



# **BROKEN LINKS**

Open Data to Advance Accountability  
and Combat Corruption



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# CEO’s Foreword

## Making Politics Work for People

Corruption is not just about asking for bribes and embezzlement of funds. It is about influence: specifically who has it and how they use it. It is often about bending law and policy to serve the few—well-organized, wealthy, or well-connected—rather than the engaged citizen. This makes it harder, for example, to enact measures to reign in inequality, protect democracy, and fight climate change.

This report is a first in many ways. It begins to shine a light on just how much we know—or do not know—about who influences the decisions impacting public policies and who benefits from those decisions. Unprecedented in its scope and scale, it maps out how far many countries have come and, perhaps more importantly, how far they still have to go. The difficult reality explored in this report is that, when decisions are made, far too many communities around the world still do not know who provided their opinions, which voices counted, and whether they contributed to unethical or even illegal outcomes.

This report seeks a very different, more inclusive, vision of the world—one in which everyone has access to decision-making and a pathway to influence, not just the wealthy and well-connected. This is the world the OGP community is working towards.

However, realizing a bold, more equitable vision like this requires much more than additional data and awareness of the challenges. It requires looking at the data in innovative, new ways—including determining the *links* between leaders and citizens, across borders, and among our public agencies and institutions.

Too often, these revelatory links between people, data, and anti-corruption institutions are weak. They may be broken, they may be missing, and in many cases they have never even existed. This report aims to help mend these broken links—and where necessary build new ones—with the hope of developing and sustaining much less polarizing societies, those in which a breadth of experiences and perspectives contributes to more meaningful, inclusive outcomes.

While there is a lot of work to be done, we are by no means starting from nothing. For more than a decade, reformers around the world have been working to make their governments more open and responsive. This includes identifying and combating corruption. This report captures many of these innovative strategies and areas of focus, including: making politics more transparent; publishing essential, high-value data; and making contracts more transparent by ending anonymous company ownership.

We at the OGP Support Unit produced this report, building on the work of partners around the world, to better inform and support your own reforms—whether as a benchmark, as a development blueprint, as a peer resource of lessons learned, or simply as a source of inspiration.

We have much work to do together.

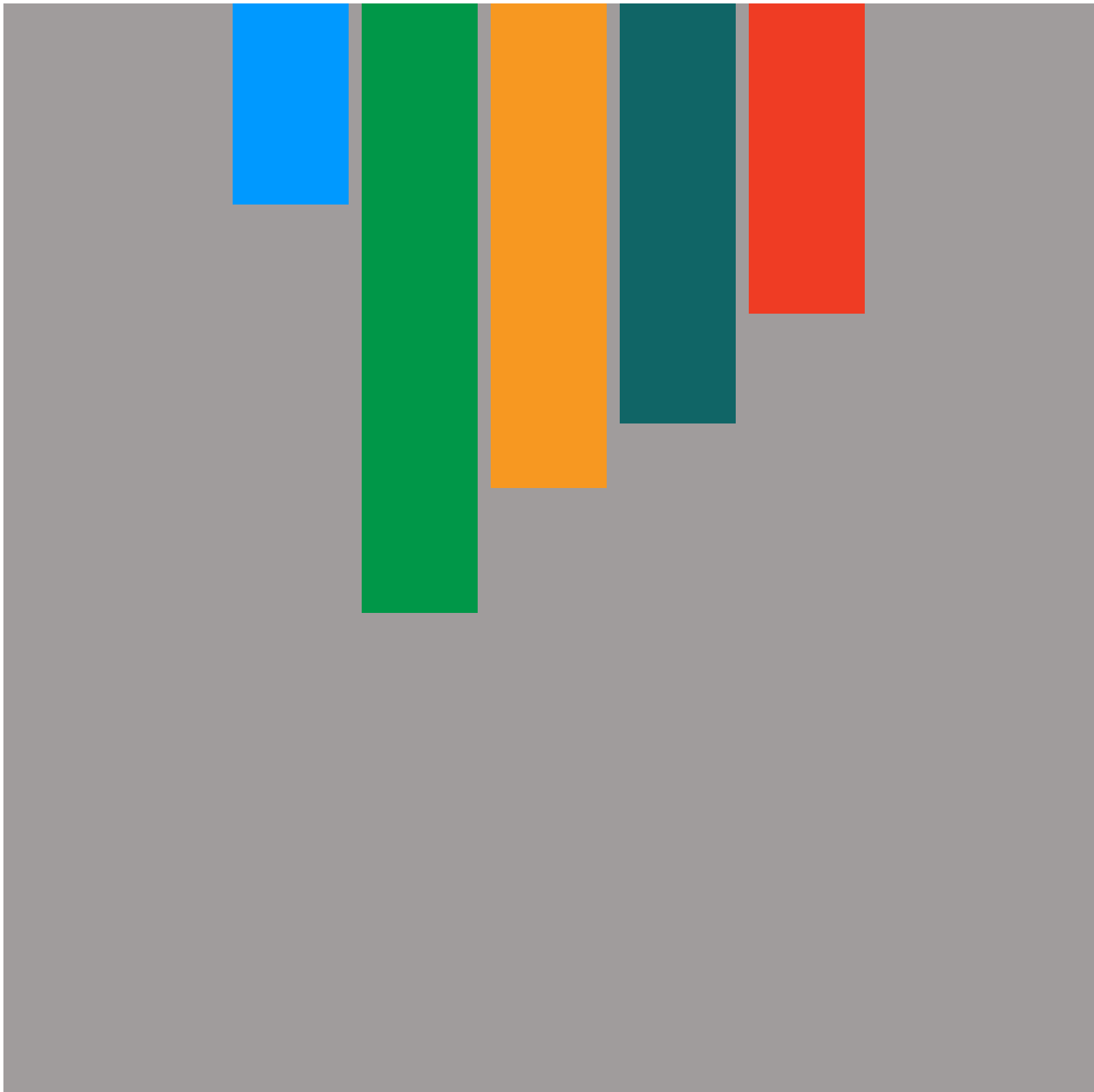


**Sanjay Pradhan**  
CEO, Open Government Partnership





# EXECUTIVE SUMMARY







Former Czech Prime Minister Andrej Babiš is currently facing charges of fraud in his country for pocketing millions of euros in EU agricultural subsidies. Details about his activities were revealed thanks to a collaboration between not-for-profit organizations, journalists, and other public officials. Photo by Krystian Maj.

# Background

In March 2022, Czech prosecutors announced that former Czech Prime Minister Andrej Babiš would face charges of fraud for allegedly pocketing millions of euros in EU agricultural subsidies. This marks another high-profile case of potential political corruption – and it adds to a growing global trend that threatens to skew resources and policies away from the common good, perpetuating inequality and undermining democracy. So what can be done? What will ensure that governments serve the public interest rather than the affluent or well-connected few?

The answer is that no single reform is enough. Several layers of accountability are needed, from independent oversight bodies to investigative journalists and an active civil society. However, one fundamental, underlying layer must always be present: making information public through open data. Open data on how decisions are made, what officials own, and whose interests they serve can shine a light on political corruption and help make political systems fairer and more inclusive.

This data is the focus of this report. Drawing on a new global study, the report provides the most complete picture yet of the state of open data against political corruption — across nine policy areas (see Table 1) in 67 countries participating in the Open Government Partnership (OGP).

This report identifies both where these countries are doing well and where they need to improve — examining, for example, which governments disclose who lobbies them; whether political parties and candidates reveal their donors; and whether the public is able to see who owns anonymous companies so often used to launder money. The report explores these critical areas and others, identifying trends at the country, regional, and global levels.

However, the report does not stop at what data needs to be made public. It looks at the measures needed to further link to people and other important data, creating a chain of accountability. The public and institutions working together give data its power.

That is why this report is called *Broken Links: Open Data to Advance Accountability and Combat Corruption*. As the case of Andre Babiš shows, no single dataset, actor, or sector can alone solve the problem of corruption. But linked together — across borders, levels of government, and parts of society — data becomes a powerful and a fundamental means for change.

TABLE 1. Policy areas covered in this report

<b>Asset Disclosure:</b> Data on assets, liabilities, and finances of elected and senior-appointed officials and associates.	<b>Political Finance:</b> Data on financial flows to and from political parties, candidates, and third parties, including income, expenses, and donations.
<b>Company Beneficial Ownership:</b> Data on people who own, control, or benefit from companies, including the nature and size of the interest they hold.	<b>Land Ownership and Tenure:</b> Data on who owns land and the type of tenure — including state, communal, and open access lands. Land is a subject of major policy decisions and a means of hiding illicit enrichment.
<b>Public Procurement:</b> Data on the purchase of goods, services, and public works, including names of suppliers, dates, costs, and details on each stage of the contracting cycle.	<b>Lobbying:</b> Data on who influences policies and decisions, including details of interactions with public officials such as dates and times, topics, and money spent.
<b>Right to Information (RTI) Performance:</b> Data on the implementation of RTI laws, including the number of requests, delays, denials, and appeals.	<b>Rulemaking:</b> Data on the process of drafting regulations, including proposed regulations, public comments, reasoned responses, final regulations and justifications, and challenges.
<b>Interoperability:</b> Data on the linkages between datasets, such as through common identifiers for companies, legislation and regulation, public officials, and lobbyists.	



## Global Findings

### Five Key Gaps

In its most simple terms, this report shows that very few countries actually publish the most important data to counter political corruption. Where public datasets exist, they are isolated and disconnected from others that would reveal the flow of funds and influence. These global challenges can be summarized in the form of five key data gaps: collection, publication, high-value elements, usability, and interoperability:

- **Collection gaps:** Many countries do not have laws or regulations mandating the collection of data, most notably as it relates to lobbying, but in other areas as well. Many high-value pieces of information, in particular, are not collected. For example, although all OGP countries require public officials to submit asset declarations, fewer than half require the same for other politically exposed persons, like spouses and family members.
- **Publication gaps:** Many countries do not publish any data, even if data collection is legally required. For instance, only about one in three OGP countries publish any data on beneficial owners, despite most requiring it be collected. Across nearly all policy areas, the countries that mandate data collection far outnumber those that actually publish any data.
- **High-value data gaps:** Publishing data is not inherently useful; the data must include high-value elements that enable effective oversight. For example, although most OGP countries publish data on tenders and awards for public contracts,

few publish information on contract implementation. Similarly, most OGP countries publish basic political finance data, but few clearly identify donors to political parties and candidates.

- **Usability gaps:** Few datasets meet open data standards. Although most datasets are available at no cost, most are not regularly updated or available in structured formats (as opposed to scanned forms and documents). This means that, even where available online, existing data is difficult to analyze.
- **Interoperability gaps:** Combining datasets across policy areas increases the effectiveness of any single dataset. In the Babiš case, a series of linked datasets were used to identify the alleged fraud, including data on company ownership, land tenure, subsidies, and public contracts. However, most datasets lack common identifiers for companies, legislation, politicians, or lobbyists that would more easily enable identifying networks of corruption or undue influence. It is also important for people and institutions to exchange information, especially across sectors. As the cases in this report also show, the links between journalists, accountability institutions, and civil society organizations make all the difference in combating corruption.



Many OGP members like Nigeria are using their action plans to publish company beneficial ownership information according to open data principles. Dr. Gloria Ahmed, National Coordinator of OGP Nigeria, speaks at the presentation of Nigeria's beneficial ownership register. Photo by OGP.



# Policy Area Findings

## Varying Levels of Maturity

The global data gaps exist to varying extents depending on the policy area. For example, most OGP countries (96 percent) publish at least some public procurement data online, and most of these

datasets include high-value elements in open data formats (see Table 2). On the other end of the spectrum, only a quarter of OGP countries publish any lobbying data, with even fewer legally requiring its collection. Levels of maturity, therefore, vary significantly by policy area.

TABLE 2. Varying levels of open data maturity by policy area

The table shows the percentage of OGP countries that meet key data metrics for each policy area. (n=67)

	Data Collection Required	Data Published	High-Value Data Published <sup>†</sup>	Open Data Published <sup>††</sup>
Asset Disclosure	100%	61%	37%	22%
Political Finance	94%	70%	39%	39%
Company Beneficial Ownership	73%	36%	19%	21%
Land Ownership And Tenure	Not reviewed	57%	19%	16%
Public Procurement		96%	69%	67%
Lobbying	22%	27%	7%	10%
Right to Information Performance	63%	46%	27%	25%
Rulemaking	72%	63%	22%	16%

<sup>†</sup> A majority of high-value data elements are available online. See Annex for list of high-value data elements.

<sup>††</sup> Published data meets most of the following standards: free, timely, machine-readable, openly licensed, bulk downloadable.

Few countries		Most countries		
0%–20%	20%–40%	40%–60%	60%–80%	80%–100%

One exception is the publication of high-value data, as it is largely absent across all policy areas. These high-value elements are different for each policy area and critical for accountability. For example, most OGP countries publish which goods and services

are being procured, but very few publish information on spending against contracts, which is essential for monitoring results. Table 3 summarizes which high-value elements are, and are not, generally available for each policy area.

TABLE 3. Availability of high-value elements by policy area

Policy Area	Summary of Findings
Asset Disclosure	Most datasets include income, assets, and liabilities of certain public officials, but few cover close family members or significant changes over time.
Political Finance	Two-thirds of datasets include income and spending of political parties and candidates, but few datasets cover assets and liabilities or clearly identify donors.
Company Beneficial Ownership	Most datasets include unique identifiers for companies and clearly identify owners, but few datasets specify the financial interests held.
Land Ownership and Tenure	About half of datasets cover different types of land tenure. Only one-third include information about beneficiaries of land tenure and their rights.
Public Procurement	Most datasets include contract descriptions, costs, and dates, but few countries publish data on contract implementation.
Lobbying	Half of available datasets include the topic and goals of interactions. Fewer than a quarter include dates or the amount of money spent.
RTI Performance	Most datasets specify the number of requests submitted, but fewer than half cover delays, materials withheld and reasons for withholding, or appeals.
Rulemaking	Fewer than half of datasets include proposed regulations, and fewer than a quarter cover final regulations, public comments, or supporting documentation.
Interoperability	Most assessed OGP countries do not have common identifiers for the simple reason that they do not publish the relevant datasets. Where datasets are available, some employ useful common indicators, most frequently around companies.

Data alone, however, is not enough to counter political corruption. Even data that includes high-value elements and is published online in reusable formats must be accompanied by other layers of accountability policies. For this reason, each policy area module in this report includes a “Beyond

open data” section that outlines complementary steps needed to achieve impact. Among other reforms, these sections underscore the importance of citizen engagement and monitoring, robust regulatory environments, and independent oversight mechanisms for verification and enforcement.

# Regional Findings

## Innovating New Links

Just as the five global data gaps are found across all regions, so too are stories of innovative reforms. Each regional module in this report covers not only the state of open data against political corruption in the region, but also an overview of reforms advanced through the OGP platform and examples of regional innovations. These findings are summarized here.

### AMERICAS

The median OGP country in the Americas publishes data for most of the policy areas reviewed. Challenges include improving the usability of data and publishing high-value information like common identifiers that enable linking datasets. Nearly every OGP country in the region has advanced procurement reforms through OGP — with many achieving significant results. More commitments are needed in other areas, like beneficial ownership transparency and asset disclosure.

### EUROPE

European countries publish data in some form across most of the policy areas reviewed. Areas for improvement include publishing more high-value information, publishing data in usable formats, and making datasets interoperable through common identifiers. Several OGP commitments from the region have achieved transformative results, but more commitments are needed; with the exception of procurement, each policy area remains unaddressed in OGP by over half of countries in the region.

### ASIA AND THE PACIFIC

Many countries in the region lack publicly available data for multiple policy areas, particularly beneficial ownership and lobbying. OGP members are making commitments in their OGP action plans to address these challenges, but translating them into results through effective implementation has been difficult, especially around procurement and asset disclosure. Examples of regional innovations in these areas show the way forward.

### AFRICA AND THE MIDDLE EAST

OGP members in the region are making some of the most ambitious commitments in OGP action plans, particularly around company beneficial ownership transparency and land ownership transparency. However, data publication remains an important challenge. Fewer than one-quarter of countries in the region publish data related to each policy area, with the exception of public procurement. Ensuring that legal frameworks mandate both data collection and publication is an important avenue for future reforms.

# Country Findings

## Areas for Action

Although political corruption is a global problem that requires solutions across borders, implementation of reforms begins at the domestic level. Therefore, this report includes country modules that visualize the state of open data against political corruption in each country. These modules enable reformers to compare themselves to other countries, identify actionable areas for improvement, and find specific datasets that can be improved.

Like the rest of the report, these modules also emphasize learning from the experiences of others. Specifically, the modules spotlight examples of promising initiatives to inspire the adaptation and adoption of high-impact reforms around the world. These spotlights mirror the longer-form Lessons from Reformers included throughout the report and showcase the diversity of efforts that countries are undertaking to counter political corruption (see Table 4).

TABLE 4. Lessons from reformers come from every corner of the world

Policy Area	Lessons from Reformers
Asset Disclosure	<b>Georgia</b> has implemented an independent monitoring system for public officials’ asset declarations.
	<b>Paraguayan</b> civil society launched an online portal during the pandemic that enables citizens to flag government data irregularities to auditors.
	<b>Ukraine</b> has had a long journey of mandating, publishing, and prosecuting violations of asset disclosure data.
Political Finance	<b>Croatian</b> civil society developed a database that enables searching and comparing donors, campaign expenses, media discounts, and social media expenses.
	<b>Panama</b> , as part of its OGP action plan, created a public, user-friendly database to monitor the funding of political parties by the electoral authority.
Company Beneficial Ownership	<b>Kenya</b> , as part of its OGP action plan, passed a law requiring companies to keep a register of its members, including beneficial owners.
	<b>Armenia</b> amended existing legislation to require that beneficial ownership information be included in a public register.
	<b>Portugal</b> implemented its public beneficial ownership register in 2019, and by January 2021, nearly half a million companies had registered their beneficial owners.
	<b>Ghana</b> implemented an electronic beneficial ownership register in 2019 and is using its OGP action plan to improve the quality and accessibility of the data.
Land Ownership and Tenure	<b>Liberia</b> has improved the openness of land management through recent OGP action plans, including by making land information and data publicly available.
	<b>Uruguay</b> has improved the openness of its cadastre through its OGP action plans, such as by improving citizen engagement through an online portal.

Policy Area	Lessons from Reformers
Public Procurement	<b>Finland</b> , as part of its OGP action plan, published procurement data through an open access service that emphasizes accessibility and usability for citizens.
	<b>Colombia</b> is implementing open contracting reforms that improve competition and increase suppliers in the public procurement market.
Lobbying	<b>Chile</b> enacted legislation in 2014 to modernize its system of lobbying and used its second OGP action plan to implement and monitor the legislation.
	<b>Madrid, Spain</b> , as part of its OGP action plan, created a mandatory lobby registry to ensure traceability of public decision-making, and as of early 2021, over 500 lobbyists have successfully registered.
Right to Information Performance	<b>Nigeria</b> is using its OGP action plan to improve RTI compliance by proactively disclosing information, establishing an electronic portal for information requests, and mandating annual reports on request and response rates.
	<b>Uruguay</b> used its OGP action plan to set up an online system to track requests for information and more recently committed to implementing a system to evaluate websites of reporting entities to improve the quality of information.
Rulemaking	The <b>Slovak Republic</b> , as part of its OGP action plan, created rules outlining public involvement in the development of selected policies.
	<b>Sunlight Labs</b> tools Scout and Docket Wrench are examples of innovative tools that can be built using open regulatory data.
	<b>Croatia, Kyrgyz Republic, Malta, Mexico, and Norway</b> have used their OGP action plans to implement unified websites that enable the public to submit comments on regulations. <b>Italy</b> used its OGP action plan to reform impact assessments, ex-post evaluations, and stakeholder consultations during the rulemaking process.
Interoperability	<b>Kenya’s</b> opportunities to standardize procurement data and track beneficial owners provide lessons on for addressing policy and technical aspects of interoperability.
	The <b>United States</b> , as part of its 2013 OGP action plan, committed to moving toward a more interoperable and public data system. By 2022, the US government has implemented a single, publicly owned, nonproprietary common identifier for all contracting companies.

## Moving Forward

This *Broken Links* report is about more than data. It is about countries challenging one another to improve. This requires advocates and reformers inside and outside of government to continue to push to release data, reform institutions, and forge relationships that can help stem corruption. This can be supported through commitments in OGP action plans and in other

international fora along with other reformers from around the world. It cannot, however, work in isolation. The links in the chain of accountability that are broken, have gone missing, or have never existed will need the cooperation of many — across borders, across parts and levels of government, across parts of society — to be mended and put into action.





# GLOBAL OVERVIEW



At the time of writing (mid-2022) the European Commission has [closed its case](#) against the Czech Republic, finding it liable for misallocating millions of euros in subsidies (“European Commission,” 2022). Now, former Czech Prime Minister Andrej Babiš is currently [facing charges of fraud](#) in his country for pocketing millions of euros in EU agricultural subsidies (AP, 2022). This marks another high-profile case of potential political corruption and abuse of power—reaffirming the importance of transparency to hold elected officials accountable (see [Following the Money: The Case of Andrej Babiš](#) on the next page).

More specifically, the Babiš case points to the need for data about elected officials—accessible, public data about what they own and with whom they may be working. It also highlights the active role of civil society organizations and watchdogs in tracking money across borders, which is only possible when the data itself is open across borders.

The Babiš case is not unique and is indicative of a troubling corruption at the top of many political systems. Powerful politicians and influencers who commit crimes often use international financial tools to enrich themselves, then pour that money back into their campaigns to tip elections in their favor.

The solution to political corruption must focus on improving political systems. Democratic politics may be messy and contentious, but they need clear, transparent rules and strong standards for compliance with the law. People need to know who their governments listen to when making laws and policies, who pays for political campaigns, and who benefits from political decisions. Publicly available open data is an essential part of this.

Additionally, solutions require more than one dataset. Multiple interoperable datasets can help identify suspicious activity. The Babiš case included beneficial ownership of companies, land registries, subsidies data, and public contracts.

Data alone is not enough to combat corruption. Paired with strong enforcement institutions and active civil society organizations, this data helps the world to stand a better chance of turning back the wave of autocratization and the growing sense of grand corruption.

That is what this report, *Broken Links: Open Data to Advance Accountability and Combat Corruption*, is about. The title, “Broken Links,” refers to missing data essential to understanding how politics works in each system. The subtitle reflects the focus of the report—open data— while acknowledging that it is one tool of many necessary to fix the problem.

Over three years in the making, the report examines the use of data systems to protect democracies from corruption and undue influence—or, more specifically, how these data systems are (or are not) built to address corruption. And it builds on research by experts worldwide, led by the Global Data Barometer team at the Latin America Open Data Institute.

The report goes beyond an assessment of the state of play, however. By showcasing promising reforms, offering practical recommendations, and identifying guidance for effective implementation, it can also help reformers close existing gaps. Concretely, the report aims to be a tool for countries to compare themselves with one another, share lessons learned, and adapt high-impact reforms to their contexts. In that sense, the report serves not only as a benchmark as to where anti-corruption data stands in the third decade of the millennium, but as a resource for where it could go in the next.

# Following the Money

## The Case of Andrej Babiš

Former Czech Prime Minister Andrej Babiš is currently [facing charges of fraud](#) in his country for pocketing millions of euros in EU agricultural subsidies (AP, 2022). At the time of publication, the European Commission has closed its case and deducted fraudulently obtained funds from Czech EU funds. The case now moves to the national level.

The Czech case shows how corruption is international in nature, and its solution is too. Detecting and acting on that corruption requires accountability institutions—watchdogs inside and outside government, whistleblowers, and journalists—working across borders to bring together diverse data. Throughout this report, successful cases of cleaning up corruption show the power of collaboration and interconnected data.

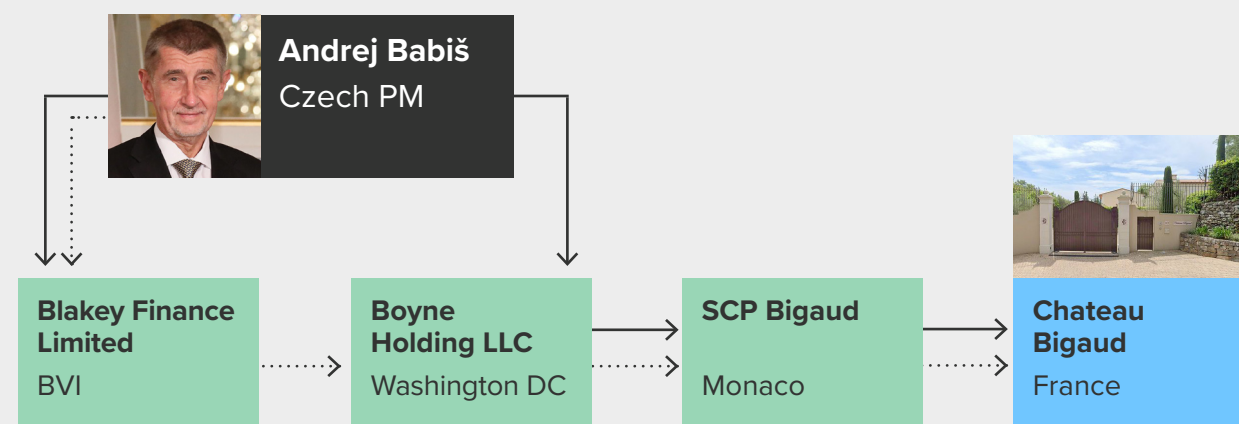
The Czech media first reported that former Prime Minister Babiš had separated his personal farm from his larger agribusiness conglomerate, Agrofert, making the farm eligible for €2M worth of EU subsidies. After receiving the subsidies, the farm was reabsorbed into the larger conglomerate.

According to the [New York Times](#), as the sole beneficiary of two trust funds that owned 100 percent of the shares of Agrofert, Babiš received at least US\$42 million in agricultural subsidies from the EU, which was ruled a clear conflict of interest by the European Commission (Gebrekidan, Novak, & Apuzzo, 2019). The European Union has already fined Czechia €3.3M for mishandling the funds, and the country awaits to see if the courts will find the former prime minister guilty of fraud, charges he has denied.

The Pandora Papers further revealed that an additional €13M had been moved through offshore holding companies and law firms to enable Babiš to buy a chateau in the South of France (see Figure 1). Setting up these kinds of offshore companies does not violate any domestic laws. However, it does raise questions about the source of the wealth and why Babiš sought to hide it. These questions are particularly concerning given his role as a politician tasked with safeguarding the public trust.

**FIGURE 1. A chain of holding companies hides the flow of money from Czech Republic to France**

An analysis of the Pandora Papers by investigative journalists revealed that Andrej Babiš owned a chateau in France through a chain of legal entities, depicted below.

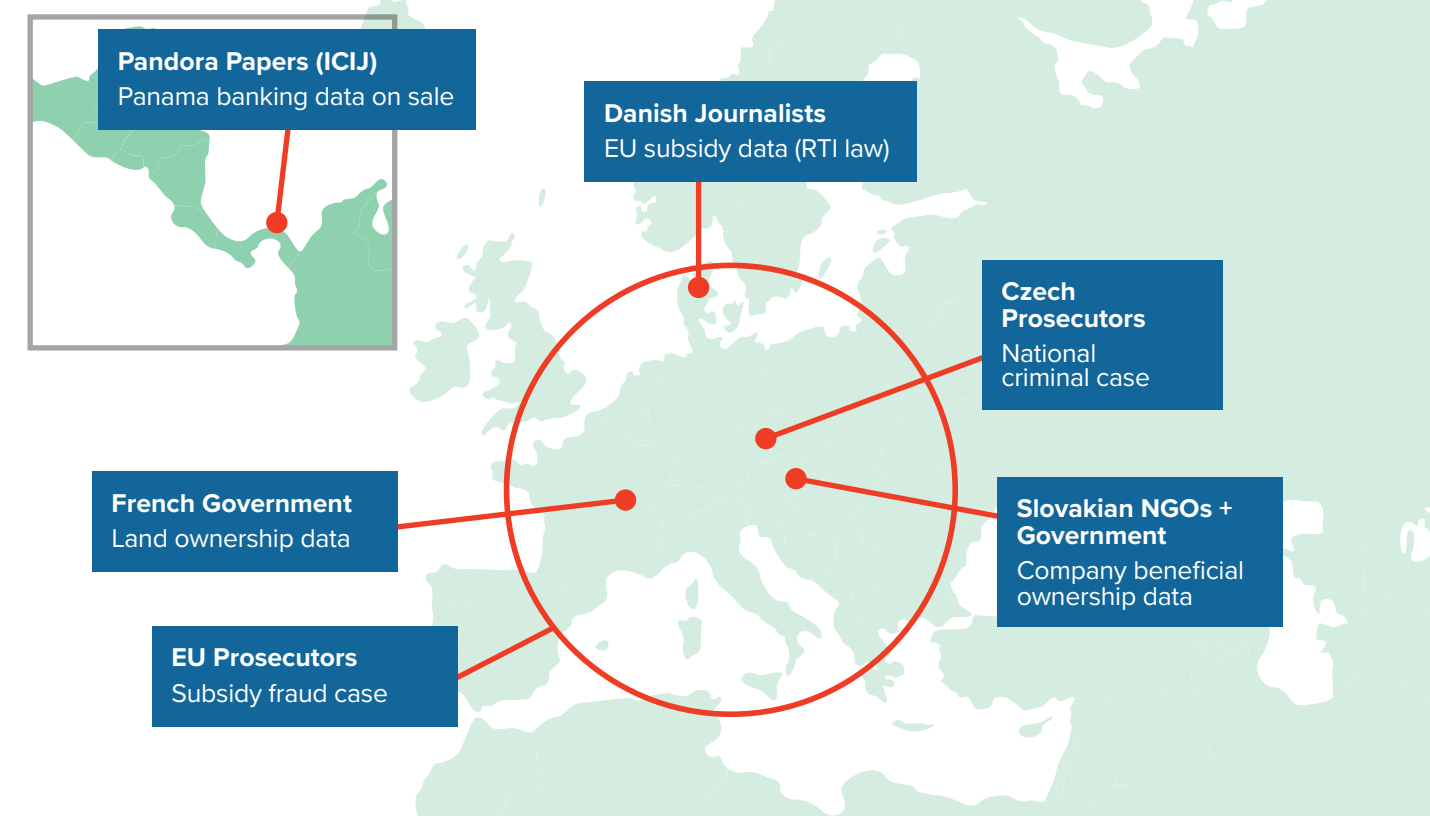


Former Czech Prime Minister Andrej Babiš (left) is currently facing charges of fraud in his country for pocketing millions of euros in EU agricultural subsidies. Details about his activities were revealed thanks to a collaboration between not-for-profit organizations, journalists, and other public officials. Photo by Krystian Maj.

