

# Independent Reporting Mechanism

Sweden 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 fifth 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 [prior IRM reports for Sweden](#) 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 March 2022.

### Table of Contents

Section I: Action Plan Co-Creation Process .....	2
Section II: Action Plan Design .....	5

## Section I: Action Plan Co-Creation Process

### Snapshot of previous co-creation processes in Sweden

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	Action Plan 4
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				

In 2022, Sweden will co-create its fifth OGP action plan. During the fourth action plan (2019–2022), the IRM [found](#) that Sweden had acted contrary to OGP process by not meeting OGP’s minimum requirements for co-creation. As a result of having acted contrary to OGP process in [two consecutive action plan cycles](#), OGP’s Criteria & Standards Subcommittee [placed](#) Sweden under a procedural review in February 2021. It is important that Sweden’s fifth action plan complies with the minimum requirements under the updated [OGP Participation and Co-creation Standards](#), which took effect in January 2022.

As the Ministry of Infrastructure (MoI) prepares to co-create the fifth action plan, the IRM recommends the following:

1. Designate a space for stakeholders to oversee Sweden’s OGP process, ideally as a formal multistakeholder forum.
2. Create a public website with information and documents related to Sweden’s co-creation process.
3. Organize open consultations for stakeholders to discuss the action plan and actively promote opportunities to get involved in the co-creation process.
4. Reach out to a broad range of stakeholders, beyond those with expertise in open data and foreign development.
5. Document and report back to stakeholders on how their contributions were considered during co-creation, ideally as written feedback.

## RECOMMENDATIONS

### Recommendation 1: Designate a space for stakeholders to oversee Sweden’s OGP process, ideally as a formal multistakeholder forum.

Sweden’s past co-creation processes largely occurred using non-OGP-specific forums focused on sectoral priorities, such as foreign aid and public sector digitalization. The IRM has consistently recommended that Sweden establish a formal mechanism for dialogue on the development and implementation of OGP commitments (see the IRM reports for the [2014–2015](#), [2016–2018](#), and [2019–2022](#) action plans).

[OGP Participation and Co-Creation Standards](#) require members to establish a space for ongoing multistakeholder dialogue around the OGP process. For the fifth action plan, MoI should designate a specific space where government and nongovernment stakeholders come together to discuss and prioritize possible commitments. Ideally, MoI could establish a [multistakeholder forum](#) (MSF) with formal rules about membership, oversight, and decision-making. The space’s basic rules (such as its mandate, composition, and governance

structure) are required to be public. Nongovernment members of the space should be selected in a transparent manner and have equal representation and decision-making powers as government members. For examples of MSF mandates and compositions, see [Latvia](#), [Norway](#), and [Romania](#).

### **Recommendation 2: Create a public website with information and documents related to Sweden's co-creation process.**

During the co-creation of the fourth action plan, MoI did not maintain a publicly available repository with information on the action plan's development. Under the updated [OGP Participation and Co-Creation Standards](#), Sweden is required to create a website with open, accessible, and timely information about activities and progress on the OGP process. The website should be public with no barriers to access, such as a password or requirement to register. The website should also have a repository with all relevant documents and information related to the development and implementation of the action plan, updated at least twice a year (though preferably more frequently during the action plan's development).

The IRM [lists](#) recommended documents to publish on the repository to account for the action plan's development. Examples include notices for public consultations, rules of procedure for the OGP space (see Recommendation 1), meeting agendas and minutes, lists of participants, written proposals submitted by stakeholders, and feedback on how input was considered (see Recommendation 5). Just as Finland co-created its [2019–2023 action plan](#), MoI could publish a summary of the key findings from discussions conducted, so that anyone can see who was consulted, what issues were raised, and what opportunities are still available to get involved. [Australia](#) and [New Zealand](#) also provide examples of transparent documentation of the co-creation process.

