

Independent Reporting Mechanism

Finland 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. These recommendations are suggestions, and this brief does not constitute an evaluation of a particular action plan. Its purpose is to inform the planning process for co-creation based on collective and country-specific IRM findings. This brief is intended to be used as a resource as government and civil society determine the next action plan's trajectory and content. National OGP stakeholders will determine the extent of incorporation of this brief's recommendations.

The co-creation brief draws on the results of the research in [prior IRM reports for Finland](#) 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 [the assessment of OGP's minimum requirements](#) 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 November 2022.

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Section I: Action Plan Co-Creation Process

The co-creation of Finland's fourth action plan (2019-2023) [involved](#) an ambitious range of activities to prioritize and develop commitments, such as online surveys, public consultations, individual stakeholder interviews, and regional events. The Ministry of Finance successfully broadened the circle of participants, including local and regional consultations with groups who had not participated in previous OGP processes. As Finland has already carried out a highly ambitious co-creation process for the fourth action plan, the ministry and the multi-stakeholder forum (MSF) can push the ambition further when co-creating the fifth plan. To this end, the IRM recommends the following:

1. Adapt existing dialogue mechanisms from the fourth action plan's implementation when co-creating the fifth plan.
2. Consult stakeholders from more municipalities and reach out to organizations operating in rural localities.
3. Invite high-level government representatives to participate in co-creation events and MSF meetings.
4. Conduct a gender or diversity assessment to improve the co-creation process and the commitments.

RECOMMENDATIONS

Recommendation 1: Adapt existing dialogue mechanisms from the fourth action plan's implementation when co-creating the fifth plan.

Finland has carried out a number of dialogue mechanisms during the implementation of the fourth action plan for a [commitment](#) on "sustainable openness", including the annual [CSO Academy Day](#), a regional tour of open government, the [#HyvinSanottu](#) (#WellSaid) campaign, and the national citizen dialogues (based on the "Lockdown Dialogues" during COVID-19). With an aim of getting a broader range of inputs from a wider range of groups when co-creating the fifth action plan, the Ministry of Finance and the MSF could adapt these dialogues to solicit ideas for commitments and facilitate discussions among participants. The ministry and the MSF could also use the annual events for the elderly, people with disabilities, and children's rights, to discuss potential commitments with the national councils working on these policy areas. To address a gap identified in the [mid-term self-assessment for the fourth action plan](#), the ministry can provide background information on open government in the Sámi languages if it decides to engage these communities in the OGP process.

Recommendation 2: Consult stakeholders from more municipalities and reach out to organizations operating in rural localities.

During the fourth action plan's co-creation, the Ministry of Finance held consultations with government officials and CSOs from three municipalities. [At the time](#), the ministry's ability to conduct more consultations in municipalities was limited by Finland's Presidency of the Council of the European Union, which pulled resources away from OGP. Furthermore, the Finnish Red Cross noted that engaging organizations operating in remote areas was a challenge due to such organizations' lack of resources and capacities.

For the fifth action plan, the Ministry of Finance could work with the Association of Finnish Local and Regional Authorities to carry out consultations in more municipalities. The ministry can continue advertising the opportunities via its electronic newsletters, social media, and the

networks of individual municipalities. If possible, the Ministry of Finance could earmark additional resources to involve organizations operating in rural localities for the fifth action plan (i.e., to cover their travel costs). The ministry could discuss common challenges faced by rural localities that can be addressed through open government solutions.

Recommendation 3: Invite high-level government representatives to participate in co-creation events and MSF meetings.

Until now, there has been limited high-level political involvement in Finland's OGP process. Although the civil society advisory board "KANE" (which forms part of the MSF) regularly meets the Minister of Local Government, the MSF does not include any high-ranking government officials. For the fifth action plan, the Ministry of Finance could seek direct ministerial involvement in the consultations around commitments. This could increase the visibility of OGP in Finland and help introduce additional high-priority policy areas into the action plan that may otherwise be politically sensitive. In particular, involvement from the executive branch could secure long-term strategic direction for OGP in Finland, as the country pursues another four-year action plan.

As an example of high-level engagement, Spain's MSF [meeting](#) held to approve the fourth action plan (2020-2024) was chaired by the Secretary General of the Public Service. Meanwhile, government involvement in [Croatia's MSF](#) includes high-level representatives of state authorities, with either decision-making powers or easy access to decision-makers.