This investigation was the product of collaboration between not-for-profit organizations, journalists, and other public officials. For example, the Transparency International chapter in Czechia used [Slovakia's public register](#) of beneficial owners of companies to discover the controlling share that Babiš had of Agrofert ("Using Slovakia's," 2019). The New York Times also carried out an investigation, which

produced a front-page [news story](#) on the recipients of EU subsidies (Gebrekidan, Novak, & Apuzzo, 2019). In addition, the publication of banking data by the International Consortium of Investigative Journalists, through the [Pandora Papers](#), showed exactly how Babiš moved money through holding companies (Aleccci, 2021).

**FIGURE 2. Linking up data with accountability actors discovered evidence of misused funds**





## Why Focus on Anti-Corruption?

Being able to observe, inform, and influence powerful decision makers is widely recognized as a fundamental right and a part of modern citizenship. Enshrined in the national laws of most countries and a large body of international and human rights law, the history of the last several centuries has revolved around extending political rights to larger and larger segments of society.

In the more democratic parts of the world, this right and ability to take part in governing comes with an added expectation. Each person should have both equality and equal representation before the law. Yet, in most of the world, not only does this ideal remain unrealized, it is also increasingly under direct assault.

This assault is two-pronged. First, it is spearheaded by growing illiberalism in many countries, with foreign and domestic proponents. These forces advocate for alternatives to dialogue, tolerance, and nonviolence that are the hallmark of the global democratic progress of the last century. Second, the assault is sustained by a model of “kleptocracy,” where shared public resources—money, clean environments, and safety—are redirected to enable the powerful and connected to undermine any practical public accountability.

Unfortunately, this is not the first time the world has faced a wave of corruption and authoritarianism operating hand in hand—whether in the 1960s or the 1930s. Yet, fortunately, past experiences also illuminate the road to renewal. These experiences show that democratic practices can be renewed and access to decision-making can be restored.

This report focuses on limiting the undisclosed, the unchecked, and the undue. It does this with a focus on the antidotes to secrecy and exclusivity—transparency, participation, accountability, and inclusion. These are values central to the Open Government Partnership. Moreover, this report looks at how data and the institutions that collect, publish, analyze, and act on it can help improve government for everyone.

## Why Now?

This report grows out of a large focus of OGP: reducing corruption and improving democracy. This has been at the core of the partnership’s mission since its founding in 2011 and has ushered in key victories. These have included the growing wave of beneficial ownership transparency (BOT) reforms worldwide and the rise of open contracting as a global norm for public procurement practices. In fact, it was at the London OGP Summit, in 2013, when the UK announced the world’s first global company BOT register.

Democratic freedoms and civic space, too, have been central to OGP. The right to seek information, an express and universally recognized element of free expression, is a core value of OGP, and members are expected to enact legislation to protect and promote this right. In recent years, OGP has increasingly focused on democratic freedoms, civic space, or civil liberties as instrumental to—and an essential goal of—open government. The evidence has also accumulated that these rights, which are valuable in and of themselves, also support better human and economic [development](#) (OGP, 2022).

Yet, as the 2021 report, [OGP at Ten: Toward Democratic Renewal](#), showed, the rhetoric has not always matched the action (Foti et al., 2021). OGP action plans have often been at the forefront of democratic innovation—especially in the fields of right to information (RTI) and public participation. However, on the whole, analysis shows that [most plans remain silent](#) on reinforcing democratic fundamentals—strengthening elections, enhancing the quality of representation, and protecting the rights to free expression, assembly, and association (Falla Lopez et al., 2021).

This report focuses on what can be done to address the gap in anti-corruption data and its use. The solutions herein may not by themselves solve the challenges of the moment, but they can begin to answer: “What next?”



Attendees at the 2019 OGP Global Summit in Canada. Such gatherings present an opportunity for government and civil society representatives to come together, discuss their work, and learn from each other’s reforms. Photo by OGP.

## About OGP

**In 2011, government leaders and civil society advocates came together to create a unique partnership—one that combines these powerful forces to promote transparent, participatory, inclusive, and accountable governance.**

**The Open Government Partnership (OGP) includes 77 countries and 106 local governments—representing more than two billion people—and thousands of civil society organizations.**

**The Open Government Partnership is based on the idea that an open government is more accessible, more responsive, and more accountable to citizens, and that improving the relationship between people and their government has long-term, exponential benefits for everyone.**

**OGP is a broad partnership that includes members at the national and local level and thousands of civil society organizations. Through the Partnership, these powerful forces work together to co-create action plans with concrete steps—commitments—across a broad range of issues. All OGP governments sign on to the Open Government Declaration and are required to work with civil society organizations to co-create reforms as part of an action plan that can deliver real benefits to citizens.**

**This model ensures that civil society organizations or direct citizen engagement has a role in shaping and overseeing governments. Collectively, more than 4,000 commitments have been made globally.**

**Thousands of civil society organizations—large and small—use the OGP platform to advance their key issues and concerns. OGP helps these organizations directly reach government representatives and provides a platform and process for ongoing engagement with each other.**



# A Data-Focused Approach

This report focuses on using data as a tool to combat corruption and make political systems work for more and more citizens. It is the result of years-long collaboration between civil society organizations, multilateral organizations, and governments around the world.

The [Global Data Barometer](#) (GDB), a collaborative study across 109 countries, led by the Latin American Open Data Initiative (ILDA by its Spanish acronym), examines the state of data as it relates to pressing societal issues, including control of corruption (GDB, “Data,” n.d.). Specifically, the GDB is an expert survey, drawing on primary and secondary data, that assesses data availability, governance, capability, and use in more than 100 countries, 67 of which participate in OGP (see *A Short Summary of the Global Data Barometer*, or refer to *About Broken Links*, for details). This work is the result of [collaboration across multiple organizations](#), including OGP, Transparency International, Land Portal Trust, Open Ownership, Open Contracting Partnership, the Global Initiative for Fiscal Transparency, and regional hubs (GDB, “Our Partners,” n.d.).

This report looks at a variety of anti-corruption datasets that should be made public writ large, which includes the “Political Integrity” module of the GDB (the largest of the survey), among others.<sup>1</sup> This report necessarily does not include all aspects of political corruption, including many important ones. Instead, it focuses on areas that are strategic priorities of OGP<sup>2</sup> and are most amenable to analysis through the lens of open data, which is the focus of the GDB.<sup>3</sup> Altogether, the report looks at the following nine policy areas:

- 1. **Asset Disclosure:** Basic data on elected officials and senior appointed officials and associates, including their assets, liabilities, and finance before, during, and after office, can better inform the public of potential conflicts of interest, illicit enrichment, or compromising liabilities. Disclosure of data on politically exposed persons extends to family members and allows for cross-national comparison.
- 2. **Political Finance:** Knowing who gave to campaigns, politicians, and parties is essential to ensure that officials serve voters and not the highest bidders. Knowing that campaigns spend that money on legitimate expenses also ensures that everyone follows the same rules. Additionally, it can shed light on corporations’ ideological and political stances, so consumers make informed decisions.
- 3. **Company Beneficial Ownership:** Anonymous companies are the most popular legal vehicles to move ill-gotten gains from corruption, to aggressively avoid taxation, and to commit contract fraud (by bidding multiple times from one company or evading blacklisting). In the context of political corruption, politicians may use anonymous companies to hide money, and donors may use them to hide donations, bribes, or kickbacks.
- 4. **Land Ownership and Tenure:** Knowing who owns the land and under what system of land tenure is essential, as land is one of the major targets of corrupt acts (including through eminent domain practices) as well as targets for money laundering of ill-gotten gains from corruption. In the context of political corruption, politicians may choose policies that are favorable to particular individual landholders or direct subsidies or expenditures to particular landholders.

- 5. **Public Procurement:** Public procurement is the largest single vector for waste, fraud, and abuse. This report is the first global report to examine how many countries publish centralized open data on nationally awarded contracts. This allows everyone to see whether procurement opportunities have been adequately advertised and are genuinely competitive, reducing the opportunity for waste, fraud, and corruption. In the context of political corruption, open contracting data allows the public to see whether politicians are abusing public resources—illicitly rewarding themselves, supporters, and family members, and/or seeking award kickbacks.
- 6. **Lobbying:** In a democracy, everyone should have the right to tell their lawmakers what they think. But, often, those interest groups with more resources get to influence policy-making more effectively. Knowing who influences the law, who they represent, and how much they spend is fundamental to shaping advocacy strategy and determining how constituents should engage leaders.

- 7. **Right to Information Performance:** Right to information (RTI) laws give the public insight into how government decisions are made and implemented. Most OGP countries have right to information laws. Almost all of those laws require agencies to publish information on how they are being executed. This report is the first global report examining whether governments are publishing performance data on right to information, an essential step to effective implementation.
- 8. **Rulemaking:** In most modern countries, parliaments delegate the formation of regulations to ministries, departments, and agencies. Just as with lobbying data, the public and watchdog organizations need to know how to take part in the formation of regulations, who participates, how it influences the outcome, and whether those regulations were subject to challenge.
- 9. **Interoperability:** Linking datasets is essential to understand, identify, and prosecute corruption. It requires bringing people and organizations together but also creating systems of common identifiers (such as companies, pieces of legislation, or politicians), which allows the public to participate in governance and monitor undue influence.



## A Short Summary of the Global Data Barometer

The Global Data Barometer (GDB) is a collaborative study that measures the state of data in relation to urgent societal issues. Its development began in 2019 in response to the needs expressed at the 2019 OGP Global Summit in Canada for updated, in-depth, country-level insights on data. Together with regional hubs and thematic partners, the GDB is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms.

The GDB launched in May 2022. It covers May 2019 through May 2021 and includes 109 countries, 39 primary indicators, and over 500 sub-questions, for a total of more than 60,000 data points. It addresses the following areas: climate action, company information, health and COVID-19, land, political integrity, public finance, and public procurement. For more details on survey design, data collection, and specific indicators, see the *About the Data* section of this report.

<sup>1</sup> See *About Broken Links* (specifically the *About the GDB data* section) for details on which particular thematic modules of the GDB are analyzed in this report.

<sup>2</sup> Specifically, they are mentioned in OGP founding documents, public strategies, recent initiatives, and ongoing collaborations with partner organizations. See *About Broken Links* for details.

<sup>3</sup> Most of these policy areas are included in the “Political Integrity” module of the GDB (the largest of the survey). However, a few are included in other GDB modules, such as land ownership and public procurement. See *About Broken Links* for details.

# Limitations

Given the scale and complexity of the data in question, this report must maintain clear areas of focus. This presents the following limitations:<sup>4</sup>

- 1. Policy area coverage:** The report cannot cover every angle of political corruption, especially those that do not (yet) have a straightforward data-centric treatment. This means that important issues in cleaning up politics, such as the use of state resources for campaigning or ethics revolving door policies, are not included.<sup>5</sup> This data-centric approach could be expanded in the future with more topics and a wider focus on remedies.
- 2. Open data focus:** This report builds off the work of the Data for Development Network (D4D). Consequently, it focuses on transparency generally, and data mandates and use in particular. OGP values and mission go well beyond data—from strengthening right to information and deliberative democracy to access to justice and more inclusive decision-making. It is [widely recognized](#) that, in order for data to have an impact, it must be used by accountability institutions and supported by democratic practices (Peixoto, 2013). However, improving data remains an important starting point in combating corruption and an area where the evidence in this report shows just how much needs to be done. For those interested in reforms beyond data, a selection of resources is available in the box, *Additional OGP Resources on Political Corruption*.

- 3. Policy and practice focus:** As OGP is best placed as an organization that supports policy adoption and implementation, this report emphasizes policy and basic practice rather than technical details. For those interested in technical implementation, the OGP Support Unit can make introductions to organizations that can provide more support.
- 4. Country coverage:** This report is an OGP resource and therefore focuses on OGP countries. While there are inspiring examples, useful data, and work to do beyond the Partnership, this report primarily aims to support reforms through OGP and related processes. However, at the time of publication, ten national OGP members are not covered due to inability to find researchers.<sup>6</sup> The authors and collaborators are currently seeking a solution.
- 5. National-level policy:** This report focuses on national-level data from the GDB. Many, if not most, OGP countries have some federal or decentralized structures with regard to the policies covered in this report. For example, the majority of procurement may actually take place at subnational levels. This report, for practicality's sake, cannot cover all of the nuance and wealth of information at those levels. Readers curious about replicating this approach should feel free to reach out to the authors at: [research@opengovopartnership.org](mailto:research@opengovopartnership.org).

The staff of the OGP Support Unit hopes this report is an effective tool for campaigners and reformers inside and outside of government. While it details the many remaining challenges, it also shows clear pathways for progress. The challenges in OGP member countries will continue to evolve, but the collective charge of the Partnership over the next decade is clear: to protect democracy, one must fight corruption, and to fight corruption, one must strengthen democracy.

<sup>4</sup> See other limitations related to the data specifically in the *About Broken Links* section.

<sup>5</sup> Other issues that may have been studied include, but are not limited to: (1) lawmaking data; (2) elections data; (3) use of state resources for campaigning; (4) Electoral Management Bodies (EMB) enforcement powers; (5) online political advertising disclosure; (6) revolving door policies; (7) gifts to public officials policies; (8) embezzlement prosecution; (9) voting restrictions.

<sup>6</sup> The countries not included in this report are: Afghanistan, Bosnia and Herzegovina, Cabo Verde, Luxembourg, Montenegro, North Macedonia, Norway, Papua New Guinea, Serbia, and Seychelles. At a future date, the authors of this report would like to make sure that all of these countries are included.

## GOOD TO KNOW

### What Is Open Data?

Publishing data openly is essential to ensuring that key anti-corruption datasets are interoperable, meaning they can be linked to each other. Interoperability increases the ability of government oversight institutions, civil society, journalists, and interested citizens to monitor and flag potential cases of corruption or fraud. But what exactly *is* open data?

#### Open Definition

Many organizations have their own shorter definitions of open data, but most adhere to the Open Knowledge Foundation's Open Definition for a full, technical definition of what open data entails. A one-sentence version of the Open Definition is that "open data and content can be freely used, modified, and shared by anyone for any purpose" (Open Knowledge Foundation, n.d.). The full definition continues to evolve based on conversations carried out openly (Open Knowledge Foundation, "Participate," n.d.).

The [Open Data Handbook](#) also published by the Open Knowledge Foundation (n.d.), summarizes the full Open Definition into [three main parts](#) (Open Knowledge Foundation, "Handbook," n.d.):

- Availability and access:** Data is bulk downloadable and provided at a reasonable cost.
- Reuse and redistribution:** Data is machine-readable and can be mixed with other datasets for reuse.
- Universal participation:** There is no discrimination on who can use the data or for what purpose.

#### How the Term "Open Data" is Used in this Report

The GDB assesses countries on five key elements of open data for each indicator. For purposes of this report, a country meets the requirements for publishing open data in a specific policy area if the government-published data meets each of these five elements:

- 1. Dataset is available free of charge.** Freely available data allows anyone to contribute to monitoring and oversight of government activity.
- 2. Data is openly licensed.** Open licenses prevent restrictions on the reuse or redistribution of data, allowing anyone to use the data for monitoring or analysis purposes.
- 3. Data is timely and updated.** Data that is updated regularly can ensure that the public is kept well-informed and has the opportunity to flag cases of corruption, potentially before they occur.
- 4. Data is provided in machine-readable format(s).** Data is most usable when it is structured and can be read by a computer.
- 5. The machine-readable dataset is bulk-downloadable.** Datasets that are available in bulk, meaning as a whole, can be downloaded easily and efficiently.

This report refers to these elements as "usability" features. In addition, this report takes into account elements of data *quality* that go beyond openness. These include high-value elements, comprehensiveness, and validation.



# Additional OGP Resources on Political Corruption

Making politics cleaner and more fair requires more than open data. While this report is focused on open data, it is part of a larger pool of resources that represent the innovations and experience of the global network. A number of highlights from the library of resources may be of interest to reformers, especially those wanting to go Beyond Open Data:

## Political Finance

- [How OGP Members Can Counter Covert Foreign Political Finance \(2022\)](#): OGP, the National Democratic Institute and Transparency International collaborated on this guide, analyzing openness and oversight measures that prevent or counter foreign covert influences.
- [Political Finance Transparency Policy Brief \(2019\)](#): Co-published with the International Institute for Democracy and Electoral Assistance (International IDEA), this brief discusses the importance of increasing political finance transparency to promote more representative, competitive, inclusive, and legal elections.

## Company Beneficial Ownership

- [Beneficial Ownership Policy Area Fact Sheet \(2021\)](#): This document offers a look at the global progress and member-level examples in this policy area.
- [OGP Policy Progress Report, Beneficial Ownership Transparency \(2021\)](#): This report provides a glimpse into how this policy area has advanced during the last ten years, as accelerated by the OGP platform and a growing global community of reformers in governments, civil society, business, media, and international organizations.
- [Global Report: Beneficial Ownership \(2019\)](#): This chapter from the OGP Global Report, the first comprehensive assessment of the state of open government, analyzes progress in this policy area and challenges across OGP countries.

## Public Procurement

- [State of the Evidence: Open Contracting \(2022\)](#): This chapter of the Skeptic's Guide to Open Government provides empirical evidence on the effects of open contracting on a range of outcomes, including cost savings and efficiency, reducing corruption, improving service delivery, and increasing social inclusion.
- [Open Contracting Policy Area Fact Sheet \(2021\)](#): This document offers a look at the global progress and member-level examples in this policy area.
- [OGP Policy Progress Report, Open Contracting \(2021\)](#): This report provides a glimpse into how this policy area has advanced during the last ten years, as accelerated by the OGP platform and a growing global community of reformers in governments, civil society, business, media, and international organizations.
- [OGP's Global Report: Open Contracting \(2019\)](#): This chapter from OGP Global Report, the first comprehensive assessment of the state of open government, provides an analysis of progress in this policy area and challenges across OGP countries.
- [The Costs of Secrecy: Economic Arguments for Transparency in Public Procurement \(2018\)](#): This report examines data from procurement systems in Ukraine, Paraguay, and the US state of Virginia, to assess the impact of their adoption on the competitiveness and ultimately on the pricing of procurement.



Participants at the OGP Local Workshop at *América Abierta* get a chance to meet and create a community of practice around the most compelling topics for local members. OGP events create an opportunity for in-person exchanges of ideas and best practices around various open government themes. Photo by OGP.

## Lobbying

- [Common Challenges in Lobbying Transparency: Lessons from Europe \(2021\)](#): This blog provides an overview of how OGP members are using their OGP action plans to advance concrete lobbying reforms.
- [Toyota and the Anti-Democracy Caucus \(2021\)](#): This blog reflects the relevance of lobbying and political finance disclosure using a case study.

## Right to Information

- [Right to Information Policy Area Fact Sheet \(2021\)](#): This document offers a look at the global progress and member-level examples in this policy area.
- [OGP Policy Progress Report, Right to Information \(2021\)](#): This report provides a glimpse into how this policy area has advanced during the last ten years, as accelerated by the OGP platform and a growing global community of reformers in governments, civil society, business, media, and international organizations.

## Rulemaking

- [Parliamentary Engagement in OGP: Learning from the Evidence \(2021\)](#): This paper examines the substance of parliamentary engagement (i.e., commitments made by the parliament via

OGP action plans) and actions taken to either advance or oversee commitments made by the executive branch. It also examines the process of engagement, including the modalities of participation in OGP action plan processes, co-creation with civil society, and the spaces created or used to promote dialogue.

- [Regulatory Governance in OGP \(2020\)](#): This collaboration between the OGP Support Unit and the World Bank reviews the state of data, participation, and accountability for regulatory decisions.

## Justice and Accountability for Democracy

- [Accountability for Democratic Renewal \(2022\)](#): Part III of the Justice Policy Series, this paper describes how OGP members can strengthen and improve access to citizen-activated accountability mechanisms. Particularly relevant are the chapters on [electoral dispute resolution](#) and [anti-corruption enforcement](#).

Readers will find additional resources that are not directly produced by OGP but are excellent guides in the *Guidance and Standards* section of each individual policy area chapter.

# Global Overview: Promising Starts, But a Long Road to Travel

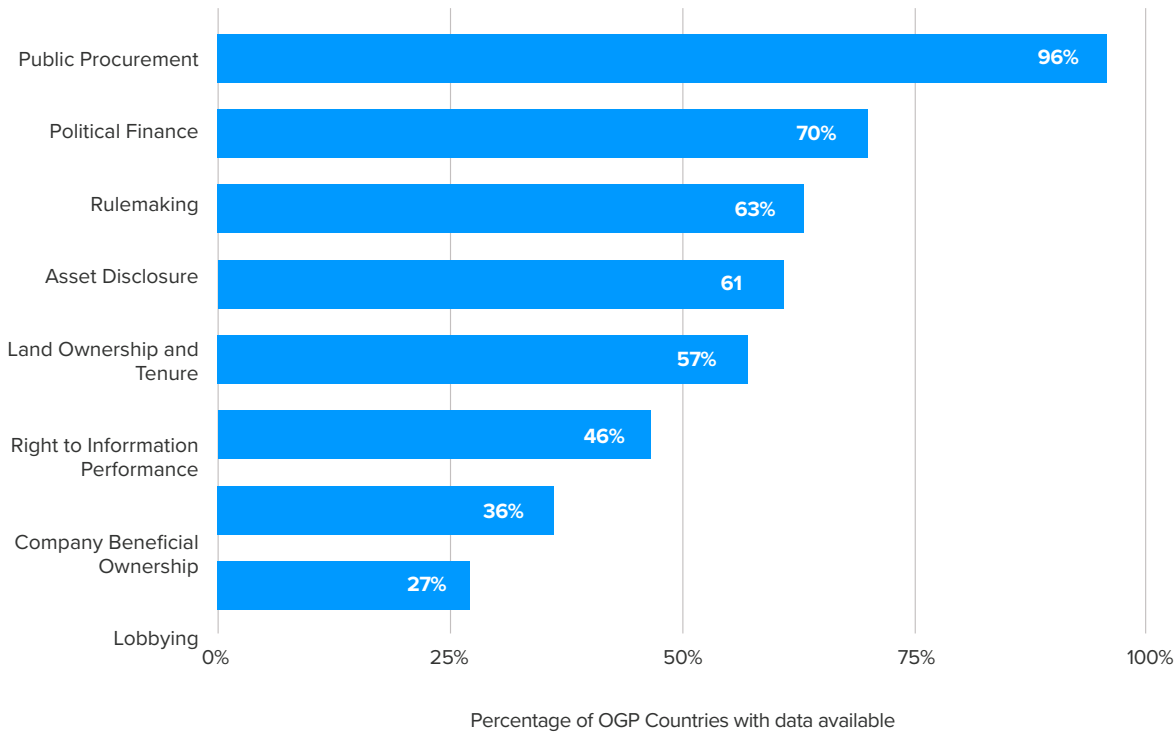
In its most simple terms, this report shows that very few countries actually publish the most important data to counter political corruption. Although OGP countries publish data at higher rates than the rest

of the world, they still face significant challenges, ranging from data that doesn't cover the most valuable information to data that just doesn't exist.

These reasons vary depending on the policy area, often quite significantly. For example, Figure 3 shows that nearly all OGP countries publish public procurement data online in some form, while fewer than a third publish lobbying data.

FIGURE 3: Data availability varies by policy area

This figure shows the percentage of OGP countries that publish data online. The sample includes all 67 OGP countries assessed by the GDB.



Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section for details.

Data publication, however, is only part of the story. The strength of legal frameworks governing the collection of data, the type of information published, and the data formats used are all important factors.

The richness of the new GDB enables an analysis of these various factors, which provides a more

nuanced understanding of the anti-corruption data landscape. In particular, the GDB data reveals several specific challenges that OGP countries face in collecting data, publishing it, and making it useful for accountability purposes.

## Five Key Gaps

These global challenges can be summarized in the form of five key data gaps. These are gaps in collection, publication, high-value elements, usability, and use. Each gap is described below:

### Collection Gaps

Many OGP countries do not have laws or regulations in place mandating data collection. This is most notable in the area of lobbying, where fewer than a third of OGP countries require the collection of lobbying information (see Figure 4). Between one-quarter and one-third of OGP countries lack legal mandates for the collection of data on beneficial owners, rulemaking, and the performance of right to information systems.

This collection gap exists even in policy areas where most countries have relevant legislation. For example, all OGP countries legally require public officials to submit asset declarations (this is one of the eligibility requirements for joining OGP). Yet, in a

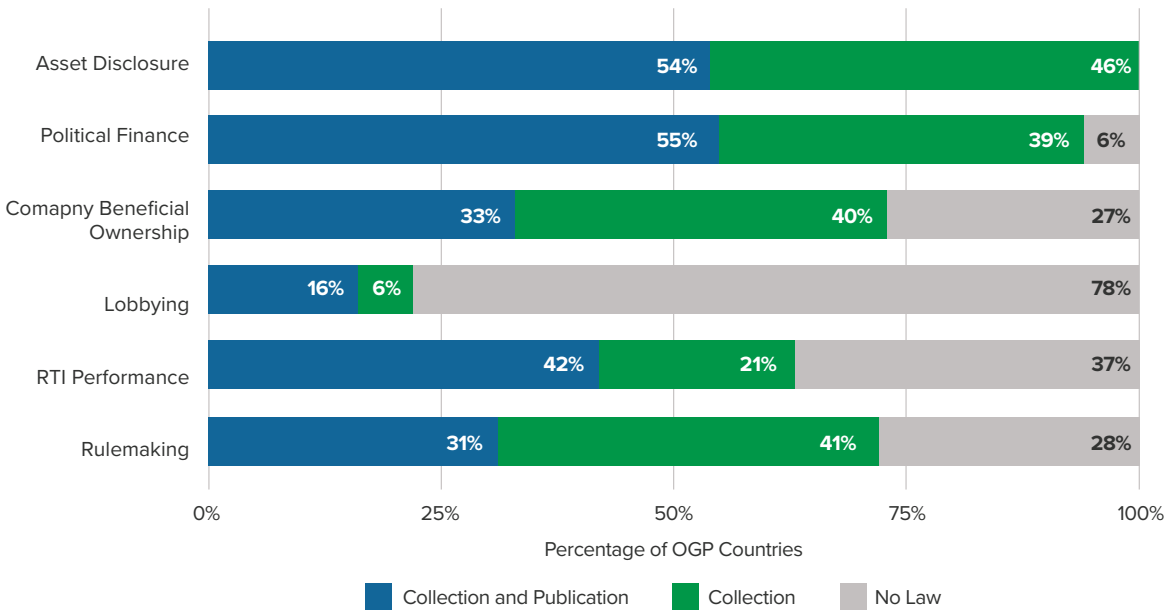
majority of these countries, government collection of data on assets of other politically exposed persons, like spouses and family members, is not required (see the policy area *Asset Disclosure* for details).

The same issue applies to other areas like political finance, where nearly all (96 percent) of OGP countries legally require political parties and campaigns to submit financial information. Only about half (55 percent) legally require the collection of donation timings and amounts, which are critical to understanding the influence of different actors in the political process (see the policy area *Political Finance* for details).

This all points to the urgent need for greater collection of anti-corruption data. In many cases, these are legal issues, specifically the *absence* of binding laws and policies that require data to be collected or the *existence* of weak legislation that does not require the collection of more granular, high-value data that can enable effective monitoring. For many OGP countries, this is a critical next step.

FIGURE 4. Law and policy requirements in OGP participating countries<sup>7</sup>

This figure shows the percentage of OGP countries with data collection and publication requirements across policy areas. The sample includes all 67 OGP countries assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational. See the About Broken Links section for details.

<sup>7</sup> This chart is based on GDB indicators: "Requirements to publish data are set out in binding policy, regulations, or law." Because law and policy data for Public Procurement and Land Ownership are not included, they are not in this chart.

Publication Gaps

Many countries do not publish essential data, even those that legally require its collection. On one end of the spectrum, nearly all OGP countries (96 percent) publish public procurement data online in some form. On the other hand, only about one in four OGP countries publish lobbying data, and one in three publish beneficial ownership data. Rates of data availability for the other policy areas fall somewhere in between. For most of these other areas, like asset disclosure and political finance, about one-third of OGP countries do not publish any data online.

This is evidence of a significant gap between the number of countries requiring data collection and those actually publishing data (see Table 1). Nowhere is this gap wider than in asset disclosure, where all OGP countries have a legal requirement that officials submit such information, but less than two-thirds actually publish any information online. Beneficial ownership data is another example; three-quarters of OGP countries require data collection, but only one-third publish any data online.

There are three possible drivers of these publication gaps:

- 1. No legal framework:** In some cases, OGP countries lack any sort of legal framework that requires collection—much less publication—of the specific data. Lobbying is a notable example, as mentioned in the previous section.
- 2. Weak or unclear legal framework:** In many cases, a legal framework requiring data collection exists, but it does not mandate publication. Beneficial ownership frameworks commonly fall into this category. As seen in Table 1, nearly three-quarters of OGP countries legally require the collection of beneficial ownership data, but only about one-third require the data to be published.
- 3. Noncompliance with the legal framework:** In other cases, legal mandates to publish data exist, but the data is still unavailable. Sometimes, this means that data is *closed*, like asset declarations submitted to the government that remain unpublished. Other times this means that data is *nonexistent*, such as when some political parties or candidates never submitted their financial declarations to begin with, despite legal requirements.

TABLE 1. The publication gap is often significant (n=67)

Policy Area <sup>8</sup>	A. Law Requires Data Collection	B. Data Published	C. Gap Between Collection and Publication (A - B)
Asset Disclosure	100%	61%	39%
Political Finance	94%	70%	24%
Company Beneficial Ownership	73%	36%	37%
Lobbying	22%	27%	—
RTI Performance	63%	46%	17%
Rulemaking	72%	63%	29%

<sup>8</sup> Public Procurement and Land Ownership are not included in this chart because the GDB does not include law and policy data for these two areas. See *About Broken Links* for details.

High-Value Data Gaps

Releasing data by itself is not inherently useful. In the case of data to counter political corruption, the data must be useful for determining whether ethics, the rule of law, and democracy are being protected.