### **Recommendation 3: Organize open consultations for stakeholders to discuss the action plan and actively promote opportunities to get involved in the co-creation process.**

Sweden's previous action plans saw limited opportunities for multistakeholder dialogue during co-creation. For the fifth action plan, the IRM recommends MoI organize open consultations for stakeholders to propose and discuss potential commitments. The co-creation for Finland's 2019–2023 action plan (See [Appendix](#)) and Latvia's 2019–2021 action plan (See [design report](#)) may provide ideas on activities (e.g., surveys, workshops, and thematic working groups) where stakeholders jointly prioritize problems to address and form commitments. To ensure engagement is not adversely affected by COVID-19, consultations could offer an option for remote participation. It is also important to provide an appropriate period of time for the co-creation process so that participating stakeholders have adequate opportunities to discuss the commitments.

Under [OGP Participation and Co-Creation Standards](#), Sweden is required to conduct at least one outreach activity with information on OGP and opportunities to get involved in the co-creation process. MoI could conduct outreach via online channels, such as government and CSO mailing lists and social media sites, and local and national media outlets. Sweden is also required to publish the timeline and overview of participation opportunities at least two weeks before the start of the co-creation. Information on participation opportunities could be accompanied with background information on the process (e.g., the scope of action plans, Sweden's national OGP priorities so far, and the criteria for selecting commitments to

include). [For example](#), ahead of the first consultation meetings, MoI could prepare a memo summarizing the background of OGP in Sweden to help set the context. The information should be in plain language so that the processes' goals and expected outcomes are comprehensible by the public.

### **Recommendation 4: Reach out to a broad range of stakeholders, beyond those with expertise in open data and foreign development.**

For the [third action plan \(2016–2018\)](#), civil society was consulted with the support of CONCORD Sweden, a platform of Swedish organizations working in foreign development. The process for the [fourth action plan \(2019–2022\)](#) involved only certain stakeholders identified as experts in digital governance and open data.

[OGP Participation and Co-Creation Standards](#) require members to gather input from a range of stakeholders during co-creation. For Sweden's fifth action plan, the IRM recommends MoI proactively reach out to new stakeholder groups beyond those with a focus on open data and foreign development. When thinking about who to invite, MoI could map out groups with knowledge of key social themes (such as health, the environment, and trade unions), in addition to those who focus on open government directly (such as [Civic Tech Sweden](#), [Open Knowledge Sweden](#), and [Transparency International Sweden](#)). MoI could consult [Finland's experience](#) in engaging previously uninvolved regional and sectoral groups for its 2019–2023 action plan. It could also invite public institutions that oversee potential focus areas for commitments, such as the [Swedish Association of Local Authorities and Regions](#) and the [National Agency for Public Procurement](#). It may be beneficial to invite senior-level public officials, such as ministers and heads of departments, to attend consultations to better understand what is feasible for politically sensitive topics. Lastly, MoI could reach out to experts in the private sector and academia as well.

### **Recommendation 5: Document and report back to stakeholders on how their contributions were considered during co-creation, ideally as written feedback.**

In Sweden's previous co-creation processes, the government did not provide summaries of how stakeholder comments influenced the final action plans. [OGP Participation and Co-Creation Standards](#) require members to document and report back to stakeholders on how contributions were considered during the co-creation. The IRM recommends MoI publish on Sweden's OGP website (see Recommendation 2) an overview of all proposals and comments that emerge during the co-creation. MoI should clearly inform all contributors that their input is public (with exceptions in well-justified cases). When preparing the draft action plan, MoI should clearly state why some proposals are included and others are not. MoI could present its feedback in a structured format, e.g., as a table with proposals alongside justifications for their inclusion or exclusion.

MoI could follow the format that [Estonia](#) used in its 2018–2020 action plan to publish the results of their public and interdepartmental consultations, as well as [Finland's summary](#) of the stakeholder consultations for its 2019–2023 action plan. Following [the Finnish example](#), MoI could produce a tracked-changes version of the draft action plan after final consultations, so that anyone could easily follow the amendments.

# Section II: Action Plan Design

## AREAS OF OPPORTUNITY FOR COMMITMENTS

Sweden continues to rank among the best performers in public trust and anticorruption globally. Previous action plans largely focused on the existing work of the lead institutions (the Ministry of Foreign Affairs and MoI). For the fifth action plan, Sweden could address policy areas that may be more politically challenging but also have greater potential for results.