Recommendation 4: Conduct a gender or diversity assessment to improve the co-creation process and the commitments.

The fourth action plan's co-creation entailed consultations with a diverse group of stakeholders. However, the [mid-term self-assessment](#) noted that there was no proactive support or expert assistance available on gender equality and inclusion for participants during the co-creation process. Furthermore, the action plan did not provide information on how gender equality and inclusion issues were supported during the process.

For the fifth action plan's co-creation, the Ministry of Finance and the MSF could conduct a gender or diversity assessment to better understand which groups may have more or less access and influence over the process and over the commitments. Stakeholders can use this analysis to incorporate a gender perspective into the implementation and monitoring of the action plan. The ministry could work with the [National Council of Women of Finland](#) and the parliamentary [Council for Gender Equality](#) to assist in the assessment on how equality and inclusion have been incorporated in the co-creation process and in the draft commitments. The ministry can also publish the assessment as part of its reasoned response to stakeholders on how contributions were incorporated into the draft action plan.

As examples, Canada conducted a [Gender-based Analysis Plus \(GBA+\) review](#) of all draft commitments in its 2018-2021 action plan to ensure the plan took into consideration the needs of different gender groups. Argentina carried out an [analysis](#) of its 2019-2022 action plan from a gender and diversity perspective. In addition, OGP has developed a [toolkit](#) to help stakeholders enhance gender responsiveness in their action plan co-creation processes.

Section II: Action Plan Design

AREAS OF OPPORTUNITY FOR COMMITMENTS

Finland's fifth action plan can pursue long-term, systematic reforms that address the priorities of the [Open Government Strategy 2030](#) and the recommendations of the Organisation for Economic Co-operation and Development (OECD)'s [Civic Space Scan](#). The IRM recommends adopting comprehensive approaches to plain and easy language in government and to engaging citizens and civil society in decision-making. Regarding anti-corruption policies, Finland could improve beneficial ownership transparency and continue to pursue lobbying transparency (building off the fourth action plan). Finland should include measurable indicators that it will implement for each commitment and consider updating them after the first two years of a four-year plan.

AREA 1. Plain and easy language in government

Finland has used past action plans to advance the use of plain and easy language in public administration, the latter being a simplified version of language (often accompanied with visual cues) that is understandable to people with poor language skills (e.g. with migrant backgrounds) and people with learning or intellectual disabilities. However, [discrepancies still exist](#) in the capacity of the public administration in making information available in plain and easy language. Meanwhile, Finland's [Open Government Strategy 2030](#) will prioritize promoting everyone's right to understand and be understood by proactively increasing plain language skills and usage within the public sector.

Finland could use the fifth action plan to adopt and implement a systematic approach to providing government information in plain and easy language. This could entail implementing a government-wide policy specifying which types of information should be available in plain and easy language and which government organizations should be obliged to provide certain types of information in plain and easy language. Finland could establish a working group of experts to promote systematic uptake of plain language skills across all levels of government (central, regional, and local) and set benchmarks for making government information available in plain language. As an example, [the Netherlands](#) has created a "Plain Language Brigade" to advocate for the publication of plain language information across all levels of government. Regarding easy language, Finland could ensure the availability of up-to-date government information in Finnish and Swedish sign languages, Sámi languages, and other forms of communication (e.g., involving the use of pictures and visual cues) that may be needed by people with hearing or vision impairments, developmental disabilities, or other needs. The government should continue to consult organizations such as the Finnish Centre for Easy Language to prioritize what government information will be made available in easy language.

Useful resources:

- [Plain Language Association International: Plain language projects in OGP](#);
- [Plain Language Association International: Plain language around the world](#);
- Partners that can provide technical support: [Plain Language Association International](#), [Finnish Centre for Easy Language](#), [Institute for the Languages of Finland](#), [Finnish Association on Intellectual and Developmental Disabilities](#).

AREA 2. Public participation in decision-making

Finnish citizens' trust in their government and public institutions [remains relatively high](#), and there are numerous opportunities for citizens and civil society to participate in decision-making. However, the OECD's [Civic Space Scan of Finland](#) noted that the frequency and quality of consultation and engagement practices at the national level varies across ministries and changes from government to government. It also found that there is no cross-government approach or criteria for inviting stakeholders to join consultation groups and no cross-government data available on which groups are selected for what purpose and why.