Table 2 shows an example of this gap in the case of open contracting, which is the policy area most widely adopted and implemented among the countries examined in this report. The table examines where

data is published. Just over half of OGP countries publish data at planning stages, over three quarters publish tenders and awards as data, but fewer than a quarter publish information on implementation—whether a contract was executed and whether taxpayers got good value for their money. By comparison, the other policy areas have far worse gaps. As a result, even in this relatively strong area of procurement, one can see that OGP countries often have significant room for improvement.

TABLE 2. Coverage of procurement stages, as an example of high-value data gaps

This figure shows the percentage of OGP countries that publish data on each stage of the procurement process. The sample includes only the 64 OGP countries that publish public procurement data online.

Stage of Procurement Process	Percentage of OGP Countries With Available Data
Planning	52%
Tender	80%
Award	81%
Implementation	23%

Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the *About Broken Links* section for details.

Usability Gaps

Many gaps with usability across OGP countries make it more difficult—or often impossible—to process data for accountability and oversight. Researchers from the Data for Development Network contributed to the GDB assessed datasets in each policy area on a number of criteria for open data. The specific problems are as follows (with the “typical” case in Table 3):

- Available online:** It is not enough that data be available in a government library or document repository; that data needs to be freely available online. Most of the datasets looked for were available online. In the typical OGP country, however, online registers of company beneficial ownership and lobbying registers were unavailable (and not required by law in most countries). Right to information performance data was required in most countries but is not available online.

- Freely available:** In some countries, there are high fees for use of data, it is managed by third parties that charge high fees, or it is available on request only. In the typical OGP country, where data is available online, it is also available for free. (Nonetheless, lobbying, company beneficial ownership, and RTI performance are typically unavailable regardless of cost.) While cost may be a barrier in some countries, this is not a typical barrier.
- Timely and updated:** Anti-corruption data needs to be available as soon as possible for accountability purposes. According to GDB data, in the typical OGP country, data is consistently and typically too old to be useful for assessing compliance with laws in the short term.
- Open licensed:** Data needs to be freely reusable, whether for accountability purposes or for other uses, including commercial uses. According to findings, licenses are unclear or not explicitly open for most datasets in the typical OGP country.



- **Machine-readability:** For accountability and oversight to occur, data needs to be available in structured formats that allow for data reuse, not simply in scanned documents. In most cases, data, while publicly available, is locked inside non-machine readable formats, making it difficult to analyze.
- **Bulk downloadable:** Data needs to be available in bulk downloads. As an example, it is simply not practical for watchdog organizations or political parties to monitor asset declarations if a single, separate form is turned in by each parliamentarian. Unfortunately, in the typical OGP country, data must be gathered from multiple pages and sources, even when publicly available, raising the cost of use.

TABLE 3. Usability gaps among published datasets

This table shows the percentage of OGP countries whose datasets meet open data standards by policy area. Only OGP countries that publish data online are included.

	Available Free of Charge	Timely and Updated	Machine Readable	Bulk Downloadable
Asset Disclosure (n=41)	93%	61%	17%	7%
Political Finance (n=47)	89%	66%	36%	21%
Company Beneficial Ownership (n=24)	75%	71%	38%	29%
Land Ownership and Tenure (n=38)	45%	50%	29%	26%
Public Procurement (n=64)	95%	84%	64%	34%
Lobbying (n=18)	94%	50%	44%	22%
Right to Information Performance (n=31)	97%	68%	45%	32%
Rulemaking (n=42)	57%	33%	13%	9%

Few countries

Most countries

0%–20%	20%–40%	40%–60%	60%–80%	80%–100%
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Use Gaps

A final gap, which is not reflected as much in the data, but in the case studies collected by GDB researchers, is that capacity to use the data, in many cases, is lacking. One telltale sign is that investigators in only five of the countries surveyed (of 68) documented notable uses of anti-corruption data by watchdogs. This is likely an underreporting of use cases, since it is entirely reasonable that researchers did not catch

all examples of use in a country. Nonetheless, the low number of documented examples suggests that this does not yet show overwhelming use of the data by the public. It will be fruitful for future studies to identify whether user capacity, the relative newness of the data in many countries, the technical nature of some datasets, or lack of available and useful data is the binding constraint for each policy area.

Closing the Gaps: How to Use this Report

This report is a collection of resources built out of the treasure trove of the GDB and the vast experience of reforms in the OGP space. This report is not intended to document all of the shortcomings of OGP members. Rather, a report like this can serve as a benchmark and paint a path forward for OGP members to achieve their priorities.

The resources in this report are meant to help the reformer working at the national, regional, and global levels. The sections are built in a way that they can stand alone. More powerfully, they can be recombined with one another or other resources, depending on the particular political moment or phase of an OGP action plan. The sections of this report are:

- **Global findings:** This section (see *Global Findings* section) and the *Executive Summary* show the major gaps across the policies and practices surveyed for this report.
- **Policy area findings:** Each policy area covers the current status of data publication and use around that policy area. There are eight such areas in this report, along with interoperability, which covers how to link up the different elements of anti-corruption data. Each policy area includes value propositions for the policies, findings from the data, lessons from reformers, maturity models for open data strengthening and use, as well as international standards and guidance.
- **Regional findings:** These summarize the status of open data across policy areas in each of the four official OGP regions: Africa and the Middle East, Americas, Asia and the Pacific, and Europe.
- **Data Explorer (including country findings):** Each OGP member that has been part of the GDB survey will also have a country analysis. Over time, the OGP Support Unit hopes to integrate this data within the larger member page on the organizational website [opengovpartnership.org](https://opengovpartnership.org) to allow for dynamic and continuous updating of the member page.

- **About the report:** For those wishing to take a deeper dive into the data beyond the short descriptions in the general sections, *About Broken Links* describes the researchers, the method, and the quality control behind each of the key data points.

A Closer Look at Policy Area Findings

The policy areas featured in this report aim to illuminate the issues surrounding proper implementation of each of the eight policy areas, as well as a module on interoperability. Each section can be used as standalone documents, in combination with one another, with the regional and country analysis, or as part of a larger, omnibus report. Each policy area aims to empower the motivated reformer with the following resources:

- It lays out **value propositions** to show the strongest, evidence-based arguments for a particular policy.
- It summarizes **data** from the GDB (and beyond, in a few cases), helping paint a picture of where typical and innovative countries lie. This data includes reviews of law and policy, data usability, and inclusion of high-value elements. The particular high-value elements are unique for each policy area. For example, asset disclosure requires different data points than land ownership disclosure.
- **Lessons from reformers** highlight stories of success, innovation, and evolution in OGP countries and beyond. These stories are, ideally, inspiring enough to help reformers understand the benefits and approaches of early adopters.
- **Maturity models** lay out a menu of options for each country to improve its systems, from establishing a minimal policy framework to building complex systems for strengthening each policy area.
- **Standards and guidance** refer reformers to useful guidance outside of OGP. This includes existing international law, standard-setting organizations, multilateral processes, and policy-relevant applied research.



Constantin Cearanovski, patient advocate and member of Positive Initiative, a patient advocacy organization in the Republic of Moldova, with a focus on supporting people with viral hepatitis, HIV, and tuberculosis. When the COVID-19 pandemic hit, Positive Initiative teamed up with other Moldovan civil society organizations to campaign for transparency around the procurement of drugs and equipment to fight it. Photo by OGP.

- Each policy area also includes a section called **Beyond Open Data**, a collection of ideas from reformers on how to bridge the gap between transparency and real change in accountability and public participation.

Each of these sections is a cornucopia of resources, ideally thorough and fact-based enough to give the curious reformer the tools they need to move their reforms forward while at the same time brief enough to be useful.

## Conclusion

Ideally, the gaps documented in this report can be addressed through OGP action plans, which are a useful way to advance domestic implementation, especially within each policy area. Working with civil society, governments create action plans that include concrete commitments to improve transparency, civic participation, and public accountability. At the end of each action plan cycle, [OGP’s Independent Reporting Mechanism](#) (IRM) evaluates the results (OGP, n.d.).

Many OGP members have already used their action plans to address [corruption](#) through data and more (OGP, n.d.). Members have made more than 300 commitments related to right to information frameworks, as well as more than 60 commitments related to asset declarations. Lobbying reforms have been less common, with only about 25 relevant commitments, but IRM evaluations show that these commitments have achieved above-average early results. This suggests that OGP action plans are an important vehicle for change.

The contributors of this report hope that it is a useful resource for looking to fuse the fight for democracy with the fight against corruption. In the process, they will strengthen both.

# Median OGP Country<sup>9</sup>

## Highlights From the Global Data Barometer

- **Data availability:** The median OGP country has data available online for **5 out of 8** key areas assessed in this study (see [Overview](#)).
- **Legal framework:** The median OGP country legally requires collecting data in most areas, with the exception of lobbying. Data publication is not required in most areas.
- **High-value information:** A challenge for the median OGP country is to publish high-value elements, like unique identifiers, to link data across datasets.
- **OGP commitments:** With the exception of procurement, the median OGP country has not made commitments related to advance transparency in most areas evaluated.

















## Overview of Data to Counter Political Corruption












Policy Area	Law and Policy		Data Availability		Has an OGP Commitment
	Requires Data Collection	Requires Data Publication	Publishes Data	Publishes Machine-Readable Data	
Political Finance	●	●	●	●	●
Asset Disclosure	●	●	●	●	●
Lobbying	●	●	●	●	●
Rulemaking	●	●	●	●	●
RTI Performance	●	●	●	●	●
Company Beneficial Ownership	●	●	●	●	●
Land Ownership and Tenure	Not Reviewed	Not Reviewed	●	●	●
Public Procurement	Not Reviewed	Not Reviewed	●	●	●

<sup>9</sup> Out of the 67 OGP countries assessed by the Global Data Barometer.



## Data Availability by Policy Area

Political Finance	OGP Median Country
<b>Online:</b> Data is available from government or because of government actions.	
High-Value Elements	
<b>Revenue streams:</b> Donations, public funding, member dues for each party/candidate.	
<b>Income:</b> Data has details of income for each party or candidate.	
<b>Contributions:</b> Data has details of financial contributions to each party or candidate.	
<b>Assets/liabilities:</b> Data has details of assets and liabilities of each party or candidate.	
<b>Spending:</b> Data contains details of the spending of each party or candidate.	
<b>In-kind support:</b> In-kind and nonfinancial support donated to each party or candidate.	
<b>Donations:</b> Data has details of timing and amounts of donations linked to donors.	
<b>Donor names:</b> Data contains first and last name for each donor.	
<b>Donor details:</b> Details about donors, including address, occupation, and employer.	
<b>Unique identifiers:</b> Data includes unique identifiers for each donor.	
Usability Elements	
<b>Free:</b> Dataset is available free of charge.	
<b>Timely:</b> Data is timely and updated.	
<b>Open license:</b> Data is openly licensed.	
<b>Machine-readable:</b> Data is provided in machine-readable format(s).	
<b>Bulk download:</b> The machine-readable dataset is available as a whole.	

Asset Disclosure	OGP Median Country
<b>Online:</b> Data is available from government or because of government actions.	
High-Value Elements	
<b>Unique IDs:</b> Unique identifiers for public officials and family members who must disclose.	
<b>Income:</b> The data contains information on income, assets, and liabilities.	
<b>In-kind interests:</b> The data contains information on in-kind and nonfinancial interests.	
<b>Changes:</b> The data contains information on significant changes in assets and liabilities.	
<b>Family members:</b> Assets and liabilities held by each family member who must disclose.	
Usability Elements	
<b>Free:</b> Dataset is available free of charge.	
<b>Timely:</b> Data is timely and updated.	
<b>Open license:</b> Data is openly licensed.	
<b>Machine-readable:</b> Data is provided in machine-readable format(s).	
<b>Bulk download:</b> The machine-readable dataset is available as a whole.	



## Lobbying

OGP  
Median  
Country

**Online:** Data is available from government or because of government actions.



### High-Value Elements

**Unique identifiers:** The data has unique identifiers for each lobbyist and public official.



**Clients:** The data contains clear identifying information for each lobbying client.



**Participants:** Details on participants in interactions between lobbyists and public officials.



**Goals:** The data contains information about lobbyists' goals for lobbying activities.



**Meeting times:** Dates/times for each interaction between lobbyists and public officials.



**Topics:** Information about the topic of interactions between lobbyists and public officials.



**Expenses:** Money spent on each interaction between lobbyists and public officials.



### Usability Elements

**Free:** Dataset is available free of charge.



**Timely:** Data is timely and updated.



**Open license:** Data is openly licensed.



**Machine-readable:** Data is provided in machine-readable format(s).



**Bulk download:** The machine-readable dataset is available as a whole.



## Rulemaking

OGP  
Median  
Country

**Online:** Data is available from government or because of government actions.



### High-Value Elements

**Proposed regulations:** The data includes proposed regulations.



**Public comments:** Full set of public comments made at public consultation processes.



**Supporting information:** Examples include notices of intent and reasoned responses.



**Final regulations:** The data includes final regulations and justifications.



**Challenges:** Details of challenges to regulations passed through consultation processes.



### Usability Elements

**Free:** Dataset is available free of charge.



**Timely:** Data is timely and updated.



**Open license:** Data is openly licensed.



**Machine-readable:** Data is provided in machine-readable format(s).



**Bulk download:** The machine-readable dataset is available as a whole.





Right to Information Performance	OGP Median Country
<b>Online:</b> Data is available from government or because of government actions.	●

High-Value Elements	
<b>Requests:</b> The data has details on the number of requests submitted and processed.	●
<b>Delays:</b> Details on how long it took relevant government agencies to fill requests.	●
<b>Redactions:</b> Details about material withheld and the reasons for withholding it.	●
<b>Appeals:</b> The dataset has details about appeals to RTI determinations and their results.	●
<b>Relevant entity:</b> Data is linked to the relevant government agency, department, or entity.	●

Usability Elements	
<b>Free:</b> Dataset is available free of charge.	●
<b>Timely:</b> Data is timely and updated.	●
<b>Open license:</b> Data is openly licensed.	●
<b>Machine-readable:</b> Data is provided in machine-readable format(s).	●
<b>Bulk download:</b> The machine-readable dataset is available as a whole.	●

Company Beneficial Ownership	OGP Median Country
<b>Online:</b> Data is available from government or because of government actions.	●

High-Value Elements	
<b>Company identifiers:</b> The dataset contains unique identifiers for each company.	●
<b>Owner:</b> The dataset contains identifying information for each beneficial owner.	●
<b>Interests:</b> The dataset contains details of the interests held by each beneficial owner.	●
<b>Gender:</b> Data includes information about individuals' sex and/or gender.	●
<b>Standards:</b> The data is published according to one or more relevant data standards.	●

Usability Elements	
<b>Free:</b> Dataset is available free of charge.	●
<b>Timely:</b> Data is timely and updated.	●
<b>Open license:</b> Data is openly licensed.	●
<b>Machine-readable:</b> Data is provided in machine-readable format(s).	●
<b>Bulk download:</b> The machine-readable dataset is available as a whole.	●



## Land Ownership and Tenure

OGP  
Median  
Country

**Online:** Data is available from government or because of government actions.



### High-Value Elements

**Marginalized populations:** Information on indigenous or marginalized populations.



**Natural persons:** The data covers land tenure involving natural persons.



**Legal persons:** The data covers land tenure involving legal persons.



**State land:** The data covers land tenure involving state land.



**Communal lands:** The data covers land tenure involving communal lands.



**Open access lands:** The data covers land tenure involving open access lands.



**Urban and rural:** Covers urban and rural tenure, and other relevant forms of tenure.



**Concessions:** The data covers and has information on land concessions and/or leases.



**Geospatial:** Each record has geospatial reference assigning features to a spatial extent.



**Transactions:** The data contains information on land transactions and sale-values.



**Rights:** Each tenure record has info on rights held over the land (freehold, lease, etc.).



**Gender:** Data includes information about individuals' sex and/or gender.



### Usability Elements

**Free:** Dataset is available free of charge.



**Timely:** Data is timely and updated.



**Open license:** Data is openly licensed.



**Machine-readable:** Data is provided in machine-readable format(s).



**Bulk download:** The machine-readable dataset is available as a whole.



## Public Procurement

OGP  
Median  
Country

**Online:** Data is available from government or because of government actions.



### High-Value Elements

**Goods and services:** Procurement related to goods and services is included.



**Public works:** Procurement related to public works is included.



**Planning:** The planning phase is covered.



**Tenders:** The tender stage is covered.



**Awards:** The award stage is covered.



**Implementation:** The contract implementation stage is covered.



**Stage identifiers:** Identifiers that connect data across each stage of a single process.



**Company identifiers:** Contains names and unique identifiers for contracting companies.



**Dates:** The data contains start and end dates for tender processes and/or contracts.



**Cost:** The data contains the value (cost) of each tender, award, or contract.



**Spending:** Contains, or can be linked to, information on spending against the contract.



**Description:** Contains a description of the goods, services or works being procured.



**Standardized:** The data is published according to one or more relevant data standards.



**Documentation:** The data contains links to tender, award, or contract documentation.



### Usability Elements

**Free:** Dataset is available free of charge.



**Timely:** Data is timely and updated.



**Open license:** Data is openly licensed.



**Machine-readable:** Data is provided in machine-readable format(s).



**Bulk download:** The machine-readable dataset is available as a whole.



# About Broken Links

## Background

*Broken Links: Open Data to Advance Accountability and Combat Corruption* synthesizes the new global survey data released by the Global Data Barometer (GDB)—in collaboration with regional and policy-focused partners, including OGP—into a series

of research products (see *About the Global Data Barometer*). These products analyze the current state of data to combat political corruption, showcase examples of promising reforms, and provide recommendations on how OGP members can use their action plans to close existing gaps. This section explores the research goals, structure, and scope.

### About the Global Data Barometer

The Global Data Barometer (GDB) is a collaborative project that measures the state of data in relation to urgent societal issues. Its development began in 2019 in response to the needs expressed at the 2019 OGP Summit in Canada for updated, in-depth, country-level insights on data. Together with regional hubs and thematic partners, the GDB is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms.

The GDB launched in May 2022. It covers May 1, 2019, through May 1, 2021, and includes 109 countries, 39 primary indicators, and over 500 sub-questions, for a total of more than 60,000 data points. It addresses the following areas: climate action, company information, health and COVID-19, land, political integrity, public finance, and public procurement. For more details on survey design, data collection, and specific indicators, see the *About the Data* section of this chapter.

## Goals and Approach

The report builds on the first [OGP Global Report](#), published in 2019 (OGP, 2019). Similar to that research, this report provides thought leadership to the Partnership, assesses the state of play of open data in several key policy areas, and provides comparative snapshots of all OGP members. Specifically, the goals of this report include:

1. **Agenda setting:** Raise the agenda for strengthening democracy, limiting corruption, and enhancing citizen voice through reforms in OGP at the global and national levels.
2. **Close the gaps:** Create compelling incentives to close the ambition and implementation gaps at the national level.

3. **Comparability:** Provide a means by which countries may compare themselves with one another.
4. **Collective action:** Cultivate a sense of shared ownership and accountability for cross-cutting reforms in priority areas for all OGP countries.
5. **Context and achievement:** Demonstrate and highlight many of the most relevant, ambitious, and high-impact commitments.

## Report Findings

To achieve the goals above, the report contains four complementary—yet standalone—sections:

1. **Global findings:** This module reviews the state of data to counter political corruption across all OGP countries, highlighting the major gaps that exist across the policies and practices surveyed for this report.
2. **Policy area findings:** Eight policy area modules (plus one on interoperability across policy areas) include value propositions for policies, findings from the data, lessons from reformers, maturity models for better open data, and international standards and guidance.
3. **Regional findings:** Four regional summaries (Africa and the Middle East, Americas, Asia and the Pacific, and Europe) describe the state of play of data to counter political corruption and highlight regional innovators, with a focus on three featured policy areas.
4. **Data Explorer (including country findings):** An online tool visualizes the progress and areas for improvement based on the data for each OGP country reviewed by the GDB (see *About the data* section for details).

Together, these findings are meant to inspire new, ambitious OGP commitments by identifying areas for growth and examples of innovations at the global, regional, and country levels. The method used to construct each type of section is described in the *About the Data* section.

## Scope of the Report

This report focuses on nine areas that are directly relevant to countering corruption covered by the GDB. These areas are all foundational to promoting transparency in the interests influencing official decisions, providing a deterrent to potential abuses of public office, and greater accountability through the ballot box, the courts, or other means. They were selected because they are:

- OGP priorities, as recognized in strategic and work planning documents

- Cornerstones of open government, as identified in OGP founding documents
- Initiatives of recent OGP Steering Committee Co-Chairs
- Areas of ongoing collaboration with partner organizations
- Amenable to an analysis through the lens of open data

The nine policy areas included in this report are:

1. Asset Disclosure
2. Political Finance
3. Company Beneficial Ownership
4. Land Ownership and Tenure
5. Public Procurement
6. Lobbying
7. Right to Information Performance
8. Rulemaking
9. Interoperability

See the section of the report titled *A Data-Focused Approach* for details on the specific data covered within each policy area. For details about the specific indicators that fall under each policy area and how they were used in the various sections of this report, see the *About the data* section.

## Review Process

Each policy area chapter underwent a review phase in the first half of 2022. During this process, respected policy experts from partner organizations—in addition to OGP staff members—reviewed the draft documents and provided both written and verbal feedback. These experts are listed in the *Acknowledgments* section of the report. The full draft report was also shared with the GDB team for their input and suggestions.



About the Data

This report includes data from two main sources: (1) the GDB primary survey data and (2) the OGP action plan data, including assessments from OGP’s Independent Reporting Mechanism (IRM). Each report section analyzes and visualizes these data sources in slightly different ways. This section lays out the characteristics of each data source and describes the approaches used for each section of the report. (This section focuses only on the GDB data elements actually used in this report. See *Good to Know: GDB and OGP terminology compared* for an explanation of terms and how they differ between this report and the Global Data Barometer report.) See the full GDB methodology in the [GDB Global Report](#) for additional information (GDB, 2022).

About the GDB Data

Collection

The GDB team partnered with a network of regional hubs to collect the data.<sup>10</sup> With the GDB team’s support, the regional hubs recruited and trained experts, mostly in-country researchers, who collected the primary data in 109 countries between May 2021 and late 2021 (See Table 4. GDB data collection at a glance). During this process, the researchers for each country completed an in-depth survey using the [GDB Handbook](#) (GDB, 2021) (see the next subsection for details on the data structure). The researchers assessed only information **between May 1, 2019, and May 1, 2021**. Any developments that took place after May 1, 2021, will be reflected in a future edition of the GDB.

TABLE 4. GDB data collection at a glance

Years Covered by Survey	Country Surveys Completed	Regional Hubs	Researchers	Thematic Partners	Secondary Indicators
2	109	12	113	6	14
Primary Indicators	Primary Variables	Data Points Collected (Including Supporting Data)		Unique URLs Reviewed	Words of Justification
39	607	107,389		17,799	581,040

For many survey responses, researchers provided a written justification and supporting evidence. This includes information such as the URLs to specific laws, policies, or datasets; the latest update date of a dataset; or the file format in which data is available. All supporting evidence (together with the full set of response values) is publicly available [online](#) (GDB, 2022).

To complement the responses collected in this primary survey, the GDB team also conducted a short government survey in parallel. Governments

were invited to provide evidence that a researcher might not be able to find through desk research or interviews. Twenty percent of governments contributed to this first edition government survey, which was a shorter version of the expert survey.

In addition to the 39 primary indicators, pillar and module scores also draw upon 14 secondary indicators. These were taken from carefully reviewed external sources and each transformed onto a 0–100 scale, with missing values imputed where appropriate.<sup>11</sup> These secondary indicators are not used in this report.

<sup>10</sup> These include Access Info Europe, Caribbean Open Institute, Center for Continuing Education at Birzeit University, D4D Asia Hub (East-West Management Institute), IDFI Georgia, ILDA, InfoCulture Russia, ISOC Chapter Hong Kong, Local Development Research Institute, Open Data China, Open Data Kosovo, and The Pacific Community.





<sup>11</sup> For a full list of GDB’s secondary indicators, see the Methodology Appendix of the [GDB’s report](#).

After the collection phase concluded, the survey responses were reviewed by regional hubs, other national researchers, thematic partner organizations (including OGP<sup>12</sup>), and the core GDB team. The first phase of review was led by researchers and regional hub coordinators, with input from the core GDB team. This consisted of a full review of the expert survey responses, along with their evidence and justifications. The second phase of review focused on data validation. During this phase, the core GDB team conducted validation checks, cross-checks with other countries and sources, and reviews of outliers, drawing on feedback provided by country researchers and thematic partners. The government-provided evidence was also taken into account during this phase.

Structure

The GDB is a multi-dimensional index that comprises (in increasing level of specificity): pillars, modules, indicators, and sub-questions. At its broadest, the data covers four key pillars (see Table 5. The four GDB pillars). This report deals mostly with the Governance and Availability pillars. The Governance pillar focuses on the laws and policies that govern data collection and publication; the Availability pillar focuses on the existence of data and its adherence to open data standards.

TABLE 5. The four GDB pillars

Governance	Capabilities	Availability	Use and impact
			
Covering data management, data protection, data sharing, and open data, as well as looking at how data is addressed within sectoral regulations.	Covering foundations (e.g., connectivity, education), government data capability and institutions, and capability within private sector and civil society.	Addressing data existence, gestures (quality), openness, and coverage (extent) across a number of thematic areas.	Preliminary analysis based on example uses-cases.

The study is also organized into core and thematic modules. Core modules (Governance and Capabilities) focus on the overarching country context (e.g., data protection, data sharing frameworks), whereas thematic modules explore specific domains, such as political integrity, public

finance, and climate action. Most—but not all—of the policy areas covered by this report can be found in the “Political Integrity” thematic module of the GDB (see Table 6 for a list of each policy area covered in this report and its corresponding GDB sections).

<sup>12</sup> While OGP carried out data validation for the “Political Integrity” module as a thematic partner, the final survey data does not necessarily represent the views, positions, or opinions of OGP.

TABLE 6. Mapping of policy areas in this report

Policy Area in this Report	Indicator Name in GDB	Module Name in GDB	Includes Governance Data?	Includes Availability Data?
Asset Disclosure	<i>Asset Disclosure</i>	<i>Political Integrity</i>	●	●
Political Finance	<i>Political Finance</i>	<i>Political Integrity</i>	●	●
Company Beneficial Ownership	<i>Beneficial Ownership</i>	<i>Company Information</i>	●	●
Land Ownership and Tenure	<i>Land Tenure</i>	<i>Land</i>	●	●
Public Procurement	<i>Public Procurement</i>	<i>Public Procurement</i>	●	●
Lobbying	<i>Lobbying</i>	<i>Political Integrity</i>	●	●
Right to Information Performance	<i>Right to Information Performance</i>	<i>Political Integrity</i>	●	●
Rulemaking	<i>Public Consultation</i>	<i>Political Integrity</i>	●	●
Interoperability	<i>Interoperability</i>	<i>Political Integrity</i>	NA <sup>13</sup>	

Not all GDB indicators include questions about laws and policies governing anti-corruption data (referred to as *Governance* in the GDB). Specifically, as shown in the table above, the land ownership and tenure, public procurement, and interoperability sections lack these questions. The specific GDB questions used for each of the indicators are presented in the Annex.

Limitations

The GDB data has some limitations that are worth noting:

- **Lack of global country coverage:** The GDB covers an impressive 109 countries in its first edition, but this, unfortunately, does not include all OGP countries. Specifically, the GDB assesses 67 of the 77 OGP participating countries. The remaining ten countries were not assessed due to difficulties in finding in-country researchers.<sup>14</sup> In future editions,

the OGP Support Unit and GDB team hope to expand data collection to cover all OGP countries. If you or your organization are interested in participating in the data collection for these countries, please contact [research@opengovpartnership.org](mailto:research@opengovpartnership.org).

- **Inconsistency of robustness across survey questions:** The robustness and comparability of specific survey questions are stronger than others. Despite multiple rounds of reviews (see the *Collection* subsection above), type I and II errors may still remain in the data. As a result, if users spot some data they do not consider complete or accurate, please contact the GDB team at [feedback@globaldatabarometer.org](mailto:feedback@globaldatabarometer.org) or the OGP team at [research@opengovpartnership.org](mailto:research@opengovpartnership.org).

<sup>13</sup> The Interoperability section falls under the Capability pillar of the GDB. As such, it has neither a governance or availability component. The interoperability indicator answers the question: To what extent is political integrity data interoperable across different political integrity datasets, as well as other datasets associated with relevant information flows?

<sup>14</sup> These countries include Afghanistan, Bosnia and Herzegovina, Cabo Verde, Luxembourg, Montenegro, North Macedonia, Norway, Papua New Guinea, Serbia, and Seychelles.

- **Limited data on specific topics:** Some topics are underexplored in the first edition of the GDB. For example, only a small number of indicators look at the use and impact of data due to the complexities of measuring use consistently across countries. Likewise, the survey offers few opportunities to document the role of inclusion broadly and gender

equality specifically, such as whether data initiatives are gender-balanced or have significant gendered impacts. The survey is expected to expand the coverage of inclusion-related indicators in future editions. Finally, as mentioned above, data on the quality of legal frameworks was not collected for a few policy areas.

GOOD TO KNOW

GDB and OGP Terminology Compared

Many terms in this report were modified from how they appear in the GDB for brevity, precision, and ease of understanding. (In addition, as noted, this report builds on the GDB “Political Integrity” module to include “Company Beneficial Ownership,” “Public Procurement,” and “Land Ownership and Tenure” to match the scope of OGP’s strategic direction.) For readers more familiar with GDB terminology or those looking to identify the exact source of this report’s data in the GDB dataset, below are the most commonly used terms and the differences between reports.

In this Report

- Anti-corruption data (includes public procurement, land ownership and tenure, and company ownership)
- Rulemaking
- Land ownership and tenure
- Company beneficial ownership
- Legal frameworks/law and policy
- High-value data

In GDB Data

- Political integrity (does not include procurement, land ownership, or company ownership)
- Public consultation data
- Land tenure
- Beneficial ownership
- Governance
- Data fields and quality



About the OGP Data

Collection

OGP members advance a variety of policy areas through the co-creation and implementation of two- or four-year action plans. After each action plan is submitted, the OGP Support Unit tags every commitment for its relevant policy areas and sectors. The current list of policy area and sector tags can be found in the [OGP Commitment Database](#) under “Definitions” (OGP, n.d.).