### AREA 1. Lobbying transparency

In Sweden, there is no obligation for registration of lobbyists or reporting contact between public officials and lobbyists. The IRM design report [noted](#) growing concerns in Sweden over “revolving doors between high-level political posts and big corporations,” and that many former MPs enter the lobbying industry after leaving politics. They also note that the Swedish Parliament is reluctant to legislate for greater transparency of lobbying.

Sweden could set a long-term goal of adopting an open and mandatory register with information on interactions between lobbyists and public officials, breaking this goal into smaller steps to be completed over multiple action plans. The government could begin by conducting an in-depth assessment of lobbying activities in Sweden in collaboration with leading experts to better understand potential risks deriving from the lack of regulation and transparency in this area (like [Finland’s assessment](#) from its second action plan). Ideally, legislation around lobbying transparency should include appropriate sanctions for non-compliance. In the absence of legislation, the government and leading experts could jointly develop common reporting standards for public officials to use for their meetings with lobbyists. In addition, parliament could publish information on deputies’ meetings with lobbyists.

Useful resources:

- [International Standards for Lobbying Regulation](#);
- [OGP blog: Common challenges in lobbying transparency](#);
- [Transparency International: Recommendations on Lobbying for OGP Action Plans](#);
- Estonia ([2020–2022](#)), Finland ([2019–2023](#)), Ireland ([2014–2016](#)), and Latvia ([2019–2021](#)) are working on this policy area;
- Partners that can provide technical support: [Transparency International](#), [TI Sweden](#).

### AREA 2. Public procurement transparency

Sweden is [one of a few EU Member States](#) to not have a central register with data on public procurement tender and awards. Contracting authorities are not required by law to publish procurement notices and other documents in a central place. [As noted in the IRM design report](#), the absence of a central portal reduces the possibility for public scrutiny of how public funds are spent. This is particularly evident in municipal-level public procurement, which [reportedly](#) lacks effective control mechanisms to prevent conflicts of interest and nepotism.

Sweden could use the fifth action plan to develop a centralized portal for high-quality contract data that is timely, complete, and in open and machine-readable format. It will be important to involve the [National Agency for Public Procurement](#) and the [Swedish Association of Local Authorities and Regions](#) to help ensure wide uptake of the register by public institutions and

municipalities. The IRM also recommends publishing procurement information using the Open Contracting Partnership's Open Contracting Data Standard, so that Sweden meets globally recognized publishing standards at each stage of the procurement cycle.

Useful resources:

- [Open Contracting Partnership – Open Contracting Data Standard](#);
- OGP's [guidance and recommendations](#) on open contracting and public procurement;
- "[Open Up!](#)"—an open-source dashboard developed by Open Knowledge Sweden that visualizes public procurement in Sweden and allows user-friendly analysis of the data;
- Finland ([2017–2019](#)), France ([2015–2017](#)), Germany ([2021–2023](#)), Lithuania ([2021–2023](#)), and Ukraine ([2016–2018](#)) are working on this policy area.

### AREA 3. Algorithmic transparency and accountability

The use of automated decision-making (ADM) and artificial intelligence (AI) in public administration has grown considerably in the global north and Sweden [aims](#) to become a world leader in AI development and use. A growing number of Swedish municipalities [plan to automate their administrative work in the future](#), including around decision-making in welfare allocation. Given the size of the Swedish welfare system, it is important to ensure that the use of ADM and AI by the public administration is transparent and accountable to citizens.

Sweden could use the fifth action plan to make key algorithms used by the public administration publicly available. An ambitious commitment in this area could involve cataloguing all algorithms used by the government in a [public register](#) with the background data behind algorithm-based decisions. Sweden could amend relevant legislation to require transparency in the use of ADM and AI or explore commitments to engage citizens who are affected by algorithm-based decisions, in particular as part of algorithmic impact assessments.

Useful resources:

- [Open Algorithms Network](#);
- Ada Lovelace Institute, AI Now Institute and Open Government Partnership: [Algorithmic Accountability for the Public Sector](#)—an overview of the first wave of reforms on algorithmic accountability and a toolbox of relevant measures;
- Finland ([2019–2023](#)), France ([2018–2020](#)), the Netherlands ([2018–2020](#) and [2020–2022](#)), and Norway ([2019–2022](#)) are working on this policy area.