Finland could use the fifth action plan to address the recommendations of the Civic Space Scan. On the national level, Finland could commit to ensuring that best practices in consultations (such as the [Ministry of Justice's consultation guidelines](#)) are institutionalized across all ministries. The government could also oblige ministries to provide information (on their existing websites or on a new portal) on their choices of consultees for draft legislation. At the local level, Finland could create a toolkit with different participation methods that municipalities can choose according to their context. Finland could also pursue a government-wide practice of sending revised drafts of legislation to organizations consulted before uploading them online, and publishing tracked versions of documents (as the Ministry of Finance did during the co-creation of the fourth action plan). For example, [Estonia](#) has used several action plans to develop a co-creation platform where the entire life cycle of policy-making can be followed, with edit history, records of meeting with and input from interest groups, and feedback.

Useful resources:

- [OGP recommendations on commitments around inclusion](#);
- [OECD's guide to public engagement for better policies and services](#);
- [Involve's guide to designing and implementing good citizen participation processes](#);
- Examples of mechanisms for civil society engagement: [Mexico](#), [Scotland](#), [Sweden](#)

AREA 3. Beneficial ownership transparency

Regulations governing beneficial ownership entered into force in 2019, requiring companies to register their beneficial owners with the Finnish Trade Register. However, [the public cannot access any details on beneficial ownership](#), not even the name of the beneficial owner. The Patent and Registration Office [provides the data](#) for a fee to a limited set of actors with legitimate interests for the purpose of preventing money laundering and terrorist financing.

Finland could use the fifth action plan to open to the public the data on beneficial ownership on the Trade Register. This could entail making high-value data available, such as unique company identifiers, identifying information for each beneficial owner, details of the interests held by each beneficial owner, and information about individuals' gender. Finland could also commit to making data available in reusable and machine-readable format, such as the [Beneficial Ownership Data Standard](#), as [Latvia](#) did, and introduce mechanisms to verify the accuracy of the information presented on its register, as [Denmark](#) did. Lastly, Finland could make datasets on the Trade Register interoperable with the forthcoming Transparency Register (i.e., through common identifiers), which will allow users to connect lobbyist activities to beneficial ownership.

Useful resources:

- Open Ownership: [Beneficial Ownership Data Standard](#) and [beneficial ownership disclosure principles](#);
- [OGP recommendations on beneficial ownership commitments](#);
- [Beneficial Ownership Leadership Group](#);
- Partners that can provide technical support: [Open Ownership](#), [Open Knowledge Finland](#), [Transparency International Finland](#).

AREA 4. Lobbying transparency

Finland's fourth action plan had a [commitment](#) to legally require organizations and individuals engaged in lobbying to register in a publicly available Transparency Register (planned to launch in 2023). The register will make Finland the [forerunner](#) among Nordic countries in promoting the transparency of decision-making.

In the fifth action plan, Finland could build on these efforts by ensuring that the Transparency Register meets best practices in data publication. Possible commitments could involve adding unique identifiers for each lobbyist and information on lobbyists' goals to the register, as [Lithuania](#) does, and displaying data in open, downloadable format, as [France](#) does. Finland could also publish other high-value data such as details on interactions between lobbyists and public officials, dates and time details of interactions, topic of interactions, and money spent on lobbyists' interactions. In [Ireland](#), lobbyist organizations must disclose the names of the parties to the lobbying and the policy area, the intentions and specific details of the lobbying, and the summaries of all meetings and correspondence within the reporting period. Given the [ongoing challenges](#) of opaque decision-making at the local level in Finland, the action plan could explore expanding the regulation and register to local administrations. Finally, Finland could develop a complaint mechanism that allows anyone to report violations either openly, confidentially, or anonymously.

Useful resources:

- [Access Info, Sunlight Foundation, Transparency International, and Open Knowledge Foundation: International Standards for Lobbying Regulation](#);
- [OECD: Principles for Transparency and Integrity in Lobbying](#);
- [Transparency International: EU Legislative Footprint](#)
- Partners that can provide technical support: [Open Knowledge Finland](#), [Transparency International Finland](#).