OGP’s Independent Reporting Mechanism (IRM) evaluates every national action plan after submission and after the end of the implementation period.<sup>15</sup> The IRM’s [Action Plan Review](#)—which replaced its Design Report in 2020—reviews each commitment after the action plan’s submission for verifiability, relevance to open government values, and potential for results (OGP, 2021). Following the end of the action plan’s two- or four-year implementation period, the IRM evaluates the completion and early results of commitments in the Results Report.

Structure

The Support Unit has collected structured data on all OGP commitments submitted since 2011, including their relevant policy area and sector tags and IRM assessments, in a database. The database is published on OGP’s [Open Data webpage](#) in multiple formats under a Creative Commons (CC BY 4.0) license (OGP, n.d.). The data is updated daily.

Limitations

The OGP data presents several limitations, namely:

- **Time lag of assessments:** IRM Action Plan Reviews are published within four months of action plan submission. IRM Results Reports are published after the conclusion of the action plan period.

This means that the latest data on commitment implementation and early results (which are derived from the latter) in this report comes from OGP action plans submitted in 2019 or earlier.

- **OGP commitments as a standard unit of analysis:** OGP commitments vary widely in their range of activities. This makes comparisons difficult, even within the same country or focus area. For instance, the policy areas group together OGP commitments based on their focus area to derive average rates of ambition, implementation, and early results. However, these commitments are very different from one another, ranging from commitments that aim to update a web page to those that propose passing new legislation. Nonetheless, given the large amount of information we collect about them, OGP commitments remain the best—albeit imperfect—unit of analysis for OGP research.
- **Changes in IRM method over time:** The method used to assess some of the IRM key metrics has changed over time. For example, the IRM now assesses commitment ambition using an indicator called “Potential for Results” rather than the “Potential Impact” indicator used previously.<sup>16</sup> In cases such as these, the authors of this report have combined several indicators to produce longitudinal data. See the method section of the [OGP Vital Signs](#) report for a more detailed discussion of OGP variables (OGP, 2021).

How Data is Used in the Report

The GDB data is analyzed differently in each section of this report. However, some methods are applied consistently throughout the report. These are presented below. The rest of this section then describes methods that are specific to each section.

- **Raw scores instead of calculated scores.** This report does not use any of the calculated scores in the GDB, which rely on different multipliers and

weights by question.<sup>17</sup> Instead, the analysis only uses raw response values, such as “no,” “partial,” and “yes” for most GDB questions. This helps to ensure that the results are actionable for policy makers, as each score is interpretable and has a clear action implication.

- **Simple fractions as a method of aggregation.** References to percentages of OGP countries meeting a certain threshold according to GDB data, such as making data available or requiring data publication, are calculated using simple fractions (e.g., the number of OGP countries that make data available out of the total number of OGP countries assessed by the GDB). Similarly, discussion of OGP commitment performance refers to simple fractions (e.g., the number of ambitious lobbying commitments out of the total number of lobbying commitments assessed for ambition). Given the generally low number of commitments across the board, country weights are not included.
- **Online and government-published requirements for data availability.** References to the percentage of OGP countries with data available on different topics are common throughout this report. In each case, data availability is defined as any data that is online and “available from government, or because of government actions.” This excludes data published by nongovernment entities, such as civil society groups. This also means that OGP countries are only considered to publish “high-value” information if that information is available *online*; it is not sufficient for the information to be available upon request or accessible through freedom of information requests (see the *Executive Summary* subsection for more information on “high-value” elements).<sup>18</sup> Note that the threshold for having data available is publishing *any* data online. In many areas, like land ownership and tenure, this minimum level of data may not actually

be useful for monitoring purposes. Other aspects of GDB assessments (like “high-value” elements and usability) are therefore important complements.

- **Operational and binding requirements for legal mandates.** Legal requirements are discussed throughout the report, specifically whether legal frameworks exist that require data collection and/or publication. In these cases, only laws, policies, or regulations that “exist and are operational” are considered; draft laws or laws that have yet to be implemented are excluded. Regarding legal requirements for data publication, only requirements “set out in binding policy, regulations, or law” are considered. Additionally, these requirements must be part of an operational legal framework; draft laws that require data publication are not considered for the purposes of this report.
- **Treatment of partial data.** For most GDB questions about whether a country requires publishing or publishes data, researchers can respond in three ways: “no,” “partial,” or “yes.” Unless otherwise specified,<sup>19</sup> for ease of presentation, “partial” scores are considered to be cases of “no” availability or requirement.<sup>20</sup> For example, according to research conducted for the GDB, Ireland is considered to partially publish unique identifiers for each lobbyist and public official. As a result, in the lobbying module, Ireland is not considered to fall in the seven percent of OGP countries that publish these unique identifiers.
- **Subnational considerations.** The GDB includes a “bright spots” design to handle federal systems with flexibility (GDB, 2021). Using this approach, researchers can assess subnational data examples where they are representative of widespread practice and stronger than the national example, which may be the case in federal systems. For reasons of time and scope, this report does not delve into the geographic or jurisdictional coverage of data examples, which is available in the raw GDB data.

<sup>15</sup> The IRM also assessed action plans submitted by the [pioneer local members](#). Beginning in 2021, local action plans are now evaluated by their respective Local Monitoring Bodies. More information about these bodies is available at: <https://www.opengovpartnership.org/ogp-local/ogp-local-key-materials/>

<sup>16</sup> For the purpose of OGP data analyses, commitments with *Substantial* “Potential for Results” are considered ambitious commitments. For commitments from past years, commitments with either *Moderate* or *Transformative* “potential impact” are considered ambitious.

<sup>17</sup> See the Appendix: Methodology of the GDB report for details on weightings used to calculate scores. The report is available at: <https://globaldatabarometer.org/wp-content/uploads/2022/05/GDB-Report-English.pdf>.

<sup>18</sup> This stands in contrast to GDB scoring, in which researchers respond “yes” if data elements are available in a dataset, even if that dataset is not online and only available upon request.

<sup>19</sup> The Data Explorer is one such example of where “partial” responses are clearly indicated as such.

<sup>20</sup> The full GDB database contains a short description, provided by the researcher, that explains why a “partial” score is assigned to any specific question.

- **Sectoral considerations.** GDB may consider data to be available online if it covers at least one sector or branch of government. For example, a country may receive full points for publishing company beneficial ownership data online even if the data covers only the extractives sector. Similarly, a country may receive full points for publishing asset disclosure data online for members of parliament, but not members of the executive branch. Refer to the raw GDB data for details on the sectoral scope of particular datasets.

Executive Summary

Within the executive summary, the *Policy Areas* section features an overview of OGP country performance in GDB’s study across eight policy areas. For each policy area, the table shows the percentage of OGP countries that meet four key metrics: data collection required, data published, high-value data published, and open data published. These percentages are calculated as simple fractions: the number of OGP countries that meet the criteria divided by the total number of OGP countries assessed by GDB.

This table looks at the publication of what this report calls “high-value information.”<sup>21</sup> High-value information is defined as specific data elements that enable effective monitoring and are unique to a specific policy area, such as names of lobbying clients in a lobbying dataset. A country is considered to publish high-value data if over half of the high-value elements for the respective policy area are available online. The full list of high-value data elements for each policy area can be found in the Annex.

Similarly, a country meets the “open data published” metric for a policy area if the data is available online and meets over half (i.e. at least three) of the following open data standards: free, timely and updated, machine-readable, openly licensed, and bulk downloadable. Note that according to the GDB method, a dataset must be machine-readable for it to be considered bulk downloadable.

Global Findings

This section reviews OGP country performance across all reviewed policy areas, according to GDB data. For example, since over half of OGP participating countries (61 percent) make data available on asset disclosure, the median OGP participating country is considered to have asset disclosure data available. See the *Data Explorer* subsection below for more information on how this information is calculated. See also the Annex for a list of all indicators and the corresponding level of performance across OGP countries.

Policy Area

Across the policy areas, data from OGP and GDB is featured prominently in two sections: *State of Progress Through OGP* and *Key Findings from the Global Data Barometer*.

*State of Progress Through OGP* features data on OGP commitments that is collected and published by the OGP Support Unit (see *About the OGP data*). For certain policy area modules, the scope of OGP commitments may be broader than the focus of GDB’s study. This is explicitly stated when it is the case. For example, most right to information commitments in OGP do not focus specifically on right to information performance data. In addition, the sample of countries included in OGP commitment data is larger than that in the GDB findings, given that the former also includes OGP Local members and OGP participating countries that GDB did not assess.

*Key Findings from the Global Data Barometer* features GDB data from the relevant thematic section (see *About the GDB Data*). This section begins with the overall rate of data availability in OGP countries, compared to the rate of data availability throughout all countries assessed by GDB. These numbers are calculated as simple fractions: the number of OGP countries with data available out of the 67 assessed OGP countries vs. the number of all countries with data available out of the 109 total countries assessed by the GDB.

The findings section then assesses the degree to which the available data includes high-value information and is usable, according to open data standards (see *Good to Know: What is open data?* in the *Global Overview*). Countries without any data online are usually excluded from the graphs and figures in these sections. This ensures that the visualizations illustrate limiting factors beyond simply publishing data. For example, most countries do not publish lobbying data, so the percentage of all OGP countries that publish high-value information appears low across the board. Trends only emerge when focusing on published datasets. Sample sizes are clearly noted in the caption of each figure.

The *Key Findings from the Global Data Barometer* section also features a box on law and policy for policy areas in which GDB assessed legal frameworks on data collection and publication. As shown earlier (see Table 6. Mapping of policy areas in this report), laws and policy for data on land ownership, public procurement, and interoperability were not assessed by GDB.

Regional Findings

The regional findings provide an overview of how each region performs across all eight policy areas covered in this report. Each regional section uses GDB data to analyze gaps in legal frameworks, data availability, and data usability for each policy area. A list of the OGP-participating countries that GDB assessed in each region is included for sample size clarity.

The main *State of Progress Through OGP* section details the percentage of OGP countries in the region that have made at least one relevant commitment in each of the eight policy areas. These percentages are calculated as simple fractions: the number of OGP countries in the region that have made a relevant commitment out of the total number of OGP countries in the region.

The authors of this report selected three policy areas to cover in greater detail for each region, based on factors such as regional priorities, areas of momentum, and areas for growth. Each of the featured policy areas includes key findings from the GDB, the current state

of progress through OGP, and regional innovations. The latter includes datasets that meet open data criteria or cover high-value information.

Similar to the policy area sections, the sample size of OGP members included under the featured policy areas’ *State of Progress Through OGP* is larger for every region than the sample covered by the GDB findings. However, the main *State of Progress Through OGP* section, prior to the featured policy areas, covers only OGP countries in the region and does not include local members.

Data Explorer

The Data Explorer provides an in-depth look at the state of anti-corruption data in each OGP country assessed by the GDB. The Data Explorer has highlights that summarize the country’s current state of data and provide actionable areas for improvement. These highlights are automated rather than customized.

Along with an overview of the country’s performance according to GDB’s study, the Data Explorer also indicates whether the country has made any OGP commitments across each policy area and provides the links to relevant commitments. Where available, relevant commitment examples are shown with short summaries. These were selected based on their relevance, ambition, and early results, according to the IRM.

The final section of the Data Explorer is a checklist of available data elements for each policy area. The checklist depicts whether a country publishes, does not publish, or partially publishes a certain data element. The Data Explorer also enables comparisons to other countries, as well as to the median country performance across regions, income groups, or all OGP countries.

Note that data in these checklists may not exactly reflect the raw GDB data scores. As mentioned earlier, throughout this report—including in the Data Explorer—countries must receive full points for the “Online” criterion in order to receive any credit for the other high-value or usability elements in the respective policy area.

<sup>21</sup> In the GDB handbook, these specific questions are found under the “data fields and quality” section of the availability indicators.

## List of Resources

Alemanno, Alberto, and Joseph Foti, “Toyota and the Anti-Democracy Caucus,” Open Government Partnership, 2021, <https://www.opengovpartnership.org/stories/toyota-and-the-anti-democracy-caucus/>.

Associated Press, “Former Czech PM, Andrej Babiš, to Face Trial in EU Subsidy Fraud Case,” *The Guardian*, March 21, 2022, <https://www.theguardian.com/world/2022/mar/21/former-czech-pm-andrej-babis-to-face-trial-in-eu-subsidy-case>.

Dickson, Sarah, “Common Challenges in Lobbying Transparency: Lessons from Europe,” Open Government Partnership, 2021, <https://www.opengovpartnership.org/stories/common-challenges-in-lobbying-transparency-lessons-from-europe/>.

“European Commission Closes Ex-PM Babiš Unlawful Subsidy Case,” Prague Morning, 2022, <https://www.praguemorning.cz/european-commission-closes-ex-pm-babis-unlawful-subsidy-case/>.

Falla Lopez, Renzo et al., *OGP Vital Signs: 10 Years of Data in Review*, Open Government Partnership, December 2021, [https://www.opengovpartnership.org/wp-content/uploads/2021/12/Vital-Signs\\_Full-Report.pdf](https://www.opengovpartnership.org/wp-content/uploads/2021/12/Vital-Signs_Full-Report.pdf).

Foti, Joseph et al., OGP at Ten: Toward Democratic Renewal, Open Government Partnership, December 2021, <https://www.opengovpartnership.org/ogp-at-ten-toward-democratic-renewal/>.

Gebrekidan, Samuel, Benjamin Novak, and Matt Apuzzo, “The Money Farmers: How Oligarchs and Populists Milk the E.U. for Millions,” *New York Times*, November 3, 2019, <https://www.nytimes.com/2019/11/03/world/europe/eu-farm-subsidy-hungary.html>.

Global Data Barometer, “Data for Public Good,” n.d., <https://globaldatabarometer.org>.

Global Data Barometer, *Global Report*, 2022, <https://globaldatabarometer.org/wp-content/uploads/2022/05/GDB-Report-English.pdf>.

Global Data Barometer, “Open Data,” 2022, <https://globaldatabarometer.org/open-data/>.

Global Data Barometer, “Our Partners,” n.d., <https://globaldatabarometer.org/partners/>.

*Global Data Barometer Handbook*, 2021, <https://handbook.globaldatabarometer.org/2021/>.

“Locating the best example,” *Global Data Barometer Handbook*, 2021, <https://handbook.globaldatabarometer.org/2021/guidance/responding/#locating-the-best-example>.

Karanicolas, Michael, *The Costs of Secrecy: Economic Arguments for Transparency in Public Procurement*, Open Government Partnership, 2018, <https://www.opengovpartnership.org/documents/the-costs-of-secrecy-economic-arguments-for-transparency-in-public-procurement/>.

Open Government Partnership, “Beneficial Ownership Fact Sheet,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Beneficial-Ownership-fact-sheet.pdf>.

Open Government Partnership, *Global Report: Beneficial Ownership*, 2019, <https://www.opengovpartnership.org/documents/global-report-beneficial-ownership/>.

Open Government Partnership, *Global Report: Open Contracting*, 2019, <https://www.opengovpartnership.org/documents/global-report-open-contracting/>.

Open Government Partnership, “Help Co-Create OGP’s New Strategy!” Open Government Partnership, n.d., <https://www.opengovpartnership.org>.

Open Government Partnership, “Independent Reporting Mechanism,” n.d., <https://www.opengovpartnership.org/irm-guidance-overview/>.

Open Government Partnership, “Independent Reporting Mechanism—Action Plan Review,” 2021, <https://www.opengovpartnership.org/documents/independent-reporting-mechanism-action-plan-review/>.

Open Government Partnership, *Justice Policy Series, Part III: Accountability for Democratic Renewal*, 2021, <https://www.opengovpartnership.org/documents/justice-policy-series-part-iii-accountability-for-democratic-renewal/>.

Open Government Partnership, *OGP Global Report*, 2019, <https://www.opengovpartnership.org/campaigns/global-report/>.

Open Government Partnership, *OGP Vital Signs*, 2021, <https://www.opengovpartnership.org/ogp-vital-signs-10-years-of-data-in-review/>.

Open Government Partnership, “Open Contracting Fact Sheet,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Open-Contracting-fact-sheet.pdf>.

Open Government Partnership, “Open Data,” n.d., <https://www.opengovpartnership.org/open-data/>.

Open Government Partnership, *Parliamentary Engagement in OGP: Learning from Evidence*, 2021, <https://www.opengovpartnership.org/documents/parliamentary-engagement-in-ogp-learning-from-the-evidence/>.

Open Government Partnership, “Political Finance Transparency Policy Brief,” 2019, <https://www.opengovpartnership.org/documents/political-finance-transparency-policy-brief/>.

Open Government Partnership, “Political Integrity,” n.d., <https://www.opengovpartnership.org/policy-area/elections-political-finance/>.

Open Government Partnership, “Policy Progress Report: Beneficial Ownership Transparency,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/12/OGP-Policy-Overview-Beneficial-Ownership.pdf>.

Open Government Partnership, “Policy Progress Report: Open Contracting,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/12/OGP-Policy-Overview-Open-Contracting-.pdf>.

Open Government Partnership, “Policy Progress Report: Right to Information,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/12/OGP-Policy-Overview-Right-to-Information.pdf>.

Open Government Partnership, *Regulatory Governance in the Open Government Partnership*, 2020, <https://www.opengovpartnership.org/documents/regulatory-governance-in-the-open-government-partnership>.

Open Government Partnership, “Right to Information Fact Sheet,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Right-to-Information-fact-sheet.pdf>.

Open Government Partnership, *State of the Evidence: Open Contracting*, 2022, <https://www.opengovpartnership.org/documents/state-of-the-evidence-open-contracting/>.

Open Government Partnership, “The Case for Civic Space: a Review of the Literature,” 2022, <https://www.youtube.com/watch?v=J2aMAI5JOSQ>.

Open Government Partnership, “Using Slovakia’s Beneficial Ownership Register for Impact,” 2019, <https://www.opengovpartnership.org/stories/lessons-from-reformers-using-slovakias-beneficial-ownership-register-for-impact/>.

Open Knowledge Foundation, “Open Definition—Participate,” n.d., <https://opendefinition.org/participate/>.

Open Knowledge Foundation, *The Open Data Handbook*, n.d., <https://opendatahandbook.org>.

Open Knowledge Foundation, “The Open Definition,” n.d., <https://opendefinition.org>.

Peixoto, Tiago, *The Uncertain Relationship between Open Data and Accountability: A Response to Yu and Robinson’s ‘The New Ambiguity of Open Government,’* 2013, 60 UCLA L. Rev. Disc. 200, 2013, <https://ssrn.com/abstract=2264369>.

Scilla, Alecci, “Czech Prime Minister Secretly Bought Lavish French Riviera Estate Using Offshore Companies,” October 3, 2021, <https://www.icij.org/investigations/pandora-papers/czech-prime-minister-andrej-babis-french-property/>.

Valladares, Jorge and Kristen Sample, “How OGP Members Can Counter Covert Foreign Political Finance,” National Democratic Institute, Transparency International, Open Government Partnership, 2022, [https://www.ndi.org/sites/default/files/Opaque%20Covert%20Foreign%20Policy%20Brief\\_Final.pdf](https://www.ndi.org/sites/default/files/Opaque%20Covert%20Foreign%20Policy%20Brief_Final.pdf).





# POLICY AREAS



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# ASSET DISCLOSURE

## Introduction

Public officials are elected or appointed to represent the interests of the public. However, there are many cases where public officials become emboldened by the power they hold and use their office for personal gain. Asset declaration requirements are an essential safeguard to prevent and detect cases of favoritism, conflicts of interest, and illicit enrichment of public officials. Typically, these requirements mandate that public servants and their close relatives disclose information on their wealth, possessions, and other interests.

While putting these requirements in place is an important step, information about officials’ assets is most useful in combating corruption if it is subject to public scrutiny. Opening data on asset disclosure allows the public to work alongside oversight institutions to monitor those entrusted to serve in their interest. This data is most useful in detecting potential cases of corruption when it is freely available, updated regularly, and available for bulk download in machine-readable format(s).

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

## Key Takeaways

Availability	Three-fifths of OGP countries publish data on asset disclosures in any form.
High-Value Information	Most datasets include information on income, assets, and liabilities, along with in-kind and nonfinancial interests, while less information is published on close family members or significant changes in assets and liabilities.
Usability	Most datasets are free to access, but few are published in machine-readable or bulk downloadable formats.

61%  
of OGP countries have  
data available online

In 2016, the National Agency for Corruption Prevention (NACP) launched an online portal of public officials’ asset declarations. Ukrainian lawmakers’ assets are now listed in a publicly searchable database. Read more in the Lessons from Reformers story later in this section. Photo by [president.gov.ua](#).

# Policy Justification

- Publicly available income and asset disclosure systems help to prevent, detect, and sanction illicit enrichment of public officials, along with conflicts of interest and cases of favoritism.

Oversight institutions, media/journalists, or interested citizens can scrutinize reported changes in wealth and verify reported declarations against other public registers, including land, company, and beneficial ownership registers (Jenkins, 2015). This can help prevent public officials from engaging in corruption or bribery.

- Effective asset disclosure systems save money for governments by curbing corruption. Publicly available asset disclosure data allows for an extra level of scrutiny that can prevent, detect, and recover stolen assets (Burdescu et al., 2009).

Asset disclosures that are proven to contain false information can be used as evidence to convict officials who may have stolen assets and hidden them abroad.

- A transparent asset disclosure system increases public confidence in government officials. The independent verification of submitted declarations signals to the public that the income and assets of public officials are scrutinized and conflicts of interest are identified and managed (World Bank & UNODC), 2012.

## GOOD TO KNOW

### Key Terms

- Assets** are resources with economic value that are held by public officials, including:
  - Fixed assets (real estate)
  - Moveable assets (vehicles, jewelry)
  - Financial assets (bank accounts, stocks, bonds)
- A **conflict of interest** occurs “when a public official has interests in a private capacity that could improperly influence the performance of their official duties and responsibilities,” according to the Organisation for Economic Co-operation and Development (OECD). Asset disclosure laws typically also require disclosure of outside interests, such as secondary employment, business ownership, or stakeholder interests.
- A **politically exposed person** is “an individual who is or has been entrusted with a prominent function,” according to the Financial Action Task Force (FATF) an inter-governmental body that sets international standards that aim to prevent illegal activities such as money laundering and terrorist financing (FATF, 2013). Many public officials are considered politically exposed persons, meaning they are at a higher risk of involvement in corruption or bribery due to their position.

## GOOD TO KNOW

### What Does “Asset Disclosure Data” Mean in this Report?

This section covers findings from the Global Data Barometer on the publication of asset disclosure data in OGP countries. It includes information on the availability of the following types of data related to asset disclosure:

- Information on income, assets, and liabilities
- In-kind and nonfinancial interests
- Significant changes in assets and liabilities
- Assets and liabilities held by family members for whom disclosure is required
- Unique identifiers for each individual who must disclose

# State of Progress Through OGP

**Few OGP members have made asset disclosure commitments in recent years.** An active asset disclosure law is part of the core eligibility criteria that countries must meet before becoming an OGP member. Member adoption of asset disclosure commitments within OGP has remained low relative to other policy areas, potentially because countries must already have legislation in place before participating in OGP. Over OGP’s first ten years, 34 members made 67 total commitments related to asset disclosure. Of these commitments, 11 include references to open data principles. Additionally, roughly 15 percent of members have implemented an asset disclosure commitment in recent action plan cycles.

**Commitments have typically focused on the publication of asset disclosure data.** Although collecting asset disclosures is a core part of OGP’s eligibility criteria, countries do not have to legally require the publication of asset disclosures to become a member. After joining OGP, many members have made commitments to publish asset disclosure data, especially in open formats, and

created mechanisms for monitoring noncompliance and verification. A small number of commitments have focused on expanding the scope of asset declarations, such as increasing the number of people who must disclose or what types of assets must be included.

**While asset disclosure commitments have been well-designed, most have not been effectively implemented.** Based on assessments by OGP’s Independent Reporting Mechanism (IRM), asset disclosure commitments tend to be more ambitious than the average OGP commitment. Six in ten asset disclosure commitments have had high potential impact, or ambition, compared to half of all OGP commitments. However, a greater emphasis is needed on implementation. Only half of asset disclosure commitments have been substantially or fully completed, which is much lower than OGP’s overall commitment completion rate of two-thirds. According to the IRM, less than 15 percent of asset disclosure commitments have achieved strong early results in opening government, suggesting that the more ambitious commitments have not been effectively implemented.



# Key Findings from the Global Data Barometer

GOOD TO KNOW

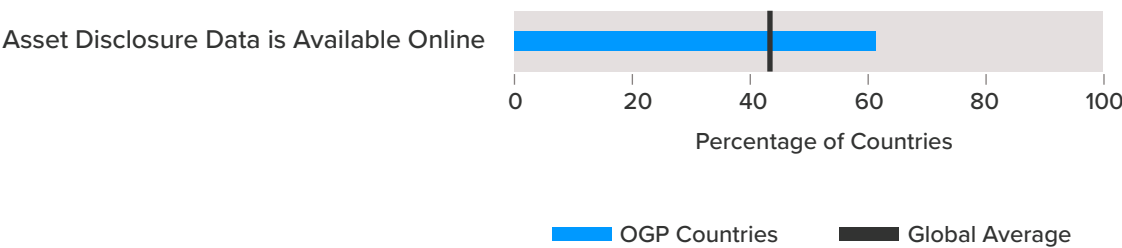
About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

**Three-fifths of OGP countries publish asset disclosure data.** While all OGP countries collect asset disclosure data, 61 percent of OGP countries make it publicly available. OGP countries outperform the global average of 43 percent with available asset disclosure data (see Figure 1).

FIGURE 1. Most OGP countries publish asset disclosure data online

This figure shows the percentage of OGP countries that publish asset disclosure data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.

## Legal Frameworks for Asset Disclosure Data

OGP's [eligibility criteria](#) require countries to have an operational asset disclosure law that requires public officials to submit disclosures (OGP, 2022). While all OGP countries have a law requiring the collection of asset disclosure data, nearly half of OGP countries do not require the collected information to be published (see Figure 2). Over one-third of OGP countries do not publish asset disclosure data online, likely because it is not legally required. This suggests that further legal reforms can help achieve public disclosure.

FIGURE 2. Gaps in legal frameworks governing asset disclosure

This figure shows the percentage of OGP countries with collection and disclosure requirements for asset disclosure data. The sample includes all 67 OGP countries assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational. See the About Broken Links section of the full report for more details.

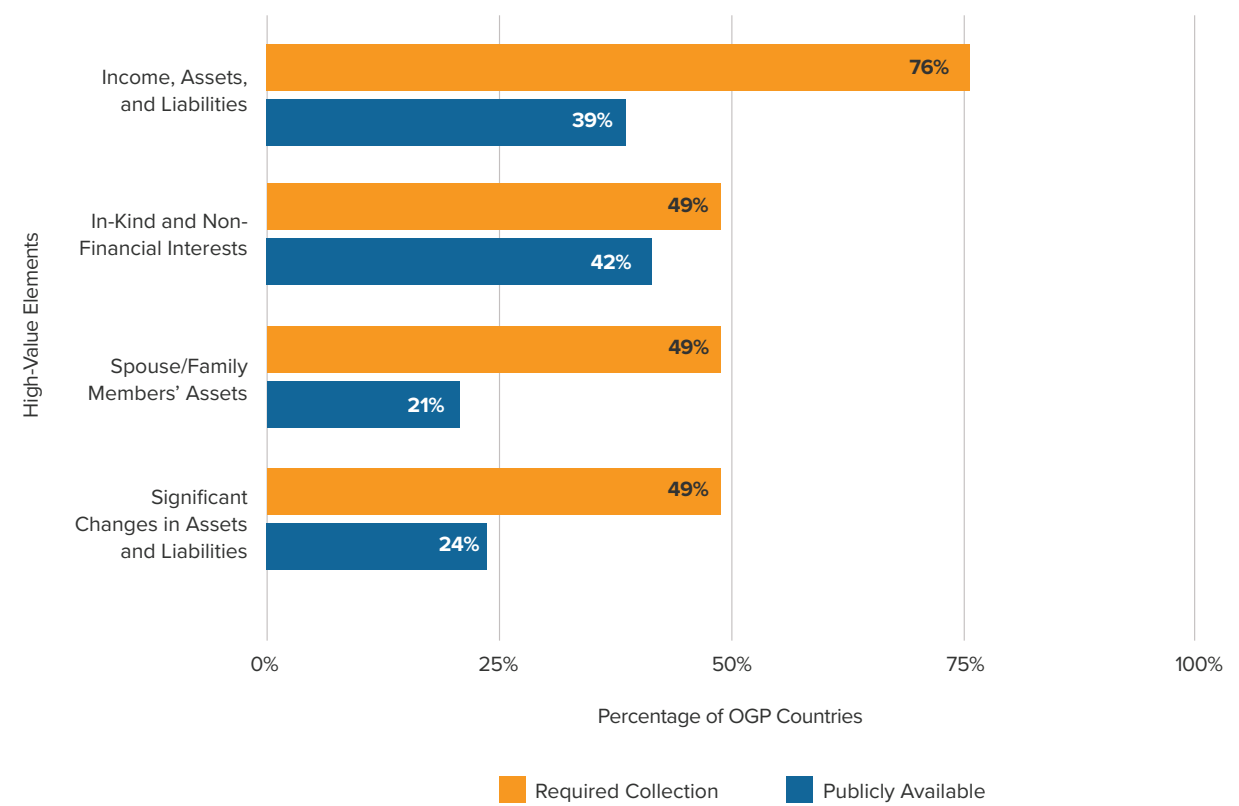
Scope of asset disclosure information is limited.

Half of OGP countries do not legally require reporting details such as changes in assets and liabilities, in-kind support, or information on family member assets (see Figure 3). An even larger percentage of OGP countries do not publish this information online, even if public officials report it. A limited scope of

publicly available information limits the ability of the relevant oversight institution and the media, civil society, or the public to monitor possible cases of illicit enrichment or conflicts of interest. For example, broadening the scope of disclosure allows for public monitoring of [in-kind contributions from authoritarian regimes](#) (Rudolph & Morley, 2020).

FIGURE 3. Required collection and availability of high-value information is limited

This figure shows the percentage of OGP countries that require collection of key elements of asset disclosure data compared to those that publish the key elements online. The sample includes all 67 OGP countries assessed by the GDB.



