitious open government reforms. The IRM recommends engaging local governments by communicating a clear value proposition for open government and addressing local governments' priorities. Specifically, stakeholders could use the next action plan as an opportunity to:

- Provide guidance, training, and a clear value proposition on open government values and processes to local governments as illustrated by [Morocco](#), [Tunisia](#), and [the Philippines](#).
- Support local governments' co-creation of action plans, as demonstrated by Tunisia in their [2018](#) and [2020](#) action plan. In 2020, 12 Tunisian municipalities also co-created youth open government action plans.
- Expand and align open government reforms at the national, regional, and local level as undertaken in [Argentina](#) in 2019.
- Strengthen transparency in local governments to support future public participation and accountability reforms. For example, [Morocco](#) and [the Philippines](#) are implementing commitments on access to information at the local level.
- Strengthen fiscal transparency at the local level. The Philippines's fiscal transparency reforms under the 2015 and 2017 action plans provided a strong foundation to implement citizen monitoring and reporting of local government units' fiscal transactions under their [2019 action plan](#). A commitment focused on local level budget transparency could complement Côte d'Ivoire's participatory budgeting efforts.

AREA 3. Fiscal Openness

Côte d'Ivoire has seen its [strongest early results](#) and most [ambitious commitments](#) in the area of fiscal openness, particularly in regards to participatory budgeting at the local level. Stakeholders could continue these reforms to further strengthen citizen access to information as well as their ability to participate in national and local budget processes. Possible directions include:

- The Ministry of Budget and State Portfolio partnering with civil society to review the budget timeline and formally include moments for civil society and public input on the budget and to establish mechanisms to communicate how the input was considered and reflected in the budget.

- The Ministry of Budget and State Portfolio could build on recent achievements in publishing and disseminating a [Citizens' Budget](#) to ensure the timely, accessible, and comprehensive disclosure of the remaining [key budget documents](#).
- Stakeholders could advance fiscal openness in healthcare, such as government spending on the pandemic or family planning. For example, participatory auditing for government spending on contraceptives. Examples of commitments that introduce participatory auditing include [Georgia](#) and [the Philippines](#).
- Stakeholders could prioritize fiscal openness in COVID-19 emergency and stimulus spending as exemplified by recent commitments from [Indonesia](#) and Colombia's [two](#) related [commitments](#).
- The General Directorate for Decentralization and Local Development and partners could build on previous participatory budgeting reforms to strengthen the participation of women and marginalized groups.

For more information, see OGP's [Fiscal Openness Fact Sheet](#) and [Open Government Guide and Coronavirus: Fiscal Transparency](#).

AREA 4. Asset Transparency

Anticorruption, and specifically disclosure of the income and assets of public officials, has been a priority across Côte d'Ivoire's action plans. Côte d'Ivoire could build on promising commitments undertaken in [2020](#) to work towards mandating public disclosure of the income and assets of public officials, beyond aggregated statistics. Such a commitment would strengthen Côte d'Ivoire's [OGP eligibility score](#) and place Côte d'Ivoire as a regional leader in this policy area. Based on [civil society perspectives](#) and the High Authority for Good Governance's (HABG) [2021-2023 Strategy](#), possible objectives for the next iteration of this reform could include:

- Establishing consultation mechanisms for civil society and public involvement, such as a multistakeholder form to assist in reviewing and amending legislation.
- Addressing financial and resource constraints that limit the HABG's ability to carry out their mandate.
- Reviewing legislation to strengthen the HABG's oversight capacity to enforce compliance and implement sanctions, verify submissions, initiate investigations, and evaluate public complaints.
- Amending the legal framework to broaden the scope of individuals and assets subject to disclosure, such as beneficial ownership or positions in a company.
- Reducing the confidentiality around disclosed assets to increase access within government and ultimately publish the information in an open data format.

For more information, see Transparency International's [Recommendations on Asset and Interest Declarations for OGP Action Plans](#).