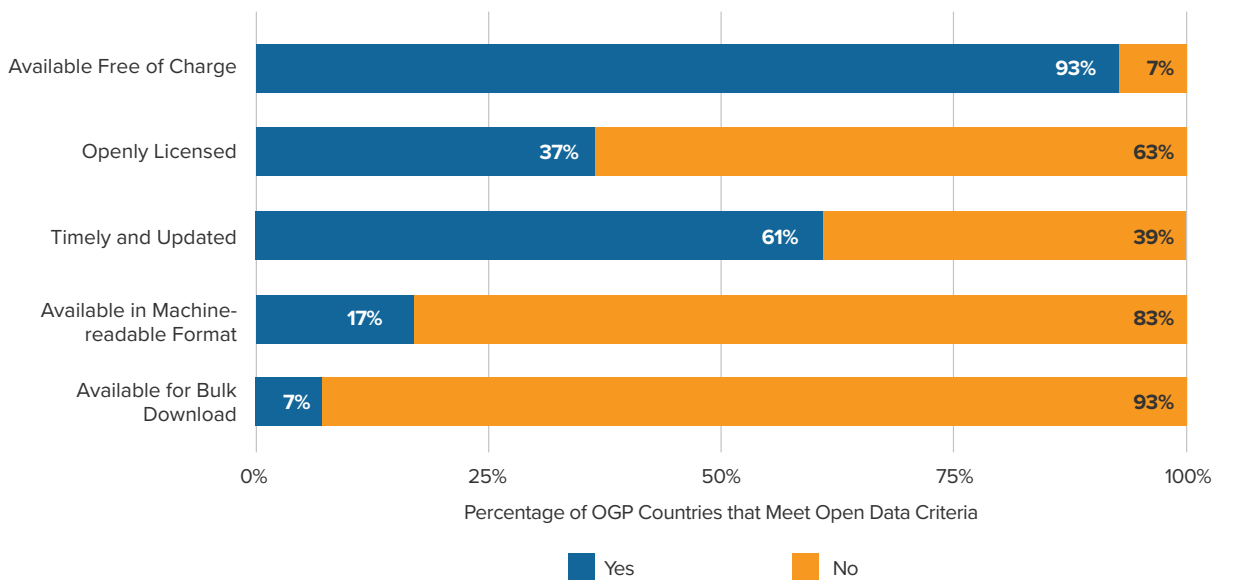
Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for more details.

**Data lacks usability.** While just over half of OGP countries legally require the publication of asset disclosures, a slightly higher portion of countries, 60 percent, actually publish asset disclosure data online. However, only a small minority of these countries provide data that is machine-readable and bulk downloadable (see Figure 4). Without these essential

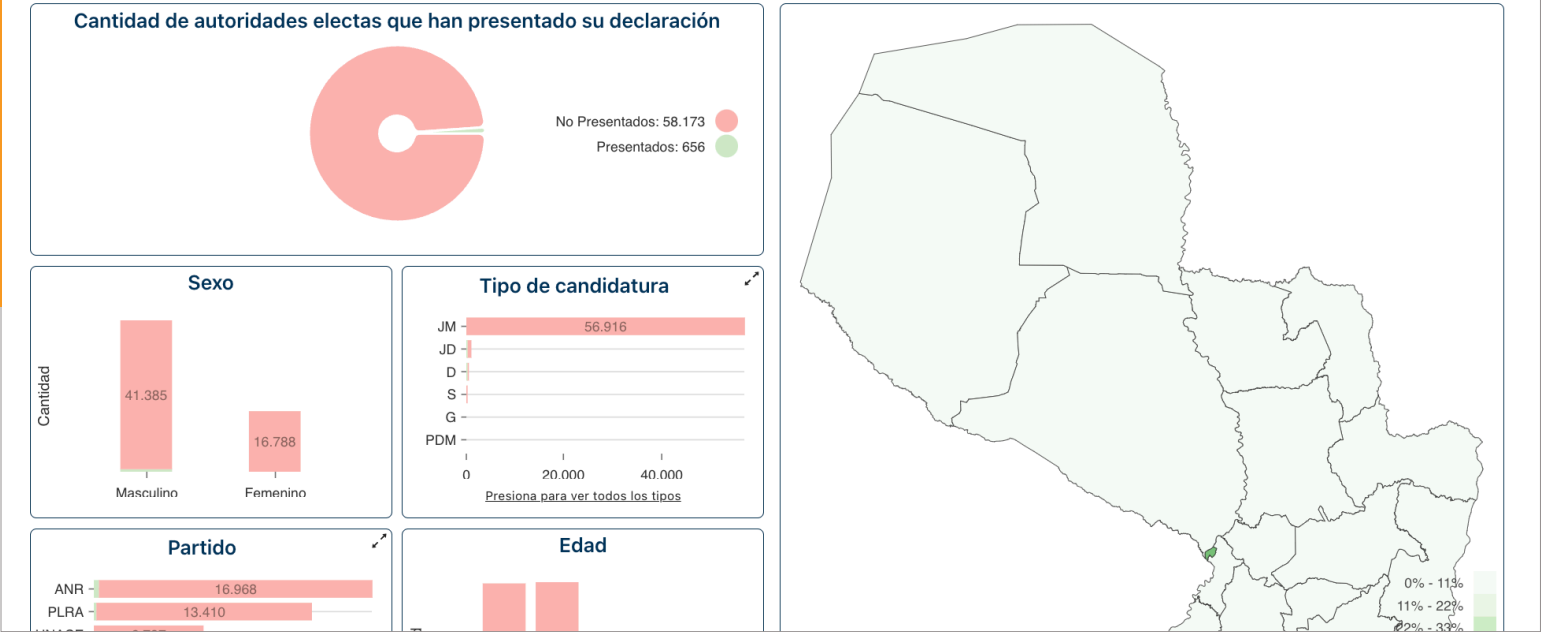
elements, the public will be less likely to efficiently use the data for monitoring and accountability purposes. Public monitoring is essential, especially where anti-corruption bodies or equivalent oversight institutions lack the mandate or capacity to detect and act on inconsistencies.

FIGURE 4. Usability remains an area of improvement for countries with available data

This figure shows the percentage of OGP countries whose asset disclosure datasets meet open data criteria. The sample includes only the 41 OGP countries that publish asset disclosure data online.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for more details.



Citizens can use the Control Ciudadano website to view asset declarations from public officials in Paraguay.  
Photo by <https://controlciudadanopy.org/>.

## Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality asset disclosure data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

- **Improve asset disclosure laws and regimes:** In addition to requiring the collection of asset disclosures, require that asset disclosures be publicly available for monitoring by civil society, journalists, and other interested citizens. Assign legal authority to an independent oversight body that will monitor submissions and verify information.
- **Expand scope of those subjected to disclosure requirements:** Require disclosure first from the most senior-level officials, elected officials, and members of the judiciary. As resources increase, apply regulations to an increased number of public officials who hold high-risk positions and their close family members, and increase the regularity of submissions.
- **Broaden scope of required information:** Require disclosure of the asset types (financial, moveable and non-moveable, in-kind benefits) that are at most risk for corrupt activity, as well as liabilities and conflicts of interest. This should include disclosure of board memberships, secondary employment, and stakeholder interests.

- **Streamline data collection for timely, accurate release:** Create one online system to streamline submission of asset disclosure data, and ensure system administrators are well-equipped to assist those submitting information.
- **Ensure data is accessible and usable:** At minimum, make asset disclosures publicly available and free for the public to access. As capacity increases, publish data that is machine-readable and bulk downloadable. As much information as possible should be published, protecting sensitive information only when necessary and explaining why the data cannot be made public. Ensure data is updated regularly, and make historical data available to allow monitoring for changes over time. Publish data on compliance rates, as well as statistics on false submissions and subsequent penalties.
- **Interoperability:** Make asset disclosure data interoperable with other datasets, including data on lobbying, political finance, land ownership, and beneficial ownership. Create unique identifiers for individuals who submit declarations that can be used across datasets (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*). Consider introducing automatic red-flagging on conflicts of interest for high-risk areas such as public procurement, like in Romania’s [PREVENT system](#) (European Commission, n.d.).

### GOOD TO KNOW

## Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining asset disclosure data with beneficial ownership, political finance, and land ownership data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information. The facts below show how many OGP countries have the most important common identifiers for asset disclosure data.

- **12%** of OGP countries publish unique identifiers for each public official and any family members or intimates for whom disclosure is required. This ensures that historical changes in assets can be tracked across datasets.
- However, asset declarations and political finance disclosures share common identifiers for interests, assets, and liabilities in just **6%** of OGP countries. This limits the degree to which oversight bodies, auditors, and watchdog organizations can evaluate conflicts of interest, identify bad actors, and identify potential kickbacks for political campaigns.

### LESSONS FROM REFORMERS

## Monitoring Unexplained Wealth Growth During the Pandemic in Paraguay

[Control Ciudadano](#) is an open data platform developed during the pandemic in hopes of giving citizens more control and oversight of public resources (Control Ciudadano, n.d.). The platform sources data from official Paraguay government websites or from requests for information access. Available data includes asset declarations from public officials, along with other useful data for public monitoring, such as government purchases made during the pandemic.

The platform includes a growth analysis tool that allows the user to determine if there is a large amount of unexplained wealth or inconsistencies between declarations. If the tool detects an inconsistency, the user can then report the case to the Comptroller General of the Republic, who oversees asset declarations. Tools like this have allowed the public to uncover cases of extreme wealth growth among high-ranking officials, including a former senator whose wealth [grew by 4,600 percent over a four-year period](#) (ABC en el Este, 2020).



# Beyond Open Data

Making asset disclosure data available and usable is not enough to adequately combat corrupt activity among public officials. Other steps must be taken to ensure the data is monitored, verified, and used to identify potential risks, including:

- **Citizen monitoring and reporting:** A complaint mechanism should be in place for the media, civil society, or interested citizens to request verification of certain information. The government body responsible for the information should investigate and respond to all requests in a timely manner.
- **Enforcement and oversight:** An independent oversight body should be given legal authority to monitor and verify asset declaration submissions. In some countries, such as [Liberia](#) (*An Act of Legislature*, n.d.) and [Paraguay](#) (UNODC, 2014), the supreme audit institution is legally responsible for monitoring and verifying submissions. Other

countries may assign relevant anti-corruption bodies to take on the oversight role, like in [Ukraine](#) (National Agency for the Prevention of Corruption Order, 2021) and [Indonesia](#) (UNODC, 2019). Responsibilities of the oversight body should include:

- *Verification of data:* The oversight body should be charged with verifying submitted information informed by a risk-based approach. They must be given the legal right to access other government records and/or private sector information for verification purposes. The oversight body should provide timely and adequate responses to public requests for verification of specific information.
- *Enforcement mechanism:* The oversight body must enforce penalties or sanctions upon noncompliant public officials, whether for lack of submission or submission of false or incomplete information, and the penalties should be proportionate to the level of offense.

## GUIDANCE AND STANDARDS

The **World Bank** has several resources on asset disclosure, including:

- A paper looking at the benefits and challenges of [electronic filing](#) (Kotlyar & Pop, 2019)
- Detailed [case studies](#) of asset disclosure frameworks around the world (UNODC, 2013)
- Recommendations on how asset disclosure can be used to identify [politically exposed persons](#) (Rossi et al., 2012)
- An [analysis](#) on how to design an effective asset disclosure mechanism (Burdescu et al., 2010)

The **G20 Anti-Corruption Working Group** has published [high-level principles](#) on asset disclosure (G20, n.d.), as well as [country profiles](#) on the asset disclosure frameworks of G20 members (Federal Ministry of Justice, 2016).

The **Organization of American States** created a [model law](#) for asset declarations that reflects international standards and can be used when drafting legislation (OAS, 2009).

**Transparency International** has several resources, such as:

- A [general overview](#) of the role asset disclosure plays in anti-corruption (Jenkins, 2015)
- A [report](#) on open data for political integrity in Europe, including asset disclosure (Kergueno & Vrushi, 2020)
- A discussion of potential [oversight mechanisms](#) (Martini, 2020)
- [Recommendations](#) for how OGP members can incorporate asset disclosure in their OGP action plans (Amin & Marin, 2020)

The **Financial Action Task Force's Recommendations 12 and 22** include standards for preventing and detecting fraud and corruption by politically exposed persons, including asset disclosure mechanisms (FATF, 2013).



## LESSONS FROM REFORMERS

### Independent Monitoring of Asset Disclosure in Georgia

Georgia has been viewed for years as a leader in its region on anti-corruption efforts, including its mandatory asset disclosure laws for public officials. Before 2017, the asset disclosure system provided full public access to a comprehensive set of officials' assets, but there was no tool to audit and check the accuracy of declarations.

As part of their [2016 OGP action plan](#), Georgia (n.d.) committed to implementing the first independent monitoring system for public officials' asset declarations. New amendments to the law introduced sanctions for violating asset disclosure rules. The Civil Service Bureau started monitoring public officials' asset declarations, which were either selected randomly through the unified electronic system or reported as suspicious by external stakeholders.

In the inaugural year of the strengthened system, 80 percent of declarations selected for verification were found to have violations. However, violations decreased to 45 percent in the monitoring system's third year, following the publication of detailed instructions for filing asset declarations. Since then, Georgia has continued to provide full public access to comprehensive information on asset disclosures.

Old Georgian Parliament Building, Tbilisi, Georgia. Photo by OGP.



## LESSONS FROM REFORMERS

### Ensuring Accountability of Asset Disclosure Submissions in Ukraine

Before 2014, thirty percent of Ukraine's budget was embezzled by organized crime and political groups. As part of their 2014 OGP action plan, Ukraine (n.d.) [committed](#) to creating a unified online platform for all government officials to submit and disclose their declarations of income, property, and expenditure. In 2016, the National Agency for Corruption Prevention (NACP) launched an online portal of public officials' asset declarations. For the first time, public officials' asset declarations were accessible to the public in open data format through a centralized portal. Citizens could now view this information and report any irregularities found in the declarations.

The e-declarations system yielded early results and was well received by the public. For its first stage in 2016, more than 100,000 high- and mid-level officials were required to complete declarations, making more than 135,000 documents available to the public. Four months into its launch, the National Anti-Corruption Bureau (NABU) had begun ten criminal investigations due to cases of false declarations and illicit enrichment. In a public opinion poll in December 2016, the platform was listed as one of Ukraine's main political successes of 2016.

Yet, a major setback came with a controversial decision from Ukraine's Constitutional Court in October 2020. By then, the NABU had 110 open criminal investigations, and detectives were investigating around 180 cases of false submissions, which carries a potential penalty of two years of prison. A surprise decision of the Constitutional Court of Ukraine abolished criminal liability for false declaration. All of the ongoing cases, including 34 that had reached the court, were dropped. Fortunately, the NACP was able to resume verification of declarations in March 2021, and in June 2021, the Parliament restored liability for false declarations.

Ukraine's online portal gave citizens an opportunity to assess the wealth of senior public servants such as former President Petro Poroshenko. Photo by <https://www.president.gov.ua/photos/urochisti-zahodi-z-nagodi-vstupu-na-post-novoobranogo-prezid-11>.

## List of Resources

ABC en el Este, "Un Indignante Ranking De Crecimiento Patrimonial," 2020, <https://www.abc.com.py/edicion-impres/politica/2020/06/29/un-indignante-ranking-de-crecimiento-patrimonial/>.

Amin, Lucas and José María Marín, *Recommendations on Asset and Interest Declarations for OGP Action Plans*, Transparency International, 2020, <https://www.transparency.org/en/publications/recommendations-on-asset-and-interest-declarations-for-ogp-action-plans>.

*An Act of Legislature Prescribing a National Code of Conduct for All Public Officials and Employees of the Government of the Republic of Liberia*, n.d., [https://www.emansion.gov.lr/doc/Act\\_Legislature\\_Prescribing\\_A\\_National\\_Code%20of\\_Conduct%20\(Final\\_Version%202014\).pdf](https://www.emansion.gov.lr/doc/Act_Legislature_Prescribing_A_National_Code%20of_Conduct%20(Final_Version%202014).pdf).

Burdescu, Ruxandra et al., *Stolen Asset Recovery—Income and Asset Declarations: Tools and Trade-offs*, World Bank and UNODC, 2009, [https://www.unodc.org/documents/corruption/Publications/StAR/StAR\\_Publication\\_-\\_Income\\_and\\_Asset\\_Declarations.pdf](https://www.unodc.org/documents/corruption/Publications/StAR/StAR_Publication_-_Income_and_Asset_Declarations.pdf).

Burdescu, Ruxandra et al., *Income and Asset Disclosure Systems : Establishing Good Governance through Accountability*, The World Bank, 2010, <https://openknowledge.worldbank.org/handle/10986/10175>.

Control Ciudadano, n.d., <https://controlciudadanopy.org>.

European Commission, "PREVENT System," n.d., [https://ec.europa.eu/info/index\\_en](https://ec.europa.eu/info/index_en).

Federal Ministry of Justice, *Asset Disclosure Country Profiles*, 2016, [https://www.bmj.de/SharedDocs/Downloads/EN/G20/Asset%20Disclosure%20Country%20Profiles/G20\\_Asset\\_Disclosure.html?nn=8933740](https://www.bmj.de/SharedDocs/Downloads/EN/G20/Asset%20Disclosure%20Country%20Profiles/G20_Asset_Disclosure.html?nn=8933740).

Financial Action Task Force, *FATF Guidance: Politically Exposed Persons (Recommendations 12 and 22)*, 2013, <https://www.fatf-gafi.org/media/fatf/documents/recommendations/Guidance-PEP-Rec12-22.pdf>.

Financial Action Task Force, *FATF Guidance Politically Exposed Persons*, 2013, <https://www.fatf-gafi.org/media/fatf/documents/recommendations/Guidance-PEP-Rec12-22.pdf>.

G20, *High-Level Principles on Asset Disclosure by Public Officials*, n.d., [https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Public-Sector-Integrity-and-Transparency/G20\\_High\\_Level\\_Principles\\_on\\_Asset\\_Disclosure\\_by\\_Public\\_Officials\\_2012.pdf](https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Public-Sector-Integrity-and-Transparency/G20_High_Level_Principles_on_Asset_Disclosure_by_Public_Officials_2012.pdf).

Georgia, "Introduction of the Public Officials' Asset Declarations Monitoring System (GE0050)," n.d., <https://www.opengovpartnership.org/members/georgia/commitments/ge0050/>.

Jenkins, Matthew, *Topic Guide: Interest And Asset Disclosure*, Transparency International, 2015, <https://knowledgehub.transparency.org/guide/topic-guide-on-interest-and-asset-disclosure/5361>.

Jenkins, Matthew, *Topic Guide: Interest And Asset Disclosure*, Transparency International, 2015, <https://knowledgehub.transparency.org/guide/topic-guide-on-interest-and-asset-disclosure/5361>.

Kergueno, Raphaël and Jon Vrush, *Debugging Democracy: Open Data for Political Integrity in Europe*, Transparency International, 2020, [https://images.transparencycdn.org/images/2020\\_Report\\_DebuggingDemocracy\\_English.pdf](https://images.transparencycdn.org/images/2020_Report_DebuggingDemocracy_English.pdf).

Kotlyar, Dmytro and Laura Pop, *E-Filing Asset Declarations: Benefits and Challenges*, Stolen Asset Recovery Initiative, 2019, <https://star.worldbank.org/publications/e-filing-asset-declarations-benefits-and-challenges>.

Martini, Maíra, *Anti-Corruption Helpdesk: Providing On-Demand Research to Help Fight Corruption*, Transparency International, 2020, <https://knowledgehub.transparency.org/helpdesk/declaration-of-interests-and-assets-oversight-mechanisms-disclosure-policy>.

National Agency for the Prevention of Corruption Order, 2021, <https://zakon.rada.gov.ua/laws/show/z0158-21#Text>.

OAS, "Anticorruption Portal of the Americas," 2009, <http://www.oas.org/en/sla/dlc/mesicic/leyes.html>.

OECD, "Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service," 2003, <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0316>.

Open Government Partnership, "Eligibility Criteria & OGP Values Check," 2022, <https://www.opengovpartnership.org/process/joining-ogp/eligibility-criteria/>.



Rossi, Ivana, Laura Pop, Francesco Clementucci, and Lina Sawaqed, *Using Asset Disclosure for Identifying Politically Exposed Persons*, The World Bank, 2012, <https://www.worldbank.org/en/topic/financialsector/publication/asset-disclosure>.

Rudolph, Josh and Thomas Morley, “Covert Foreign Money: Financial Loopholes Exploited by Authoritarians to Fund Political Interference in Democracies,” Alliance for Securing Democracy, 2020, <https://securingdemocracy.gmfus.org/covert-foreign-money/>.

Ukraine, “Asset Disclosure on a Single Web Portal (UA0044),” <https://www.opengovpartnership.org/members/ukraine/commitments/ua0044/>.

United Nations Office on Drugs and Crime, “New Law Requires Public Officials to File Declarations of Assets in Paraguay,” 2014, <https://www.unodc.org/lpo-brazil/en/frontpage/2014/01/22-nueva-ley-obliga-a-funcionarios-publicos-a-presentar-declaracion-de-bienes-en-paraguay.html>.

United Nations Office on Drugs and Crime, *Income and Asset Declaration Systems in Indonesia*, 2019, [https://www.unodc.org/documents/southeastasiaandpacific/topics/anti-corruption/Indonesia\\_Asset\\_declaration\\_systems\\_Country\\_report\\_revised\\_TH\\_1.pdf](https://www.unodc.org/documents/southeastasiaandpacific/topics/anti-corruption/Indonesia_Asset_declaration_systems_Country_report_revised_TH_1.pdf).

World Bank and United Nations Office on Drugs and Crime, *Income and Asset Disclosure: Case Study Illustrations*, 2013, <https://openknowledge.worldbank.org/handle/10986/13835>.

World Bank and United Nations Office on Drugs and Crime, *Public Office, Private Interests: Accountability through Income and Asset Disclosure*, 2012, <https://openknowledge.worldbank.org/handle/10986/6010>.

# POLITICAL FINANCE

## Introduction

While competition between political parties, campaigns, and regular elections are core elements of democracy, they also come with significant financial costs. When these expenses and the individuals and actors who pay for them operate in secrecy, it creates serious risks and questions about the undue influence these actors may have on policy makers.

Along with a host of other regulations, a requirement to publish political finance data—such as information on candidates and political parties’ funding sources, contribution amounts, and spending—can help to ensure that elections are free, fair, and appropriately funded. Oversight agencies, watchdog organizations, journalists, and citizens can also use this information to prevent and detect cases of manipulation or undue influence, both during and outside of the campaign cycle.

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

<b>Availability</b>	Over two-thirds of OGP countries publish political finance data online in any form.
<b>High-Value Information</b>	Most datasets cover income and spending of political parties and candidates, but few datasets clearly identify donors.
<b>Usability</b>	Most datasets are free to access, but few are published in machine-readable or bulk downloadable formats.

**70%**  
of OGP countries have  
data available online

Pictured is the TRX (The Tun Razak Exchange). The project’s developer is the infamous 1Malaysia Development Berhad (1MDB), the company at the heart of what has often been described as the world’s largest kleptocratic case. Transparent political finance information can help to prevent and detect malign interests. Photo by Slices of Light.



## Policy Justification

The undue influence of money in politics interferes with democratic processes and can distort the representation that the government is responsible for providing. Political finance regulations, including financial reporting requirements, can reduce the harmful effects of this influence. These efforts can help to achieve a variety of objectives:

- **Increases scrutiny of the raising and spending of funds.** Political parties and candidates that routinely report their finances in open data format make it easier for [oversight agencies, government watchdogs, and citizens](#) to identify potential irregularities (International IDEA & OPG, 2019).
- **Protects citizens’ voices and improves trust in government.** Countries can ensure that no voice—regardless of wealth or donation history—has outsized value or power, preserving the principle of “[one person, one vote](#)” (Ohman, 2013). This makes citizens more likely to [trust government institutions](#) and election results (OECD, n.d.).
- **Reduces corruption in government decision-making.** Politicians may give preferential treatment to companies and other actors that donated to their campaign or political party, allowing these companies to [co-opt politicians’ policy agendas](#) (OECD, n.d.). This may materialize in awarding public contracts to donors and other corrupt practices. Transparent political finance data can help prevent these risks, especially when the data is linked to other datasets, such as public procurement data.

- **Identifies and counteracts the influence of malign foreign actors and criminals.** In some parts of the world, [criminal groups](#) donate to political campaigns and parties to avoid prosecution (Ellena & Schein, n.d.). Foreign-linked interests may also use political finance to interfere with elections by co-opting candidates or third-party groups that pursue electoral outcomes. Transparent political finance information can help to prevent and detect these types of malign interests.
- **Promote and protect participation and representation for women and other marginalized groups.** Female candidates in many countries suffer a great disadvantage when running for political office due to a [lack of access to campaign finance](#) (Cigane & Ohman, 2014). Transparent political party finance data can help to document these gaps and support efforts to [level the playing field](#) (Cigane & Ohman, 2014).

### GOOD TO KNOW

## Key Terms

**Political finance:** According to the [International Institute for Democracy and Electoral Assistance \(International IDEA\)](#), political finance “encompasses all financial flows to and from political parties and candidates. It includes formal and informal income and expenditure, as well as financial and in-kind contributions” (International IDEA, n.d.). Commonly used [instruments to regulate political finance](#) include banning illicit funds and foreign donations, limiting anonymous donations, and placing reasonable caps on contributions and political party spending (OSCE, 2015).

**Public vs. private funding:** Governments often provide funding to political parties or candidates—indirectly (e.g., access to media) or directly (e.g., cash)—to level the playing field and mitigate the risks of undue influence from private interests. This is considered public funding and stands in contrast to funding provided by individuals, companies, or other groups, also known as private funding.

**In-kind and nonfinancial contributions:** These contributions refer to nonmonetary support that political parties and candidates receive. For example, this includes donated or discounted goods and services such as transport or lodging.

**Third-party campaigning:**<sup>1</sup> In many cases, actors other than political parties and candidates become involved in campaigns. These include special interest groups, lobbyists, and political party sub-organizations like women’s and youth wings. While these third parties vary from country to country, they play an increasingly important role in campaigns and [are largely unregulated](#) (Ohman, 2020).

**Data reporting vs. publication:** In the context of political finance, data reporting refers to the submission of political finance data by political parties, candidates, and third parties to oversight or other government institutions.<sup>2</sup> Alternatively, data publication refers to political finance data made available online by the government.

<sup>1</sup> A similar term also cited in political finance work is “non-contestant campaigner.” In this analysis, we refer to “third party campaigning,” which is the term used by the Global Data Barometer in its questionnaire <https://handbook.globaldatabarometer.org/2021/indicators/G.PI.POLFIN/>.

<sup>2</sup> This is the equivalent of the term “data collection” in other chapters of this report.

## GOOD TO KNOW

### What Does “Political Finance Data” Mean in this Report?

This module covers findings from the Global Data Barometer on the publication of political finance data in OGP countries. It includes information on the availability of the following types of data related to political finance:

- Donations, public funding, and membership dues for each party or candidate
- Income for each party or candidate
- Assets and liabilities of each party or candidate
- Spending of each party or candidate
- In-kind and nonfinancial support donated to each party or candidate
- Timing and amounts of donations linked to donors
- First and last name of each donor
- Information about each donor, including place of residence, occupation, and employer
- Unique identifiers for each donor

## State of Progress Through OGP

**Relatively few OGP members have made commitments related to political finance in their action plans.** Over OGP’s first ten years, 33 members have made 50 commitments related to election and political finance reform. Twenty-one of these commitments are specifically related to increasing transparency and accountability within political finance.<sup>3</sup> Member adoption of political finance commitments has remained consistently low relative to other policy areas. Currently, just 15 percent of all OGP members are implementing a commitment related to elections and political finance in their action plan.<sup>4</sup>

**OGP commitments related to political finance have mostly focused on strengthening reporting requirements.** About two-thirds of the commitments specifically related to political finance involve creating legislation or regulations that mandate increased

transparency. A handful of commitments (from Georgia, Latvia, and Romania) mention publishing political finance data in open formats. Few members have used the OGP platform to create mechanisms or opportunities for the public or government institutions to monitor political finance data.

**Initial evaluations show promising results of political finance commitments in OGP.** Based on assessments by OGP’s Independent Reporting Mechanism (IRM), political finance commitments perform similarly to the global average in terms of ambition. Half of political finance commitments have been assessed as having a significant potential to change the status quo if implemented. While the sample size is small, commitments in this area do tend to be more effective than the average OGP commitment. According to the IRM, one-third of political finance commitments have achieved strong early results in opening government, compared to 22 percent of all OGP commitments.

## Key Findings from the Global Data Barometer

## GOOD TO KNOW

### About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

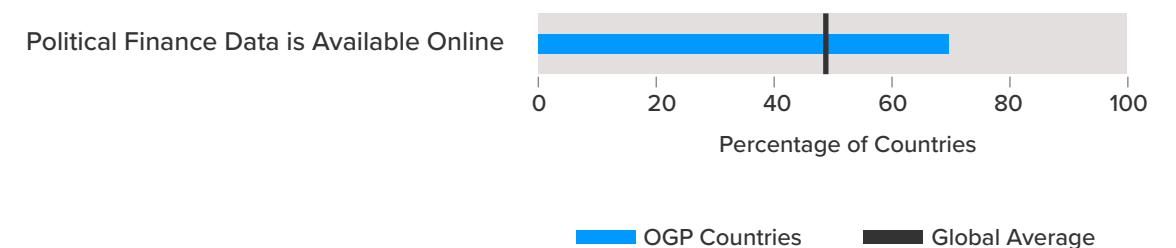
### Most OGP Countries Publish Data, But Gaps Remain

**The majority of OGP countries make political finance data available.** Nearly three-quarters of OGP governments (70 percent) publish at least some political finance data online (see Figure 1). This stands in stark

contrast to non-OGP countries, where only about one in six (16 percent) publish any data online. An important factor is that nearly all OGP countries have a law, policy, or regulation that requires the reporting or publication of political finance data (see *Legal Frameworks for political finance* for more details).

**FIGURE 1. Most OGP countries publish political finance data online in some form**

This figure shows the percentage of OGP countries that publish political finance data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



*Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.*

<sup>3</sup> The rest largely focus on making electoral data publicly available.

<sup>4</sup> This includes action plans submitted in 2020 or later. The members include: Brazil, Germany, Indonesia, the Netherlands, Papua New Guinea, and Sierra Leone.

## Legal Frameworks for Political Finance Data

**Most OGP countries have a regulatory framework governing political finance data.** Sixty-two of 66 assessed OGP countries (or 94 percent) have a law, policy, or regulation that requires political parties and candidates to report financial data (see Figure 2).<sup>5</sup> This is one of the highest rates compared to other policy areas assessed in this report.<sup>6</sup>

**FIGURE 2. Political finance regulatory frameworks often lack publication requirements**

This figure shows the percentage of OGP countries with reporting and publication requirements for political finance data. The sample includes all 67 OGP countries assessed by the GDB.



Note: Only binding laws and policies that exist and are operational are considered. See the About Broken Links section for details.

**Most frameworks include definitions of key terms.** About half of the frameworks have clear and unambiguous definitions for the campaigning activities of parties, candidates, and third parties.<sup>7</sup> About a quarter of frameworks have definitions for only some terms, with many lacking definitions for third-party campaigning. A quarter of frameworks lack definitions altogether.

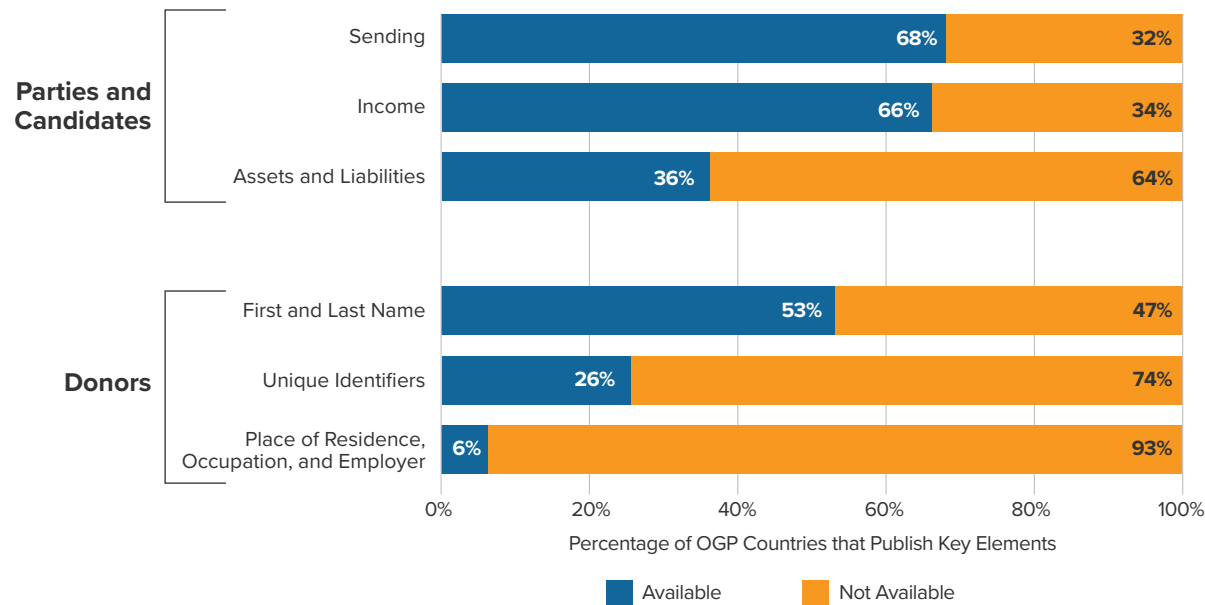
**Frameworks largely lack open data publication requirements.** Just over half of OGP countries require publishing political finance data in binding policy, regulations, or law (see Figure 2). However, fewer than one in ten OGP countries require publishing this data in open formats. This makes it difficult to enforce disclosing data in a format that would better enable public monitoring and oversight.

**However, existing political finance datasets show important gaps in coverage.** For example, many lack details on finances of political parties and candidates. Among OGP countries that publish political finance data online, about two-thirds publish details on spending or income of political parties and

candidates (see Figure 3). Fewer, about one-third, disclose details on assets and liabilities. (The reasons for these gaps are multifold. See the next subsection for more on the common binding constraints for OGP countries.)

**FIGURE 3. Political finance datasets in OGP countries lack details about key actors**

This figure shows the percentage of OGP countries that publish political finance information about key actors. The sample includes only the 47 OGP countries that publish political finance data online.



**Less information is available about donors** (see Figure 3). About half of online political finance datasets in OGP countries include the first and last name of donors, but far fewer include other, more reliable means of identification, such as unique

identifiers and employment information. Beyond easier identification, publishing employment information is also important to spot cases of legal entities subdividing donations and channeling them through employees.

<sup>5</sup> OGP countries without a law, policy, or regulation include Burkina Faso, Senegal, and Sri Lanka. Honduras has a law but it is not yet implemented.

<sup>6</sup> This includes the other areas covered by the Global Data Barometer: asset disclosure, lobbying, right to information, and public consultation.

<sup>7</sup> It is worth noting that definitions for third-party campaigning vary widely across countries. For example, depending on the context, third parties may include entities affiliated with political parties like think tanks or groups that do not pursue policy or regulatory—rather than electoral—outcomes. This makes it difficult to determine the degree to which this term is adequately defined across countries.

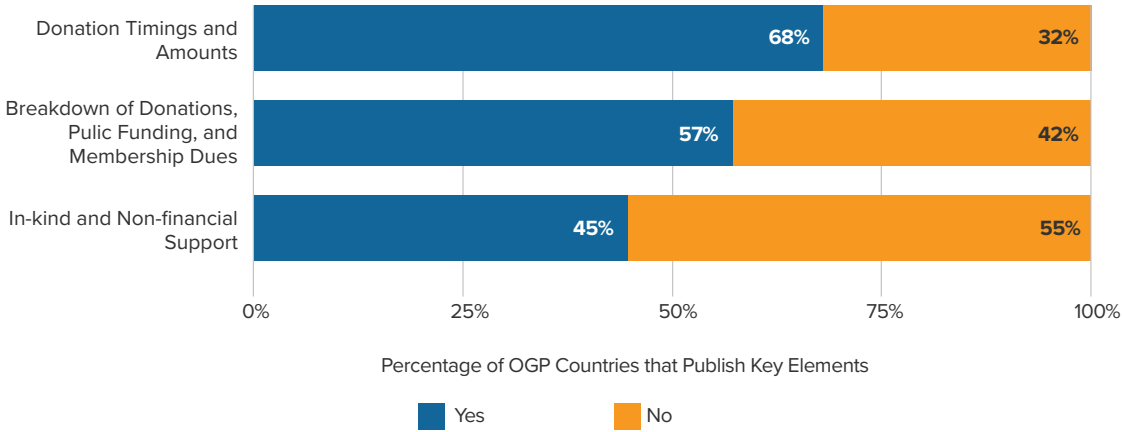


**Sources of income for political parties and candidates are also often not published.** While two-thirds of OGP countries that publish political finance data online specify the timing and amount of donations, fewer disaggregate the income of

parties and candidates by revenue stream, such as donations, public funding, and dues (see Figure 4). Fewer still publish data on in-kind and nonfinancial contributions.

**FIGURE 4. Most OGP countries do not publish party and candidate income by revenue stream**

*This figure shows the percentage of OGP countries that publish party and candidate income by revenue stream. The sample includes only the 47 OGP countries that publish political finance data online.*



*Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for more details.*

## Data Collection and Publication are Common Binding Constraints

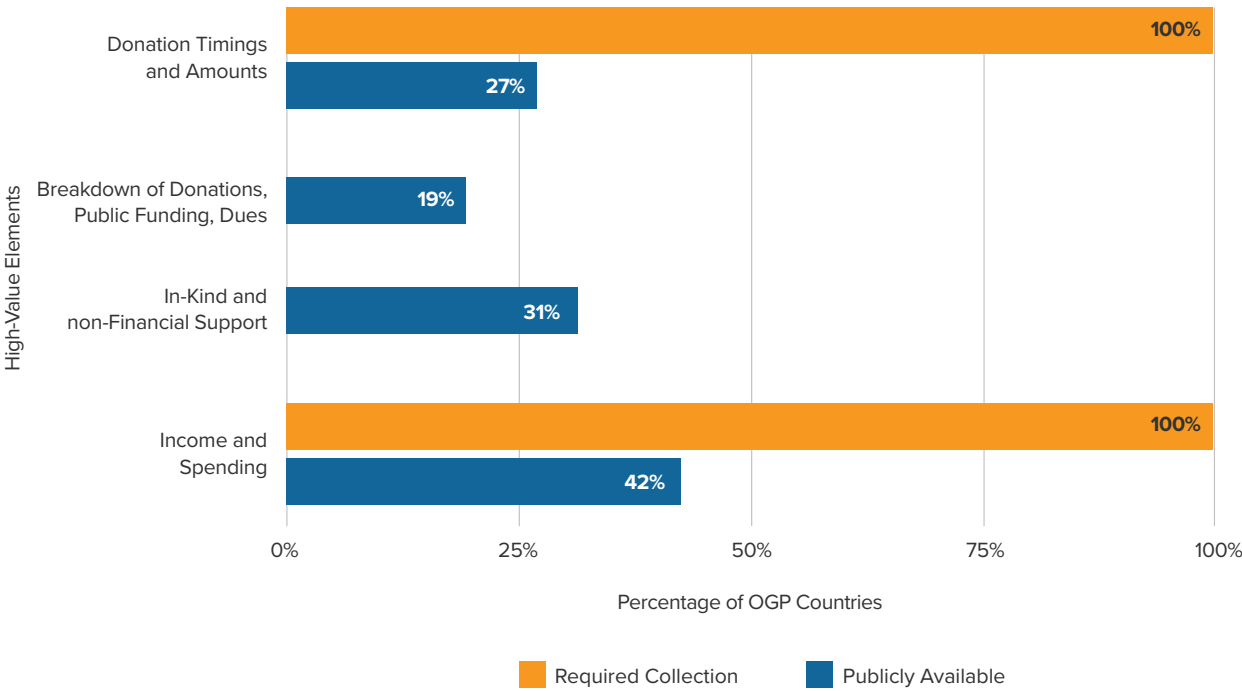
**OGP countries often require political parties and candidates to report information that is never published.** Figure 5 looks at how reporting requirements compare to data availability across several areas of political finance. In each case, reporting requirements are far more common than the actual publication of data. For example, while more than three-quarters of OGP countries require political parties and candidates to report their income and spending, fewer than half publish this data online. This gap between reporting requirements and publication of data is one of the largest when compared to other policy areas assessed in this report.<sup>8</sup>

### The reasons for this lack of published data vary.

In many cases, not all parties or politicians comply with reporting requirements. In other cases, the data is reported, but the government either does not publish it online or publishes it at such a high level that it is impossible to identify details such as sources of income and spending. Another challenge is that political parties and politicians are often responsible for posting their own financial data without a standard template, which leads to a patchwork of available data.

**FIGURE 5. Disparity between data disclosure requirements and data availability**

*This figure shows how many OGP countries have a mandate to collect certain data elements vs. how many actually publish. The sample includes all 67 OGP countries assessed by the GDB.*



### This points to a gap in both data collection and publication.

This finding suggests that for most OGP countries, the issue is not the lack of a legal or regulatory framework that requires political parties and candidates to report information. Instead, the binding constraint is ensuring compliance with

existing reporting requirements and ensuring that the collected data is then published online (see the *Beyond Open Data* section for more on the importance of independent oversight bodies to ensure greater compliance).

<sup>8</sup> This includes the other areas covered by the Global Data Barometer: asset disclosure, lobbying, right to information, and public consultation.

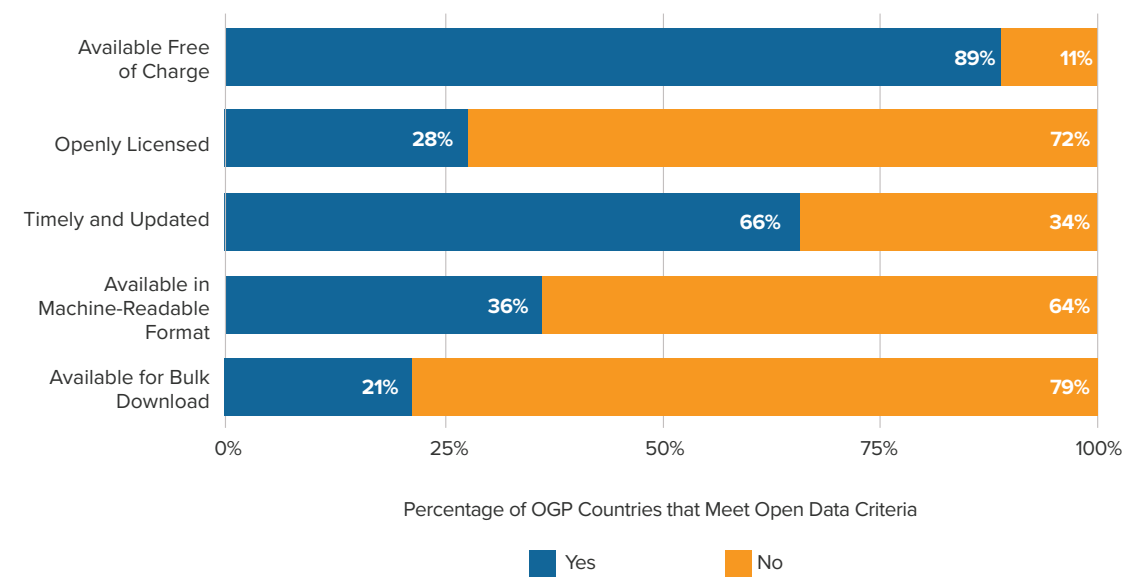
# Most Political Finance Data Is Not User-Friendly

**Data usability also poses a challenge.** Figure 6 below illustrates the extent to which the available political finance data in OGP countries meets open data standards. While nearly all datasets are available

at no cost, only about one-third are machine-readable and licensed for reuse. One in five OGP countries makes the data available for bulk download. In many cases, political party financial statements are only available as scanned forms in PDF format, which requires users to manually review them to track income and expenses.

**FIGURE 6. Most political finance data does not meet open data standards**

*This figure shows the percentage of OGP countries whose political finance datasets meet open data criteria. The sample includes only the 47 OGP countries that publish political finance data online.*



*Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for more details.*

# Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality political finance data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

## Legal and Regulatory Framework

- **Ensure a strong foundation for data governance:**
  - o Set out clear and unambiguous definitions for the campaigning and financial activities of political parties and candidates, including third parties.
  - o Establish a mandate for an independent institution with sufficient resources and powers to examine financial reports and investigate/sanction where needed.
- **Require comprehensive financial reporting:**
  - o Require political parties and candidates to report income (including in-kind and nonfinancial support), campaign spending, assets, and debts.
  - o Require reasonable itemization of spending information with periodical updates to spending categories.<sup>9</sup>
  - o Set a low threshold for the donation amount that requires reporting the donor’s name.
  - o Require regular updates, both during and outside of the campaign cycle, and consider real-time reporting by banking to oversight institutions.

## Data Publication

- **Publish financial data on political parties and candidates:**
  - o Publish the income, spending, assets, and liabilities of political parties, candidates, and third parties<sup>10</sup> on a single, centralized data portal.
  - o Disaggregate revenue data by source, including donations, public funding, and membership dues.
  - o Publish the information on a timely basis.
- **Publish data on donors and donations:**
  - o Publish donation timings and amounts, including in-kind and nonfinancial contributions.
  - o Identify donors by disclosing first and last names and other clearly identifiable information for each donor.
  - o Publish information on an ongoing basis, including before elections.
- **Publish high-quality data that enables effective monitoring:**
  - o Make data available as open data, i.e., in machine-readable format(s), at no cost, licensed for reuse, and downloadable in bulk.
  - o Make political finance data interoperable by using common identifiers for natural persons (including candidates and donors) and legal persons (including nonprofits and certain third-party groups) to link to other data sources, like registered lobbyists and corporate owners (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*).

<sup>9</sup> International IDEA’s latest analysis shows that even in the UK—a country with one of the most transparent political finance systems in the world—nearly 15 percent of campaign expenditures in the last general election were impossible to account for due to a lack of detailed financial reporting, among other reasons. The analysis is available at: <https://www.idea.int/news-media/news/what-did-political-parties-really-spend-political-finance-transparency-uk>.

<sup>10</sup> Reporting obligations for civil society organizations (CSOs) should be no more burdensome than for businesses. CSOs should still be able to seek foreign funding, advocate for policies, and be protected from retaliation, stigmatization, and arbitrary enforcement, including being labeled and punished as foreign agents. This issue is explored further in a policy brief by OGP, the National Democratic Institute, and Transparency International, available at: <https://www.opengovpartnership.org/documents/countering-illiberal-influences-through-open-government/>.

GOOD TO KNOW

Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining political finance data with asset disclosure, beneficial ownership, and land ownership data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information. The facts below show how many OGP countries have the most important common identifiers for political finance data.

- **18%** of OGP countries publish unique identifiers for each donor in political finance datasets. This ensures that the same donor can be traced across campaigns and allows for cleaner data.
- Asset disclosure and political finance disclosures share common identifiers for interests, assets, and liabilities in just **6%** of OGP countries. Similarly, only **3%** of OGP countries use common identifiers in lobbying data and political finance data for lobbyist clients and party and campaign donors. This limits the degree to which oversight bodies, auditors, and watchdog organizations can evaluate conflicts of interest, identify bad actors, and identify potential kickbacks for political campaigns.



LESSONS FROM REFORMERS

Transparency of Political Party and Election Financing in Croatia

Croatia has been working on increasing transparency of political party and election financing through commitments in their second and third action plans. Using the information provided in the database of election campaign reports, developed by the State Election Commission [as their OGP commitment](#), two civil society organizations that are members of the Croatian Multi-Stakeholder Forum developed a searchable database of contributions and expenses reported by parties and complement this information with their own analysis of key observed trends and issues (Croatia, n.d.). The database allows search and comparison of donors, campaign expenses, media discounts, and social media campaign expenses.” See [2020 Annual Report](#) for more details (OGP, 2021).

GONG’s (n.d.) searchable [database](#) (“Microsoft Power BI, n.d.)

Naziv obveznika		Naziv primatelja		Naziv uslužbenice mreže			
Search		Search		Search			
Naziv obveznika	Naziv primatelja	OIB	Broj troškova	Svrha troška	Troškovi ukupno	Tržišna vrijednost	
ANTO ĐAPIĆ	GRAD OSJEK	30050049642	1	ostale zakupnine i najamnine	2.400.00 kn	0.00 kn	
ANTO ĐAPIĆ	GRAD OSJEK	30050049642	1	Ostali troškovi	240.00 kn	0.00 kn	
ANTO ĐAPIĆ	SAVIJETNIK DOO	70790844219	1	ostale nespomenute usluge	1.600.00 kn	0.00 kn	
ANTO ĐAPIĆ	Zagrebačka Banka d.d.	92963223473	9	bankarske usluge i usluge platnog prometa	93.00 kn	0.00 kn	
DALIA OREŠKOVIĆ	GRAD RIJEKA		1	ostale zakupnine i najamnine	1.560.00 kn	0.00 kn	
DALIA OREŠKOVIĆ	GRAD ZAGREB		1	ostale zakupnine i najamnine	1.200.00 kn	0.00 kn	
DALIA OREŠKOVIĆ	Hrvatska pošta d.d.	87311810356	1	usluge pošte	794.80 kn	0.00 kn	
DALIA OREŠKOVIĆ	Jurica Glatelić	59626854549	1	društvene mreže	986.00 kn	0.00 kn	F
DALIA OREŠKOVIĆ	Kozi Spektar, obit za fotokopiranje i druge usluge	84269705191	1	grafike i tiskarske usluge	1.750.00 kn	0.00 kn	
DALIA OREŠKOVIĆ	Narodne novine d.d.	64546066176	1	uređski materijal	67.30 kn	0.00 kn	
DALIA OREŠKOVIĆ	Nula Osm d.o.o.	58748946454	1	grafike i tiskarske usluge	2.320.00 kn	0.00 kn	
DALIA OREŠKOVIĆ	Start	45079433291	1	društvene mreže	3.050.00 kn	0.00 kn	F
DALIA OREŠKOVIĆ	Start	45079433291	1	društvene mreže	6.704.59 kn	0.00 kn	F
DALIA OREŠKOVIĆ	Start	45079433291	1	društvene mreže	4.310.00 kn	0.00 kn	C
DARIO JURIČAN	ARS KOPIJA D.O.O.	76506138139	4	grafike i tiskarske usluge	6.532.82 kn	0.00 kn	
DARIO JURIČAN	ATL MEDIA VL.MAJA GROS	15796405122	1	društvene mreže	4.506.00 kn	0.00 kn	F
DARIO JURIČAN	ATL MEDIA VL.MAJA GROS	15796405122	2	ostale nespomenute usluge	37.197.23 kn	0.00 kn	
DARIO JURIČAN	DOMINION D.O.O.	14426038690	1	grafike i tiskarske usluge	758.75 kn	0.00 kn	
DARIO JURIČAN	DOMINION D.O.O.	14426038690	1	ostale nespomenute usluge	1.137.50 kn	0.00 kn	
DARIO JURIČAN	FAVORY D.O.O.	31134262074	1	reprezentacija	3.983.75 kn	0.00 kn	
DARIO JURIČAN	GEO-LOK D.O.O.	38811087207	1	billboard, beck light, bigboard, city light, spanmaster, street light i dr.	2.500.00 kn	2.500.00 kn	
DARIO JURIČAN	GRAD RIJEKA	54382731928	1	ostale zakupnine i najamnine	20.00 kn	0.00 kn	
DARIO JURIČAN	GRAD SPLIT	78755598868	1	ostale zakupnine i najamnine	300.00 kn	0.00 kn	
DARIO JURIČAN	GRAD ZAGREB	61817894937	2	ostale zakupnine i najamnine	3.400.00 kn	0.00 kn	
DARIO JURIČAN	HRVATSKA POŠTANSKA BANKA d.d.	87939104217	14	bankarske usluge i usluge platnog prometa	89.00 kn	0.00 kn	
DARIO JURIČAN	INDEX PROMOCIJA D.O.O.	37502434016	1	oglašavanje na elektroničkim portalima	200.000.00 kn	200.000.00 kn	
DARIO JURIČAN	IJA MIKROFONA J.D.O.O.	41506701952	1	ostale nespomenute usluge	1.000.00 kn	0.00 kn	
Total			1753		16,971,240.36 kn	374,167.02 kn	

Citizens can use the database to find information related to elections, supervision of political activities funding and supervision electoral campaign funding, as well as electoral legislation. Photos by the Croatian State Electoral Commission.





## LESSONS FROM REFORMERS

# User-Friendly Search Engine on Public Financing of Political Parties in Panama

Before 2015, Panama’s citizens could not monitor state contributions to independent political parties and candidates. As part of their 2015 action plan, Panama (n.d.) [committed](#) to publishing detailed information on public financing of political parties no later than six months after the end of each electoral period. The Panamanian Tribunal Electoral (or Electoral Tribunal, which provides vital records, identifications and electoral organization) created a [public database](#) that is searchable by year and shows all funding granted to political parties from the electoral authority, along with the use for the funding (Tribunal Electoral, n.d.). The database is user-friendly, allowing information to be downloaded in an open format, and regularly updated.

TE

TRIBUNAL  
ELECTORAL

LA PATRIA LA HACEMOS TODOS

Start

Years

2015

2016

2017

2018

2019

2020

2021

2022

This list of expenses shows one year at a time, you can choose other years by clicking on the year you want to see.

Advanced search

Date:

Reference:

Expense type:

Political party:

Check number:

Amount:

Supplier:

Use this table to search for spending information by Political Party, type of spending, etc. You can use multiple criteria at the same time. The table shown below can be sorted by any of the columns.

Copy

CSV

Excel

PDF

Print

Global Search

Date	Reference	Expense type	Political party	Check No.	Amount	Supplier
02/22/2022	<a href="#">Operation April to June 2021</a>	100th Salaries, Remuneration, Thirteenth Month and Settlements	People's Party	4027	396.45	KEYSI ZAMBRANO
02/22/2022	<a href="#">Operation April to June 2021</a>	100th Salaries, Remuneration, Thirteenth Month and Settlements	People's Party	4028	311.49	LADIS A. CISNEROS
02/22/2022	<a href="#">Operation April to June</a>	100th Salaries, Remuneration,	People's Party	4029	343.15	THOMAS TORRES

A Kuna indigenous woman votes during presidential and parliamentary elections in Panama City. Panamanians can use this public database to search and download the details of expenses that pertain to the financing and operation of the political parties in their country. Photo by Luis Acosta, AFP.

## Beyond Open Data

This chapter has focused on open data around political finance, but countries will, of course, need to go Beyond Open Data to create meaningful change. Below are other necessary elements of strong reforms (see *Guidance and Standards* for more recommendations):

- **Involvement of diverse stakeholders:** Civil society organizations, journalists, political parties, the private sector (e.g., social media platforms), and oversight agencies all have an important role to play. Together, they can: (1) ensure ambition and feasibility of the data framework; (2) provide feedback on the usability of the data; and (3) monitor data, flag suspicious cases, and investigate.
- **Strong regulatory environment for political finance:** Political finance data, even when disclosed in usable formats, is not effective if political finance is weakly regulated. Examples of common political finance regulations include banning illicit funds and foreign donations, limiting anonymous donations, and placing reasonable caps on contributions and political party spending. See the *Guidance and Standards* section for a list of other measures.
- **Independent oversight:** Independent institutions in charge of examining financial disclosures, investigating suspicious cases, and implementing sanctions in case of violations (depending on the administrative context) can ensure accountability. Ideally, these institutions should create channels for civil society to flag cases for follow-up and should engage with the regulated community (e.g., political parties and electoral contestants) to raise awareness of responsibilities, ensure an appropriate framework for compliance, and provide the necessary training. See *Guidance and Standards* for more detailed recommendations for political finance oversight bodies.
- **Interagency cooperation:** Aspects of political finance often fall under the purview of different government institutions, such as anti-corruption agencies, lobbying registrars, and electoral bodies. At a minimum, these institutions should coordinate to share information. Beyond that, these institutions could also cross-reference political finance data with other government datasets—such as the tax registry or beneficial ownership database—for more effective verification. [OGP Multi-Stakeholder Forums](#) are one possible vehicle for cooperation in designing and implementing open government reforms (OGP, n.d.).
- **Modernized, digitized systems:** Regulatory frameworks must address the emerging challenges of the digital age. For example, online services (e.g., social media advertising, microtargeting, digital consulting) are increasingly used but [not properly captured](#) by existing reporting requirements (Hamada, Dommett, & Power, 2022). Opaque cryptocurrencies also represent a growing source of political finance. Innovative digital solutions are needed, such as digitized real-time reporting and publication of political finance data, and automatic cross-checking of political finance data with online ad libraries, beneficial ownership databases, and tax registries.

## GUIDANCE AND STANDARDS

### Standards

Article 7.3 of the [United Nations Convention Against Corruption \(UNCAC\)](#) sets out that states should consider “enhanc[ing] transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties” (UNCAC, n.d.).

In 1999, the **Council of Europe** established the [Group of States Against Corruption \(GRECO\)](#) to monitor countries’ compliance with the Council’s anti-corruption standards (Council of Europe, n.d.). Specifically, GRECO evaluates countries’ compliance with the Council of Europe’s [rules](#) against corruption in the funding of political parties and electoral campaigns (Council of Europe, 2003).

### Guidance

**Transparency International** offers [recommendations](#) on how to address political finance transparency in OGP action plans (Amin & Marín).

**International IDEA** has several resources related to implementing political finance reforms in and outside of OGP, including:

- A [policy brief](#) that discusses the importance of political finance transparency for countries’ political and economic security and offers examples of OGP reforms in this area (International IDEA and OPG, 2019)
- A [report](#) about the challenges political finance poses to democracy and the reforms countries can make to address them (Hamada and Agrawal, 2020)
- A [database](#) that tracks how political finance is regulated in 180 countries (International IDEA, n.d.)

### International Foundation on Electoral

**Systems (IFES)** has several related resources, including:

- A [report](#) that offers an overview of problems that arise in the absence of political finance regulations and steps countries can take to solve these problems (Ohman, 2013)
- [Research](#) on how improved campaign finance regulation can promote gender equity and women’s participation in elections (Cigane & Ohman, 2014)
- A [book](#) that documents existing political finance regulations in the Middle East and North Africa (Salameh, 2013)
- A [database](#) of political finance oversight for Europe and Eurasia (IFES, n.d.)
- A [handbook](#) related to political finance oversight (Ohman, 2013)
- A [toolkit](#) for political finance institutions on how to implement political finance regulations (IFES, n.d.)

The **Organisation for Economic Co-operation and Development (OECD)** has several related resources, including:

- A [report](#) on the risks of funding political parties and campaigns, barriers to confronting these risks, and the links between these risks and the broader integrity of the political system (OECD, n.d.)
- A [training manual](#) on political finance regulation (OECD, n.d.)

The **Organization for Security and Co-operation in Europe (OSCE)** has a [handbook](#) for campaign finance that covers common regulatory measures, such as contribution and expenditure limits, reporting requirements, and oversight mechanisms (OSCE, 2015).

## List of Resources

Amin, Lucas and José María Marín, *Recommendations on Asset and Interest Declarations for OGP Action Plans*, Transparency International, 2020, <https://www.transparency.org/en/publications/recommendations-on-asset-and-interest-declarations-for-ogp-action-plans>.

Cigane, Lolita and Magnus Ohman, *Political Finance and Gender Equality*, International Foundation for Electoral Systems, 2014, <https://www.ifes.org/publications/political-finance-and-gender-equality>.

Council of Europe, “About GRECO,” n.d., <https://www.coe.int/en/web/greco/about-greco>.

Council of Europe, “Recommendation,” 2003, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806cc1f1>.

Croatia, “Political Finance Transparency (HR0028),” n.d., <https://www.opengovpartnership.org/members/croatia/commitments/HR0028/>.

Ellena, Katherine and Erica Shein, “The Dark Side of Democracy,” *Foreign Policy*, n.d., <https://foreignpolicy.com/sponsored/the-dark-side-of-democracy/>.

Gong, n.d., <https://gong.hr/en/page/2/>.

Hamada, Yukihiro and Khushbu Agrawal, *Political Finance Reforms*, International Institute for Democracy and Electoral Assistance, 2020, <https://www.idea.int/sites/default/files/publications/political-finance-reforms.pdf>.

Hamada, Yukihiro, Kate Domett, and Sam Power, “What Did Political Parties Really Spend On?: Political Finance Transparency in the UK,” International Foundation for Electoral Systems, 2022, <https://www.idea.int/news-media/news/what-did-political-parties-really-spend-political-finance-transparency-uk>.

International Foundation for Electoral Systems, “Oversight Toolkit for Political finance Institutions,” n.d., <https://www.ifes.org/oversight>.

International Foundation for Electoral Systems, “Political Finance Oversight Database for Europe & Eurasia,” n.d., <https://www.ifes.org/fort>.

International IDEA and Open Government Partnership, “Political Finance Transparency,” 2019, <https://www.idea.int/sites/default/files/publications/political-finance-transparency.pdf>.

International IDEA, “Political Finance Database,” n.d., <https://www.idea.int/data-tools/data/political-finance-database>.

“Microsoft Power BI,” n.d., <https://app.powerbi.com/view?r=eyJrJlJlOjYyYmQwZjEtMDk2ZS00NDc4LT-q4YmYtMzAyYTQzMU5ZGQxliwidCI6IjkyNDIxZWUzLTAzNDgtNGUyNC04ODgwLTAxNzhkMmViNTI1Zil-slmMiOjh9>.

Ohman, Magnus (ed.), *Training in Detection and Enforcement (TIDE) Political Finance Oversight Handbook*, (Washington DC: International Foundation for Electoral Systems, 2013), [https://www.ifes.org/sites/default/files/tide\\_political\\_finance\\_oversight\\_handbook\\_0.pdf](https://www.ifes.org/sites/default/files/tide_political_finance_oversight_handbook_0.pdf).

Ohman, Magnus, *Controlling Money in Politics: An Introduction*, International Foundation for Electoral Systems, 2013, <https://www.ifes.org/publications/controlling-money-politics-introduction>.

Ohman, Magnus, *Note on Third Party Regulations*, OSCE Office for Democratic Institutions and Human Rights, 2020, <https://www.osce.org/files/f/ documents/d/b/452731.pdf>.

Open Government Partnership, “Political Finance Transparency in Croatia,” 2021, <https://www.opengovpartnership.org/stories/political-finance-transparency-in-croatia/>.

Open Government Partnership, “Multi-Stakeholder Forums,” n.d., <https://www.opengovpartnership.org/multistakeholder-forums/>.

Organisation for Economic Co-operation and Development, *Financing Democracy: Funding of Political Parties and Election Campaigns and the Risk of Policy Capture*, n.d., [https://read.oecd-ilibrary.org/governance/financing-democracy\\_9789264249455-en#page2](https://read.oecd-ilibrary.org/governance/financing-democracy_9789264249455-en#page2).



Organisation for Economic Co-operation and Development, *Training Manual on Political Finance Regulation*, n.d., <https://www.oecd.org/governance/ethics/training-manual-political-finance-regulation-greece-en.pdf>.

OSCE Office for Democratic Institutions and Human Rights, *Handbook for the Observation of Campaign Finance*, 2015, <https://www.osce.org/files/f/documents/f/8/135516.pdf>.

Panama, “Transparent Financing of Parties and Candidates (PA0009),” n.d., <https://www.opengovpartnership.org/members/panama/commitments/pa0009/>.

Salameh, Mohammed Torki Bani, *Financing Politics: The Middle East and North Africa*, ed. Magnus Ohman (Washington DC: International Foundation for Electoral Systems, 2013), <https://www.ifes.org/publications/financing-politics-middle-east-and-north-africa>.

Tribunal Electoral, “Bienvenidos a la Consulta Ciudadana del Financiamiento Público,” n.d., <http://gastop.eastus2.cloudapp.azure.com>.

UNCAC, *Full Text of the UN Convention against Corruption*, n.d., <https://uncaccoalition.org/the-uncac/united-nations-convention-against-corruption/>.

# COMPANY BENEFICIAL OWNERSHIP

## Introduction

Disclosing beneficial owners—those who ultimately control or profit from a business—has emerged as an important tool to fight corruption, particularly the misuse of shell companies. Anonymously owned companies (and other legal vehicles) are often used to hide taxable revenue, terrorist financing, or illegally obtained money by making it difficult to trace their beneficiaries (see *Good to Know: Key Terms*). [Roughly 70 percent](#) of the biggest corruption cases between 1980 and 2010 involved these anonymously owned companies (van der Does de Willebois et al., 2011). Yet in most countries, the public disclosure of beneficial owners is not required.

There is growing global recognition of these problems, as evidenced by the recent focus on the [use of shell companies by Russian oligarchs](#) to launder and hide their money (BBC, 2022). Revelations in the [Panama Papers](#) (Sztukowski, 2017), the [Paradise Papers](#) (ICIJ, n.d.), the [FinCEN Files](#) (Basu, 2020), and the latest [Pandora Papers](#) (Open Ownership, 2021) have also accelerated interest in beneficial ownership transparency reform as an important tool to prevent corruption and money laundering. The Financial Action Task Force (FATF), an inter-governmental body focused on combating money laundering, now [requires](#) countries to collect timely beneficial ownership information on central registers (FATF, 2022), and the EU’s 5th Anti-Money Laundering Directive now requires all EU member states to publish a beneficial ownership register (see *Guidance and Standards*).

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

<b>Availability</b>	One-third of OGP countries publish any form of beneficial ownership data online.
<b>High-Value Information</b>	Most datasets include unique identifiers for companies, but few include information on the financial interests held by beneficial owners.
<b>Usability</b>	Most datasets are available for free, but few are bulk downloadable, and even fewer follow a data standard.

**36%**  
of OGP countries have  
data available online

The Honorable Minister of State, Budget and Planning, Prince Clem Ikanade Agba in his office in Abuja, Nigeria. Nigeria committed to establishing a Beneficial Ownership Registry, a first step to fighting illicit financial flows and to make the information of the real owners of companies in business with the government available. The Ministry of Budget and Planning has been spearheading efforts to install a beneficial ownership registry in the country to end anonymous companies. Photo by OGP.







Bank Julius Baer & Co. Ltd., a Swiss bank with international operations, admitted in 2021 that it conspired to launder over \$36 million in bribes through the United States to soccer officials with the Fédération Internationale de Football Association (FIFA) and other soccer federations. The scheme included facially false contracts and payments to shell corporations in exchange for broadcasting rights to soccer matches. Photo by Ben Sutherland.

## Policy Justification

Publishing digital registers with beneficial ownership information helps shine a light on secretive legal structures that can be exploited to launder the proceeds of corruption, hide conflicts of interest, improperly win lucrative government contracts, and evade tax payments. Creating a public registry that includes open data on beneficial owners provides a key tool for governments to achieve a variety of objectives:

**Beneficial ownership transparency strengthens tax collection by limiting tax evasion.** For example, by [some estimates](#), the disclosures in the Panama Papers have led to the collection of more than US \$500 million in unpaid taxes and penalties, as well as to numerous prosecutions for tax evasion (Obermaier & Obermayer, 2018).

**Public beneficial ownership data enables citizens to hold companies accountable.** For instance, watchdog organizations in Slovakia have [used beneficial ownership data](#) to identify conflicts of interest that have led to fines (OGP, 2019).

**Public beneficial ownership information helps to fight corruption and money laundering.** This is particularly critical in real estate, where the data can be used to identify money laundering activities, as seen in the [recent leak](#) of Dubai property data (Kupfer & Frish, 2022).

**Public beneficial ownership registries make financial sense.** In 2002, the UK Treasury Department [estimated](#) (conservatively) that a public register would result in at least £30 million of gains across government, far outweighing any costs (HM Treasury/DTI, 2022).

**Public beneficial ownership registries help companies fulfill their due diligence and risk management obligations, returning value to investors.** This includes banks and financial institutions that are often required to identify client beneficiaries without having access to government-held beneficial ownership registers. In the UK, the beneficial ownership register was accessed [more than ten billion times](#) in 2020–2021, demonstrating the value of the data to groups beyond civil society and journalists (Companies House, 2021).

### GOOD TO KNOW

#### Key Terms

- **Beneficial owner:** A beneficial owner is the individual (or group of individuals) who ultimately owns, controls, or benefits from a company (or any other form of legal vehicle such as trusts or partnerships). Importantly, the beneficial owner can be different from the legal owner (see below).
- **Legal owner:** A legal owner is the person or entity with immediate and formal ownership. In the case of complex and opaque corporate structures, legal owners are often companies or “nominee” individuals with little actual control. In these cases, a whole chain of legal owners might obscure the true beneficial owner.
- **Anonymously owned company:** An anonymously owned company keeps the identity of its beneficial owner hidden. This is appealing to money launderers and other criminals, who can use these companies to move illicit funds across borders.
- **Shell company:** Shell companies do not have active business operations or employees and are primarily used to hold or move assets. They are legal but, when anonymously owned, can be used to illegally hide the proceeds of crime or corruption from government officials.
- **Beneficial ownership register:** A beneficial ownership register is a database that holds data related to the beneficial owners of companies and/or other legal vehicles. It may be linked to an existing company registry or may be standalone. A [central register](#) provides access to beneficial ownership data in a standardized format in one place (Open Ownership, 2021).
- **Beneficial Ownership Data Standard (BODS):** The BODS was created by [Open Ownership](#) to provide a structured data format and guidance for collecting, sharing, and using data on beneficial ownership (Open Ownership, n.d.). The BODS enables combining and analyzing beneficial ownership data from different companies, and across countries.

### GOOD TO KNOW

#### What Does “Beneficial Ownership Data” Mean in this Report?

This module covers findings from the Global Data Barometer on the publication of beneficial ownership data in OGP countries. It includes information on the availability of the following types of data related to beneficial ownership:

- Unique identifiers for each company
- Identifying information for beneficial owners
- Nature and size of interests held by beneficial owners
- Information about beneficial owners’ sex and gender

# State of Progress Through OGP

## A growing number of countries are advancing beneficial ownership transparency through OGP.

In its 2013 OGP action plan, the UK government made the first-ever commitment to launch a public register of beneficial owners. Nearly ten years later, 33 national governments have now made 58 OGP commitments related to beneficial ownership transparency. In 2020, more than 40 percent of OGP countries were implementing a commitment related to beneficial ownership transparency, which is an all-time high.<sup>1</sup>

**OGP commitments related to beneficial ownership transparency have largely focused on data publication.** More than half of the 58 commitments made to date focus on disclosing new data. About a third focus on the planning phase or on making changes to the legal framework. A handful deal with improving the quality of disclosed data, such as

through implementing verification mechanisms or standardization using the BODS. Many commitments also have a sectoral focus: eight commitments focus on disclosing the beneficial owners of companies that contract with the government and 16 commitments deal specifically with the extractives sector.

**Beneficial ownership commitments in OGP show promise.** According to the Independent Reporting Mechanism (IRM), OGP commitments related to beneficial ownership transparency tend to be more ambitious than commitments in other areas. Specifically, the IRM has rated two-thirds of these commitments as “ambitious”—with the potential to significantly change the status quo—compared to only one-half of all other commitments. Although implementation rates were low for the commitments made early on, recent rates are higher, perhaps because a growing number of countries have now adopted the necessary legal frameworks to begin disclosing data.

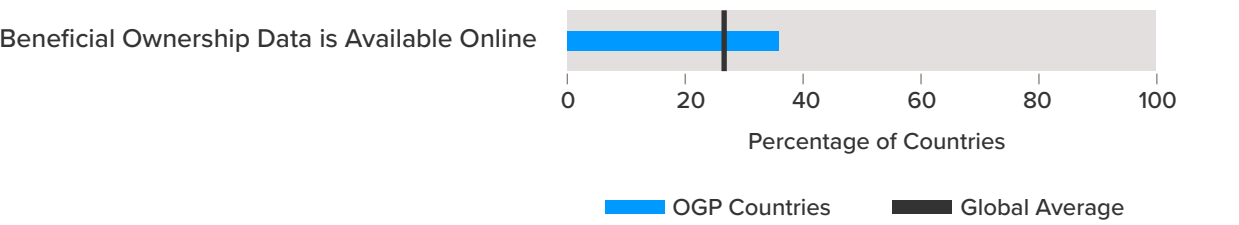
# Availability of Beneficial Ownership Data Remains Low

**Most OGP countries do not publish any beneficial ownership data.** Just over one-third of OGP governments publish beneficial ownership data online in some form (see Figure 1). In an additional two OGP countries, some beneficial ownership data is available online, but not as a result of government

action. For example, in Chile, a private company maintains a [registry](#) of information about financial and commercial actors, which is available for a fee (Equifax Chile, n.d.). In Mexico, civil society [publishes beneficial ownership data](#) using information cross-referenced from the stock exchange, lists of government suppliers, and the UK beneficial ownership registry (QuiénEsQuién.Wiki, n.d).

**FIGURE 1. Few OGP countries publish beneficial ownership data online**

*This figure shows the percentage of OGP countries that publish beneficial ownership data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.*



*Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.*

## Key Findings from the Global Data Barometer

### GOOD TO KNOW

### About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

### LESSONS FROM REFORMERS

## Improving the Quality of Beneficial Ownership data in Ghana

Ghana implemented an electronic beneficial ownership register in 2019 following the passage of the Companies Act, a law that requires the disclosure of companies’ beneficial owners. In their 2021 OGP action plan, Ghana is building on this progress with a [commitment](#) to improving the quality and accessibility of data on the register website (OGP, n.d.). Specifically, the commitment includes milestones to: publish data in open data format, create a system for flagging irregularities in submissions, and use the data for screening companies that apply for mining licenses.

Worker in the Anglo Ashanti gold mine in Obuasi, Ghana. Photo by Jonathan Ernst/World Bank.

<sup>1</sup> This percentage is out of all 41 OGP members with an active action plan at the time.

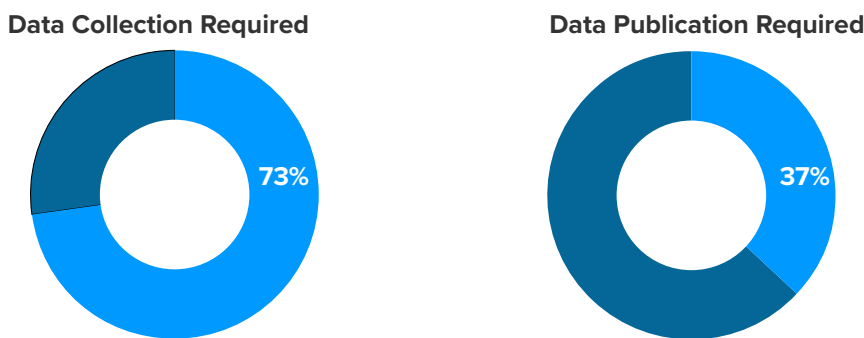


## Legal Frameworks for Beneficial Ownership Data

**Legal frameworks for beneficial ownership data are increasing in number.** About three-quarters of OGP countries currently have a law, policy, or regulation that requires collection or publication of beneficial ownership information (see Figure 2). Most of these frameworks require information to be collected in a central register or database. This represents a clear increase: in 2019, fewer than half of [OGP countries](#) (Arce, Falla, & Foti, 2019) had these legal [frameworks](#).

**FIGURE 2. Beneficial ownership regulatory frameworks often lack publication requirements**

*This figure shows the percentage of OGP countries with collection and disclosure requirements for beneficial ownership information. The sample includes all 67 OGP countries assessed by the GDB.*



*Note: Only binding laws and policies that exist and are operational are considered. See the About Broken Links section of the full report for more details.*

**However, few of these frameworks require publication.** Just under 40 percent of OGP countries require publishing any sort of beneficial ownership data in binding policy, regulations, or law (see Figure 2). Fewer than one in eight OGP countries require the publication of this data as open data.

**This points to legal frameworks as a key binding constraint for data publication.** A clear legal mandate facilitates data collection and publication. Indeed, 19 of the 24 OGP countries that publish beneficial ownership data have a legal mandate to do so.<sup>2</sup>

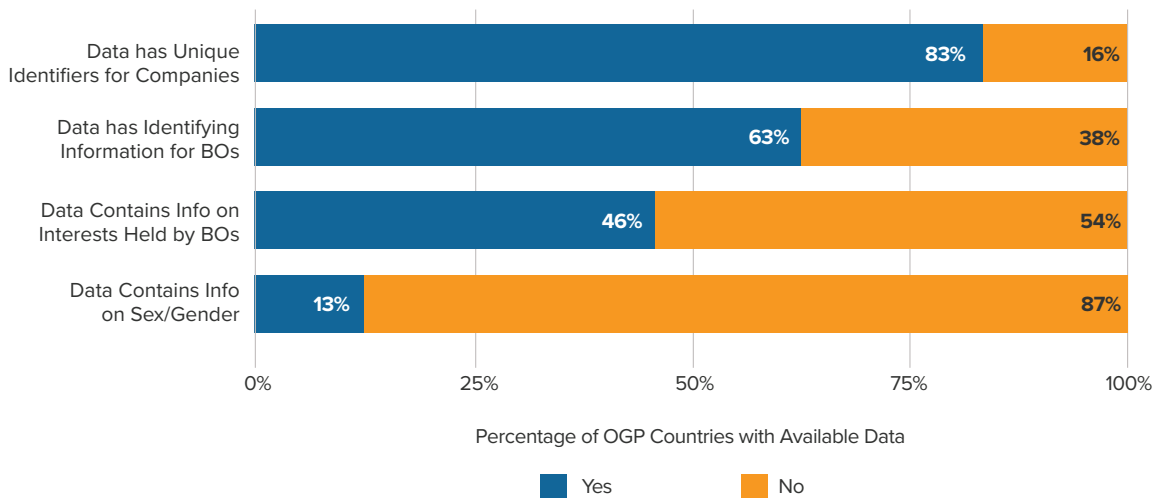
## Most beneficial ownership datasets include some identifying information for beneficial owners.

While the majority of OGP countries do not disclose any beneficial ownership data, those that do mostly include unique identifiers for companies. All also include at least some identifying information for

beneficial owners, such as year and month of birth, nationality, or address (see Figure 3).<sup>3</sup> This makes it easier to match beneficial owners with individuals of the same name in other key datasets, such as public contracts and licensing.

**FIGURE 3. Existing beneficial ownership data lacks key information in some countries**

*This figure shows the percentage of OGP countries that publish key elements of beneficial ownership information. The sample includes only the 24 OGP countries that publish beneficial ownership data online.*



## Few countries publish information on the interests held by beneficial owners.

This includes information related to both the nature of the interest (e.g., shares, voting rights, ownership) and the size (e.g., 25 percent of shares, 40 percent of votes). Some OGP countries publish at least some of this information, but not all. This information is critical to understanding how individuals exercise ownership and control, including through direct and indirect means.

## Four OGP governments disaggregate by sex/gender.

In each case, the information is indirectly available, such as through social security numbers (e.g., Sweden), identity codes (e.g., Estonia), or tax identification numbers (e.g., Greece). This means that users in these cases still need to conduct further data analysis to identify the sex or gender of beneficial owners. Sex-disaggregated beneficial ownership data can help to advance gender equality policies, but governments must carefully consider [policy uses and potential harms](#) (Open Ownership, 2022).

<sup>3</sup> OGP countries that publish persistent identifiers (e.g. date of birth, identification number) for beneficial owners include: Albania; Armenia; Bulgaria; Burkina Faso; Croatia; Estonia; Finland; France; Germany; Guatemala; Italy; Latvia; Malta; Netherlands; Nigeria; Portugal; Romania; Slovakia; Sweden; United Kingdom.

<sup>2</sup> For three of the 19 countries, the requirement is set out in nonbinding policy or guidance.



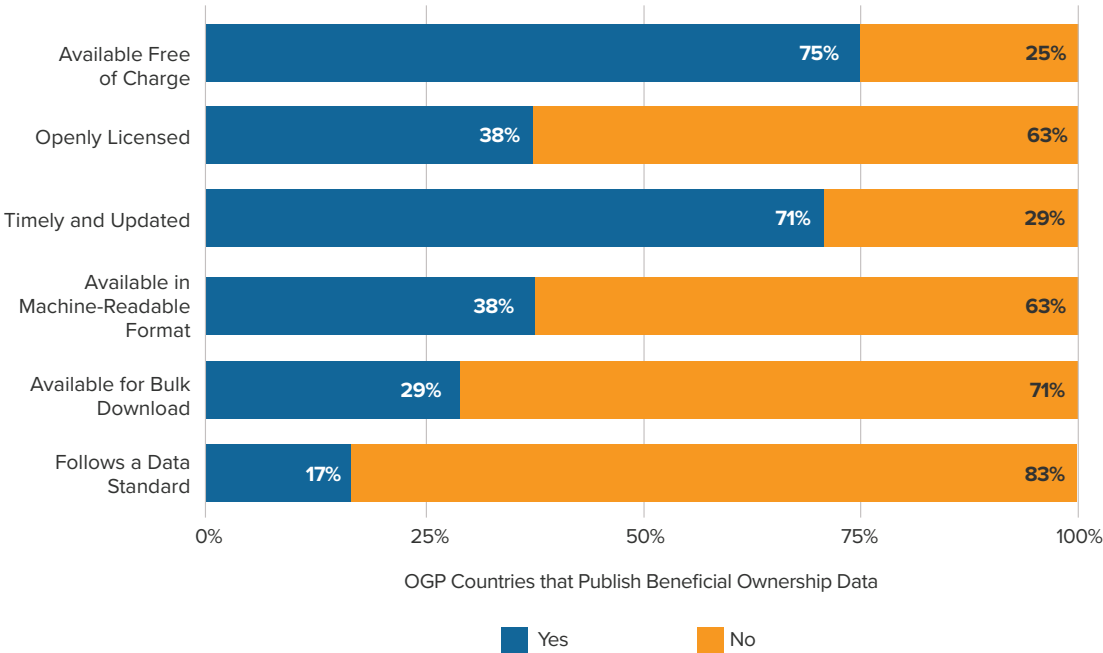
## Existing Beneficial Ownership Data is Generally Not User-Friendly

**Most countries that publish data make it available without charge.** Only one-quarter of OGP countries that publish data charge for access to it (see Figure 4). This is encouraging, as charging to access data is known to limit its use, particularly by civil society and small businesses.

**However, data usability remains an important challenge.** Among OGP countries that publish data, about half publish data that is not machine-readable, and about two-thirds do not make the data available in bulk (see Figure 4). In other words, the available data is often [unstructured](#), comprising scanned forms and open text across various web pages for individual companies (Open Ownership, 2021). This makes data analysis costly and time-intensive, requiring users to match owners with other datasets by hand and through repeated data requests (e.g., web scraping).

**FIGURE 4. Most beneficial ownership data does not meet open data standards**

This figure shows the percentage of OGP countries whose beneficial ownership datasets meet open data criteria. The sample includes only the 24 OGP countries that publish beneficial ownership data online.



**Existing data also rarely follows a common standard.** Only one in six OGP countries publishing beneficial ownership data follow an international standard (see Figure 4). Few countries have implemented the BODS, a standard developed

precisely for beneficial ownership disclosure (see *Good to Know: Key Terms*). This makes it difficult to track beneficial owners and companies across borders through a common, easy-to-use, structured data framework.

## Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality beneficial ownership data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

### Legal and Regulatory Framework

- **Establish requirements for data collection and disclosure:**

- o Work with civil society to draft and implement legislation and regulations that mandate the collection and disclosure of beneficial ownership information.
- o Prevent common loopholes by including clear definitions for beneficial ownership, covering multiple legal vehicles (such as [trusts](#) [Open Ownership, 2021]), lowering thresholds for ownership, and mandating regular updates (see *Guidance and Standards* for relevant guidance from Open Ownership and the Tax Justice Network).

- **Strengthen open data disclosure requirements:**

- o Ensure that the legal framework requires that beneficial ownership data is publicly available free of charge and in accordance with open data standards.

### Data Disclosure

- **Publish data on a beneficial ownership register:**

- o Make beneficial ownership data [publicly accessible](#) on a centralized register (Open Ownership, 2021).
- o Publish sufficient details to enable data use, including the interests held by each beneficial owner (including [intermediate entities](#)) and identifying information for each beneficial owner (Open Ownership, n.d.).

- **Publish high-quality data that enables widespread use:**

- o Follow an international standard such as the BODS to enable ownership data to be linked to data from other countries and datasets (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*).
- o Improve data accuracy by verifying information against other data sources (see the *Beyond Open Data* section for more details).
- o Make data available in bulk, such as through an application programming interface, or API.

## GOOD TO KNOW

### Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining beneficial ownership data with asset disclosure, political finance, lobbying, and procurement data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information. The facts below show how many OGP countries have the most important common identifiers for beneficial ownership data.

- **30%** of OGP countries publish unique identifiers for each company in beneficial ownership datasets. This allows companies to be tracked across multiple registers.
- However, key anti-corruption and company information datasets share common identifiers that facilitate mapping flows across the data ecosystem in just **10%** of OGP countries. This limits the degree to which oversight bodies, auditors, and watchdog organizations can evaluate conflicts of interest, identify bad actors, and flag potential cases of corruption.

## Beyond Open Data

This chapter has focused on open data around beneficial ownership, but countries will, of course, need to go beyond open data to create meaningful change. Below are other necessary elements of strong reforms (see *Guidance and Standards* for more recommendations):

- **Participatory planning and implementation:** Members of the public should inform the design and execution of beneficial ownership transparency reforms through [effective consultation](#) (Open Ownership, 2020). In the design phase, civil society and businesses can help to ensure that plans for data collection and publication meet user needs. For example, stakeholders may decide to apply a tiered approach, focusing first on high-risk sectors such as extractive industries or companies that contract with the government (see *Lessons from Reformers: Establishing a Public Beneficial Ownership Register in Armenia*). Civil society can also support implementation by refining legal drafts and providing iterative feedback on the quality of data registers.
- **Effective verification processes:** It is important that relevant institutions have the mandate and resources to verify that data is accurate and complete. [Verification](#) (Tax Justice Network, n.d.) should include validation at the point of data submission, cross-checking information with other government registers and further investigation of suspicious cases, [among other steps](#) (Open Ownership, 2020). Civil society can also contribute to effective verification by providing feedback on the accuracy and reliability of data. In [the UK](#), the government recently proposed empowering its company registrar to require identity verification, query suspicious data, request further information, and share data with other agencies, including law enforcement (Cross, 2022).
- **Using data for due diligence:** Strengthening processes that require the use of beneficial ownership data ensures that the data is leveraged for accountability purposes. Examples include (1) know-your-customer requirements for [professional “enablers,”](#) including banks, law firms, accountants, and financial advisors (Transparency International, 2020) and (2) the [screening process](#) for companies that apply for government contracts or oil, gas, and mining licenses (Westenberg & Sayne, 2018). For instance, in its 2021 OGP action plan, Ghana committed to pilot use of beneficial ownership data for due diligence before awarding mining licenses (see *Lessons from Reformers: Improving the Quality of Beneficial Ownership data in Ghana*).
- **Relevant financial regulations:** The strength of the financial regulatory environment is an important factor in the effectiveness of beneficial ownership data. For example, the use of bearer shares in the financial system—physical documents that provide ownership rights to whoever holds them—is one of many possible loopholes that require regulation. The abuse of other legal vehicles, like trusts and limited partnerships that are often [not as regulated as companies](#), is another (OGP, n.d.).
- **Public oversight and monitoring:** Civil society can play a key role in using published data to ensure accountability. For example, civil society organizations can help with red-flagging—applying data analytics to find patterns, identify anomalies, and create alerts. For example, civil society in the UK was instrumental in [identifying suspicious trends](#) (Global Witness, 2018) in the beneficial ownership registry that [prompted the government](#) to make data improvements (Ezeigbo, Kiepe, & Russell-Prywata, 2021).
- **Enforcement mechanisms:** Establishing and enforcing sanctions for making false or incomplete data submissions is critical to improve compliance, as is empowering watchdog organizations and other public agencies (such as procurement offices) to trigger investigations. Sanctions can include monetary fines, criminal prosecution, and loss of business rights, such as continued incorporation. For example, [in Denmark](#), failing to provide beneficial ownership information to the authorities is considered a criminal offense that must be recorded in the company’s annual report (FATF, 2019).



## LESSONS FROM REFORMERS

### Stimulating Use of the Beneficial Ownership Register in Portugal

Portugal implemented its public beneficial ownership register in 2019, and by January 2021, nearly half a million companies had registered their beneficial owners. However, use of the register was limited due to technical issues and a lack of public awareness. To address these issues, Portugal (n.d.) [committed to implementing the BODS across entries in the register, launching an awareness campaign, and linking the register to other publicly available data sources, including the public procurement portal.](#)

Portugal has a highly developed timber processing industry. The commitment intends to develop an awareness campaign aimed at entities on the indispensability of registering their beneficial owners. Photo by James Anderson, World Resources Institute.



## GUIDANCE AND STANDARDS

### Standards

The [EU's 5th Anti-Money Laundering \(AML\) Directive](#), published in 2018, required all EU member states to create and publish a beneficial ownership register by January 10, 2020 (European Commission, 2018).

The **Financial Action Task Force (FATF)** offers a series of [recommendations](#) for combating money laundering and terrorism financing (FATF, 2022). In March 2022, FATF [updated](#) Recommendation 24 to strengthen standards around beneficial ownership transparency (FATF, 2022).

The **Extractive Industries Transparency Initiative (EITI) Standard** requires, as of January 1, 2020, that implementing countries request, and extractive industries publicly disclose, beneficial ownership information (Requirement 2.5) (EITI, 2019).

### Guidance

**OGP** has several resources related to beneficial ownership transparency, including:

- A [Policy Progress Report](#) that documents the growth of beneficial ownership transparency reforms within OGP (OGP, 2021)
- A [Policy Area Fact Sheet](#) with the latest numbers related to these commitments, including examples and recommendations (OGP, n.d.)
- A [Global Report Module](#) with detailed data analysis to capture the state of beneficial ownership transparency in OGP member countries (OGP, n.d.)

**Open Ownership** also has several related resources, including:

- An [Implementation Guide](#) that outlines the key steps needed to effectively implement beneficial ownership transparency reforms (Open Ownership, n.d.)
- A [guide](#) for effective consultation processes for beneficial ownership reforms (Open Ownership, 2020)
- A [policy briefing](#) on how to link beneficial ownership data with procurement (Open Ownership, 2021)
- Analyses of [privacy considerations](#) (Open Ownership, 2019) and [the case for public registers](#) (Open Ownership, n.d.) in collaboration with the B-Team and Engine Room

The **Tax Justice Network** offers several [collections](#) (Tax Justice Network, n.d.) of resources on topics such as:

- [Beneficial ownership registration](#) (Tax Justice Network, n.d.), including the current [state of play](#) (Tax Justice Network, 2020)
- [Beneficial ownership verification](#) (Tax Justice Network, n.d.), including a relevant [research paper](#) (Tax Justice Network, 2019)
- The [Financial Secrecy Index](#) (Tax Justice Network, 2022), which includes an assessment of the legal and beneficial ownership framework of 140 jurisdictions

**Transparency International** offers [practical recommendations](#) for how to address beneficial ownership transparency in OGP action plans (Transparency International, 2018).

**EITI** offers [resources](#) for implementing beneficial ownership transparency reforms in the oil, gas, and mining sectors (EITI, n.d.).



### LESSONS FROM REFORMERS

## Collecting Beneficial Ownership Data for the First Time in Kenya

In recent years, Kenya (n.d.) has used several open [government tools](#) to fight corruption, including opening procurement processes, fiscal information, and efficient service delivery. As part of their 2016 OGP action plan, Kenya committed to passing legislation requiring the collection and publication of beneficial ownership information. The law, which eventually became known as the Companies Act, came into force in August 2017. It requires companies to keep a register of their members, including beneficial owners (name and address only), and to submit this information to the national Registrar of Companies. Although the data is currently only available for internal use by certain public authorities, this marked a significant milestone as it is the first time government authorities have ever collected any beneficial ownership information in Kenya. In their 2020 OGP action plan, Kenya committed to making beneficial ownership information accessible on a public register. For more details on this reform see *Lessons from Reformers: Getting “Human Interoperability” Right in Kenya in the Interoperability: Linking Data and People* module.

OGP subnational workshop in Elgeyo-Marakwet, Kenya. Photo by Panthea Lee of Reboot.





## LESSONS FROM REFORMERS

### Establishing a Public Beneficial Ownership Register in Armenia

After the peaceful Velvet Revolution in 2018, the new Armenian government sought to implement a series of reforms to reverse the previous administration's corrupt practices. As part of these efforts, Armenia (n.d.) used their 2018 OGP action plan to [commit](#) to publishing the beneficial owners of companies in a public register, starting with the country's metal mining industry (OGP, n.d.). At the time, companies were required to report beneficial ownership information during the company registration process, but this information was not available to the public. As part of the commitment, the government amended existing legislation to require that beneficial ownership information be included in a public register. These amendments passed in 2019. By April 2020, companies began publishing their data on Armenia's [e-register](#) (e-register, n.d.). This commitment has resulted in the disclosure and availability to the public of more information on beneficial ownership, particularly in the country's mining sector. Armenia is now working on publishing these disclosures in a machine-readable format in accordance with the BODS and expanding disclosures to other sectors of the economy.

Armenia's Minister of Justice, Rustam Badasyan, signs an MoU with Open Ownership. Photo by Ministry of Justice, Armenia. Photo by OGP.

## List of Resources

Arce, Sandy, Renzo Falla, and Joseph Foti, *Global Report*, Open Government Partnership, 2019, <https://www.opengovpartnership.org/campaigns/global-report/>.

Armenia, "Beneficial Ownership Register (AM0037)," n.d., <https://www.opengovpartnership.org/members/armenia/commitments/am0037/>.

Basu, Tonusree, "FinCENFiles: Why Taking Action Now is Essential to Protect Democracy," Open Government Partnership, 2020, <https://www.opengovpartnership.org/stories/fincenfiles-why-taking-action-now-is-essential-to-protect-democracy/>.

BBC, "Russian Oligarchs: Where Do They Hide Their 'Dark Money'?" 2022, <https://www.bbc.com/news/world-60608282>.

Companies House, *Annual Report and Accounts 2020/21*, 2021, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1028103/Companies\\_House\\_annual\\_report\\_and\\_accounts\\_2020-21.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1028103/Companies_House_annual_report_and_accounts_2020-21.pdf).

Cross, Michael, "Companies House to Have Power to Investigate," *The Law Society Gazette*, March 1, 2022, <https://www.lawgazette.co.uk/news/companies-house-to-have-power-to-investigate/5111681.article>.

E-register, n.d., <https://www.e-register.am/am/>.

EITI, "Beneficial Ownership," n.d., <https://eiti.org/beneficial-ownership#helpful-resources-for-implementation>.

EITI, "EITI Requirements," 2019, <https://eiti.org/eiti-standard-2019>.

Equifax Chile, n.d. <https://soluciones.equifax.cl/personas>.

European Commission, "Anti-Money Laundering (AMLD V) – Directive (EU) 2018/843," 2018, [https://ec.europa.eu/info/law/anti-money-laundering-aml-d-v-directive-eu-2018-843\\_en](https://ec.europa.eu/info/law/anti-money-laundering-aml-d-v-directive-eu-2018-843_en).

Ezeigbo, Chinwe Ekene, Tymon Kiepe, and Louise Russell-Prywata, "Early impacts of Public Registers of Beneficial Ownership: United Kingdom," Open Ownership, 2021, <https://www.openownership.org/en/publications/early-impacts-of-public-registers-of-beneficial-ownership-uk/uk-leading-approach/>.

Financial Action Task Force, *Best Practices on Beneficial Ownership for Legal Persons*, 2019, <https://www.fatf-gafi.org/media/fatf/documents/Best-Practices-Beneficial-Ownership-Legal-Persons.pdf>.

Financial Action Task Force, *International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation*, 2022, <https://www.fatf-gafi.org/publications/fatfrecommendations/documents/fatf-recommendations.html>.

Financial Action Task Force, "Public Statement on Revisions to R.24," 2022, <https://www.fatf-gafi.org/publications/fatfrecommendations/documents/r24-statement-march-2022.html>.

Financial Action Task Force, "Public Statement on Revisions to R.24," 2022, <https://www.fatf-gafi.org/publications/fatfrecommendations/documents/r24-statement-march-2022.html>.

Ghana, "Improve Accessibility and Compliance of Beneficial Ownership Register (GH0036)," n.d., <https://www.opengovpartnership.org/members/ghana/commitments/gh0036/>.

Global Witness, *The Companies We Keep*, 2018, <https://www.globalwitness.org/en/campaigns/corruption-and-money-laundering/anonymous-company-owners/companies-we-keep/#chapter-0/section-1>.

HM Treasury/DTI, *Regulatory Impact Analysis*, 2002, [https://webarchive.nationalarchives.gov.uk/ukgwa/http://www.hm-treasury.gov.uk/media/9/9/ownership\\_long.pdf](https://webarchive.nationalarchives.gov.uk/ukgwa/http://www.hm-treasury.gov.uk/media/9/9/ownership_long.pdf).

International Consortium of Investigative Journalists, "Paradise Papers: Secrets of the Global Elite," n.d., <https://www.icij.org/investigations/paradise-papers/>.

Kenya, "Ensure Greater Transparency Around Bids and Contracts (KE0014)," n.d., <https://www.opengovpartnership.org/members/kenya/commitments/ke0014/>.

Knobel, Andres and Moran Harai, "The State of Play of Beneficial Ownership Registration in 2020," Tax Justice Network, June 3, 2020, <https://taxjustice.net/2020/06/03/the-state-of-play-of-beneficial-ownership-registration-in-2020/>.

Kupfer, Matthew and Eiliv Frish, “Dubai Uncovered: Data Leak Exposes How Criminals, Officials, and Sanctioned Politicians Poured Money Into Dubai Real Estate,” Organized Crime and Corruption Reporting Project, 2022, <https://www.occrp.org/en/investigations/dubai-uncovered-data-leak-exposes-how-criminals-officials-and-sanctioned-politicians-poured-money-into-dubai-real-estate>.

Obermaier, Frederik and Bastian Obermayer, “Oligarchs Hid Billions in Shell Companies. Here’s How We Stop Them,” *The Guardian*, April 4, 2018, <https://www.theguardian.com/world/commentisfree/2018/apr/03/public-registries-shell-panama-papers>.

Open Government Partnership, *Anti-Corruption Initiatives Beneficial Ownership*, n.d., [https://www.opengovpartnership.org/wp-content/uploads/2019/05/Global-Report\\_Beneficial-Ownership.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/05/Global-Report_Beneficial-Ownership.pdf).

Open Government Partnership, “Beneficial Ownership Fact Sheet,” n.d., <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Beneficial-Ownership-fact-sheet.pdf>.

Open Government Partnership, “Beneficial Ownership Transparency,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/12/OGP-Policy-Overview-Beneficial-Ownership.pdf>.

Open Government Partnership, “Using Slovakia’s Beneficial Ownership Register for Impact,” 2019, <https://www.opengovpartnership.org/stories/lessons-from-reformers-using-slovakias-beneficial-ownership-register-for-impact/>.

Open Ownership, “Gender and Beneficial Ownership Transparency,” 2022, <https://www.openownership.org/en/publications/gender-and-beneficial-ownership-transparency/>.

Open Ownership, “Open Ownership is Driving the Global Shift Towards Transparency over Who Owns and Controls Companies,” n.d., <https://www.openownership.org/en/>.

Open Ownership, “Pandora Papers: Lessons for Beneficial Ownership Transparency?” 2021, <https://www.openownership.org/en/blog/pandora-papers-lessons-for-beneficial-ownership-transparency/>.

Open Ownership, “Public Data,” 2021, <https://www.openownership.org/en/principles/public-access/>.

Open Ownership, “Structured Data,” 2021, <https://www.openownership.org/en/principles/structured-data/>.

Open Ownership, “Verification of Beneficial Ownership Data,” 2020, <https://www.openownership.org/en/publications/verification-of-beneficial-ownership-data/>.

Open Ownership, “Beneficial Ownership Transparency of Trusts,” 2021, <https://www.openownership.org/en/publications/guide-to-implementing-beneficial-ownership-transparency/data-considerations-for-beneficial-ownership-registers/>.

Open Ownership, “Central Register,” 2021, <https://www.openownership.org/en/principles/central-register/>.

Open Ownership, “Effective Consultation Processes for Beneficial Ownership Transparency Reform,” 2020, <https://www.openownership.org/en/publications/effective-consultation-processes-for-beneficial-ownership-transparency-reform/>.

Open Ownership, “Effective Consultation Processes for Beneficial Ownership Transparency Reform,” 2020, <https://www.openownership.org/en/publications/effective-consultation-processes-for-beneficial-ownership-transparency-reform/>.

Open Ownership, “Guide to Implementing Beneficial Ownership Transparency,” n.d., <https://www.openownership.org/en/publications/guide-to-implementing-beneficial-ownership-transparency/data-considerations-for-beneficial-ownership-registers/>.

Open Ownership, “Guide to Implementing Beneficial Ownership Transparency,” n.d., <https://www.openownership.org/en/publications/guide-to-implementing-beneficial-ownership-transparency/>.

Open Ownership, *Beneficial Ownership Data in Procurement*, 2021, <https://openownershiporgprod-1b54.kxcdn.com/media/documents/oo-briefing-bo-data-in-procurement-2021-03.pdf>.

Open Ownership, *Data Protection and Privacy in Beneficial Ownership Disclosure*, 2019, <https://openownershiporgprod-1b54.kxcdn.com/media/documents/oo-report-data-protection-and-privacy-2019-05.pdf>.

Open Ownership, *Privacy or Public Interest? Making the Case for Public Information on Company Ownership*, n.d., <https://openownershiporgprod-1b54.kxcdn.com/media/documents/oo-briefing-privacy-report-summary-2019-03.pdf>.

Portugal, “Strengthening Beneficial Ownership Register (PT0015),” n.d., <https://www.opengovpartnership.org/members/portugal/commitments/pt0015/>.

QuiénEsQuién.Wiki, n.d., <https://www.quienesquien.wiki/es/inicio>.

Sztykowski, Zosia, “One Year After the Panama Papers Leaks, a New Way to Discover Company Ownership,” Open Government Partnership, 2017, <https://www.opengovpartnership.org/stories/one-year-after-the-panama-papers-leaks-a-new-way-to-discover-company-ownership/>.

Tax Justice Network, “Beneficial Ownership: Registration around the World,” n.d., <https://taxjustice.net/collections/beneficial-ownership-registration-around-the-world/>.

Tax Justice Network, “Beneficial Ownership: Verification,” n.d., <https://taxjustice.net/collections/beneficial-ownership-verification/>.

Tax Justice Network, “Beneficial Ownership Verification: Ensuring the Truthfulness and Accuracy of Registered Ownership Information,” 2019, <https://taxjustice.net/wp-content/uploads/2020/11/State-of-play-of-beneficial-ownership-Update-2020-Tax-Justice-Network.pdf>.

Tax Justice Network, “Collections,” n.d., <https://taxjustice.net/collections/>.

Tax Justice Network, “Financial Secrecy Index,” 2022, <https://fsi.taxjustice.net/>.

Tax Justice Network, “Ownership Registration of Different Types of Legal Structures from an International Comparative Perspective,” 2020, <https://taxjustice.net/wp-content/uploads/2020/11/State-of-play-of-beneficial-ownership-Update-2020-Tax-Justice-Network.pdf>.

Transparency International, “For a More Equal World Post-Covid-19: Focus on the Financial Gatekeepers,” 2020, <https://www.transparency.org/en/news/covid-19-inequality-illicit-financial-flows-gatekeepers-enablers>.

Transparency International, “Recommendations on Beneficial Ownership Transparency for Open Government Partnership National Action Plans,” 2018, <https://www.transparency.org/en/publications/recommendations-on-beneficial-ownership-transparency-for-ogp-national-action-plans>.

van der Does de Willebois, Emile et al., *The Puppet Masters*, Stolen Asset Recovery Initiative, World Bank and United Nations Office on Drugs and Crime, 2011, <https://star.worldbank.org/publications/puppet-masters>.

Westenberg, Erica and Aaron Sayne, “Beneficial Ownership Screening: Practical Measures to Reduce Corruption Risks in Extractives Licensing,” Natural Resource Governance Institute, 2018, <https://resourcegovernance.org/analysis-tools/publications/beneficial-ownership-screening-practical-measures-reduce-corruption>.



# LAND OWNERSHIP AND TENURE

## Introduction

Land is one of the main sources of wealth in most countries. How it is governed significantly impacts land usage, environmental sustainability, and human development. As a major source of wealth, land transactions are both targets of corruption and destinations for ill-gotten gains. This report focuses on how land can be a target of corruption and a destination of ill-gotten gains.

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

Availability	More than half of OGP countries publish data on land tenure in any form.
High-Value Information	Roughly half of OGP countries publish information about types of land tenure, but only one-third include information about the beneficiaries of land tenure and their rights.
Usability	Only one-third of countries make land tenure data available for free, and less than one-quarter publish machine-readable data.

**57%**  
of OGP countries have  
data available online

Officials at the Uganda Land Commission (ULC) have been accused of asking for bribes in order to pay out compensation for land. Geoffrey Mugisa, one of the registered proprietors and claimants of the Shs10.6 billion supplementary budget allocated to facilitate the land owners who sold their land to the government through the Uganda Land Commission (ULC) said in order to process his payments, officials from ULC asked him for a bribe. This section outlines the benefits of publishing land ownership data including the mitigation of losses related to crime and corruption. Photo by Scott Thompson, World Resources Institute.



Opening up land data is a necessary first step in ensuring that ownership is documented and meets national goals. Land policy and land management are prone to acts of corruption. Certain actions make it a high-risk area, where individuals or organizations may attempt to bend government practice to benefit themselves or private interests. This may take place in a few key ways:

- **Expropriation:** In many countries, public and communal lands may be [transferred](#) (International Land Coalition, 2011) into private hands through [unfair, informal, biased, or corrupt practices](#) (WRI, 2008). Poorer families with customary or informal tenure may find themselves to be “trespassing” or “renting” land they have used for decades. Public or otherwise protected lands may [transfer hands](#) without public record (PADDD, n.d.).
- **Land acquisition and concession fraud:** Well-connected elites may find governments acquiring their land for well above the market rates or outside of standardized practices, whether through processes of eminent domain or more standard acquisition processes. (See this [recent article](#) from *The Sydney Morning Herald* for an ongoing case in Australia [Ferguson, O’Sullivan, & Gillett, 2020].) Conversely, concessions such as mining permits may not follow standard procedures, and rights to use public land may be granted secretly, illegally, or in ways that contravene the public interest.
- **Regulatory confusion:** In addition, where land is held in multiple repositories, companies may take advantage of overlapping claims of land tenure. In areas of the world such as Indonesia, legal ambiguity has created opportunities for illegal forestry where claims and tenure are unclear. Corruption may consist, in part, in maintaining or taking advantage of this confusion. (See [GIZ 2021](#), p. 17, for a full review of cases [GIZ, 2021].)

As a frequent means through which crime and corruption can occur, lack of land ownership or tenure transparency has serious negative consequences:

- **Driving up land prices:** Recent reports, such as [Combatting Money Laundering in BC Real Estate](#), by the Canadian “Cullen Commission” found that real estate in British Columbia, Canada, had become such a problem that it was driving up home prices (Maloney, Somerville, & Unger, 2019). Consequently, the Commission recommended an expanded beneficial ownership register for land, among other measures.
- **Aiding autocrats:** With the invasion of Ukraine, it has become obvious just how much money from Eastern Europe has been concealed in the [UK real estate market](#) (Moore, 2022). Lack of transparency and the ability to investigate financial crimes has created a destructive pattern.
- **Abetting crime:** Money laundering is the second step, usually occurring after other crimes or “predicate offenses.” Real estate purchases are used to clean dirty money and finance further criminal operations. The United States has been subject to major [investigative reporting](#) (McGoey, 2021) on the use of real estate to launder drug money, half of which involved politically exposed persons (see *Asset Disclosure* in this report).

Open data in land tenure usually takes place in the form of public land registers or public cadastres. Ideally such data covers the type of land ownership, the actual owners of that land (legal *and* natural), information about transactions involving land, and geospatial information about land parcels. This information empowers citizens to gain more insight into land claimed by the government, companies, and other actors and enables people to claim their rights to their land.

## Policy Justification

The benefits of publishing land ownership data extend beyond the more immediate mitigation of losses related to crime and corruption. Reformers may also realize a number of inclusive, long-term human and economic gains as well, including:

- **Open data ensures companies pay their fair share for concessions and licenses.** Open access to information about land use agreements such as concessions and licenses allows citizens, civil society, and government to monitor company activity and ensure that companies are operating legally and paying appropriate fees and taxes. Additionally, oversight mechanisms that allow affected communities and their advocates to monitor major land and other intensive activities can help these communities retain funds by enforcing revenue-sharing agreements. By requiring information about the owners and users of land to be public, countries can create a network of accountable businesses and eliminate unnecessary losses.
- **Open land data enables corruption detection.** A lack of transparent land tenure data can allow companies and other individuals to control and benefit economically without repercussions. For example, in several European Union countries, including Hungary, Bulgaria, and the Czech Republic, [politicians sold heavily subsidized farmland](#) to allies through opaque processes that have resulted in local farmers losing access to their land and livelihoods (Gebrekidan, Novak, & Apuzzo, 2019). [Open land tenure data](#) (Pierce et al., 2018) provides the first step for affected communities and governments to [hold actors accountable](#) (Land Portal, 2019) for decisions about land use and related violations.

- **Countries can retain revenue through fair and transparent transactions.** Land grabs by big companies, governments, and individuals can harm community development and result in conflict. When transactions, including acts of eminent domain (the purchase by the state of private land for public use) and degazettement (the privatization of public lands), are transparent and subject to proper oversight mechanisms, countries can ensure that entities purchasing land pay a fair price or that the government fairly remunerates landowners and users for the seizure of non-state-owned lands.
- **Countries can stimulate investment and prosperity through land ownership and tenure transparency and enforcement.** There is [strong evidence](#) that doing so results in people, especially women, making improvements to their property and being able to seek employment outside of the house (Landesa, 2015). Studies show that when governments allow communities to access information and participate in decision-making processes about natural resources, those resources can become a source of [significant economic benefit](#) (Rights and resources, 2015). Of course, transparency does not function without adequate means of registering and enforcing land titles and contracts.
- **Land rights are essential to the realization of human rights.** Respect for land rights [enables](#) housing and food security, sustainable livelihoods, and social and economic growth (FAO, 2022). The documentation and protection of land rights [prevent rights violations](#)—including, for example, discrimination based on gender or arbitrary eviction (FAO, 2022).
- **Formal and public documentation of land ownership and tenure can help communities protect their rights.** Transparent land tenure documentation and data allows communities to [prove their legal rights](#) to others, especially companies and other powerful actors who may otherwise disregard them (WRI, 2017).

## GOOD TO KNOW

### Key Terms

- **Land tenure:** Tenure includes all types of legal relations to land that could be described as land ownership and land use rights.
- **Land ownership:** An entity “owns” land if their tenure is unlimited in duration; they have a legal right to exclude outsiders from using their resources (within limits); and they are entitled to due process and compensation in the face of potential extinguishment by the state of some or all of their rights.
- **Land use rights:** A land use right is distinct and separate from land ownership. A land use right is a property right enjoyed by private parties or communities. It is enforceable. However, compared with ownership, user rights are considered more limited.
- **Cadastre:** According to the [International Federation of Surveyors](#), a cadastre is a parcel-based and up-to-date land information system containing a record of interests in land (e.g., rights, restrictions, and responsibilities) (Cete & Yomralioglu, 2004).
- **Land register:** A land register contains up-to-date records of land ownership, tenure, and use. Some countries use land registers in tandem with cadastres, which cover geospatial information, while others unify all information, including cadastral information, in a register.

## GOOD TO KNOW

### What Does “Land Data” Mean in this Report?

This module covers findings from the Global Data Barometer (GDB) on the publication of land tenure data in OGP countries. It includes information on the availability of the following types of data related to land tenure:

- Legal owners and natural persons with ownership
- State, communal, and open access lands
- Urban and rural tenure
- Land concessions and/or leases
- Land transactions and sale values
- Geospatial references
- Information on sex/gender, indigenous communities, and marginalized populations

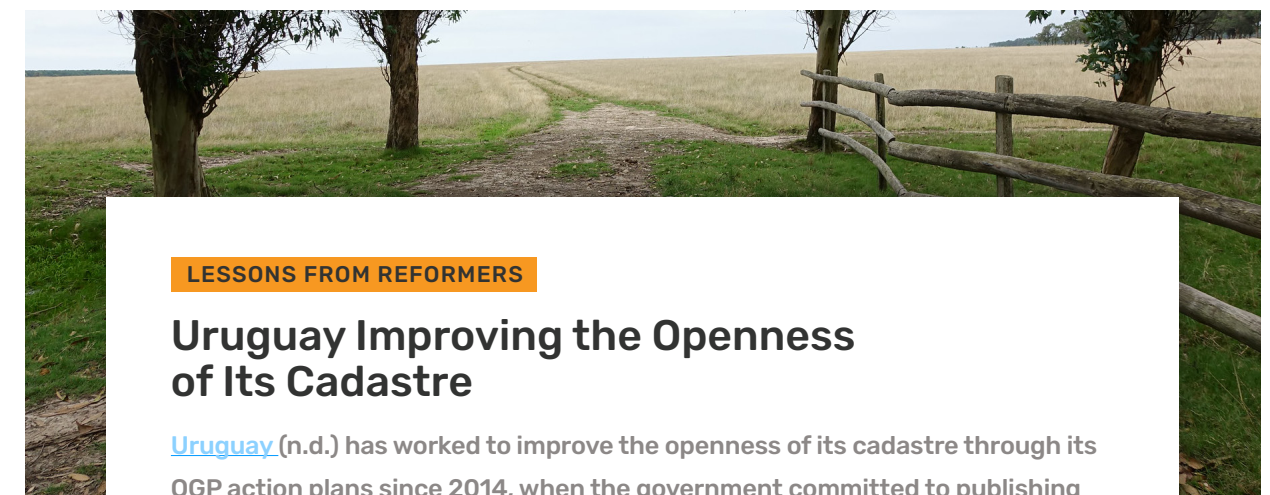
## State of Progress Through OGP

**Many OGP members have made commitments related to land rights and spatial planning.** Since OGP’s founding, 53 OGP members have made a total of 125 commitments related to land ownership or tenure, management, and spatial planning. Of these, more than three-quarters (97 commitments) deal with improving access to information, and roughly one-third (42 commitments) involve publishing land-related open data.

**Few commitments focus on the publication of land ownership or tenure data.** Land and spatial planning commitments tend to focus on two main topics: environmental conservation and governance of the extractive industries. However, relatively few commitments deal with land use or ownership, and of those, only a few commitments focus on making

information about land ownership, tenure, and use publicly available. The commitments that do deal with transparency of land data focus on more immediate, pressing reforms, including the creation of regularly updated cadastres and public registers for tracking land use.

**Commitments in this area have received promising evaluations.** According to data from the Independent Reporting Mechanism (IRM), commitments on land management and spatial planning generally perform better than commitments in other areas. Nearly six in ten commitments in this area have high potential for impact, compared to roughly half of commitments in other areas. Likewise, more than one-third of land management and spatial planning commitments led to significant improvements to governance once implemented. These findings suggest that OGP can be an especially useful platform for implementing land transparency reforms.



## LESSONS FROM REFORMERS

### Uruguay Improving the Openness of Its Cadastre

[Uruguay](#) (n.d.) has worked to improve the openness of its cadastre through its OGP action plans since 2014, when the government committed to publishing cadastral information in an open format and created a mechanism to receive feedback and suggestions from citizens. More recently, Uruguay’s 2018 commitment focused on further improving citizen engagement with the cadastre. The commitment created a new [online portal](#) for citizen consultation on their data needs, potential changes to the existing cadastral catalog, and implementation of ongoing changes (Ministerio de Economía y Finanzas, n.d.). Based on the feedback it received through the portal, the National Cadastre Directorate published two new datasets in open format in December 2019. These datasets included information on modifications to recently registered properties and information on the historical value of land taxes.

Uruguay’s commitment contributes to transparency, and allows users to have access to all available land registry information. Photo by Mitch Weisburgh.

# Key Findings from the Global Data Barometer

GOOD TO KNOW

## About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

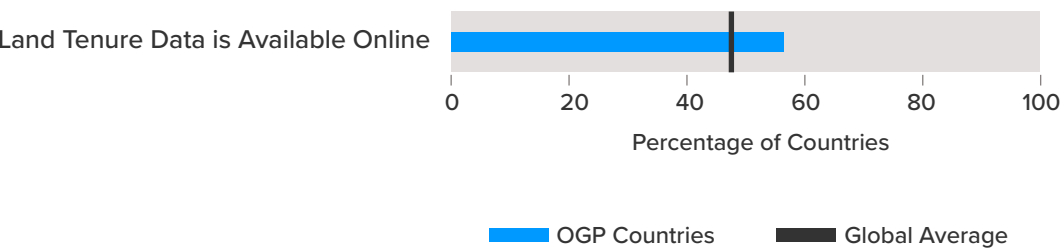
## Some Land Ownership and Tenure Data is Available, But Gaps Remain

**Land data is available in a small majority of countries.** Just over half of OGP countries publish at least some online data about land ownership or tenure and the purposes for which land is used (see Figure 1). This suggests that many countries can still improve in the general publication of this data.

**In general, data about how land is used is more complete than data about types of tenure and tenure-holders.** In 80 percent of OGP countries, data on the purposes of land use covers the majority of a country’s land area. However, land ownership and tenure data covers the majority of a country’s land area in only about half of OGP countries (see Figure 1). While land use data is an important matter of policy, for this report, land data is more relevant.

FIGURE 1. Half of OGP countries publish land tenure data online

This figure shows the percentage of OGP countries that publish land tenure data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



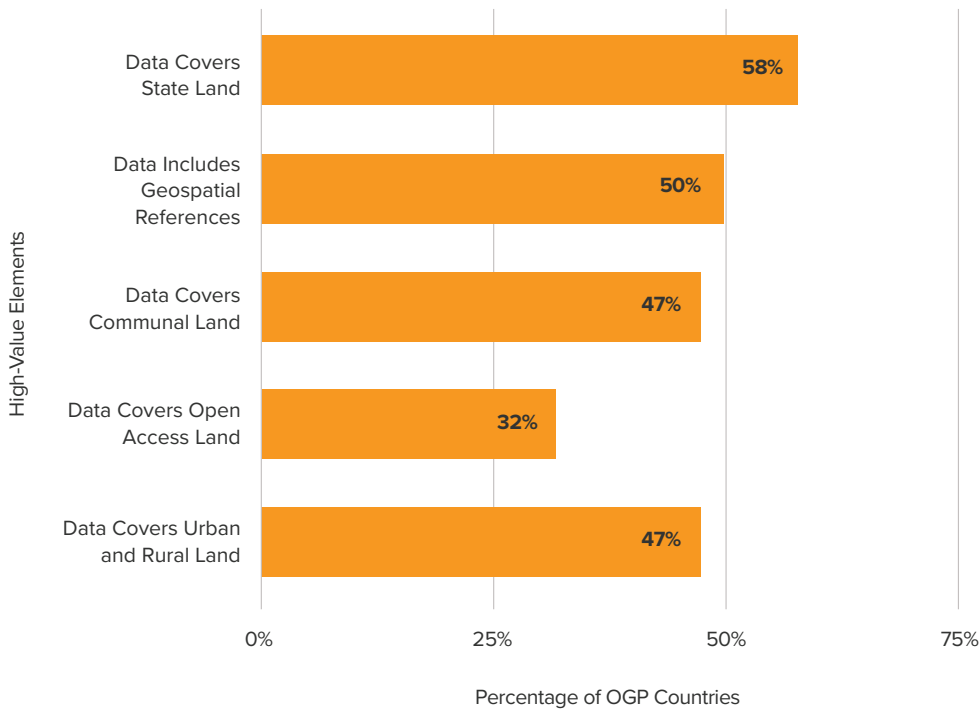
Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.

**Roughly half of OGP countries include the type of tenure in their land data records.** In a small majority of OGP countries, data covers state-owned land. Slightly less than half of OGP countries include information about communal and open access land in their data (Figure 2). This data is important because it documents citizens’ right to access to certain pieces of land. In the case of communal land, this data creates formal documentation of indigenous land and reservations. Data on open access land documents land that anyone can access, including national parks.

**In about half of OGP countries, data includes features and boundaries of land parcels.** Fifty percent of countries link land ownership records to geospatial information (see Figure 2). In disputes of land tenure, this information can be used to clarify the boundaries of land parcels and link these parcels to the entities that hold tenure over them. A similar number of OGP countries publish data for both urban and rural land.

FIGURE 2. High-value information on types of land tenure is available in some countries

This figure shows the percentage of OGP countries that publish key elements of land tenure data. The sample includes only the 38 OGP countries that publish land tenure data online.



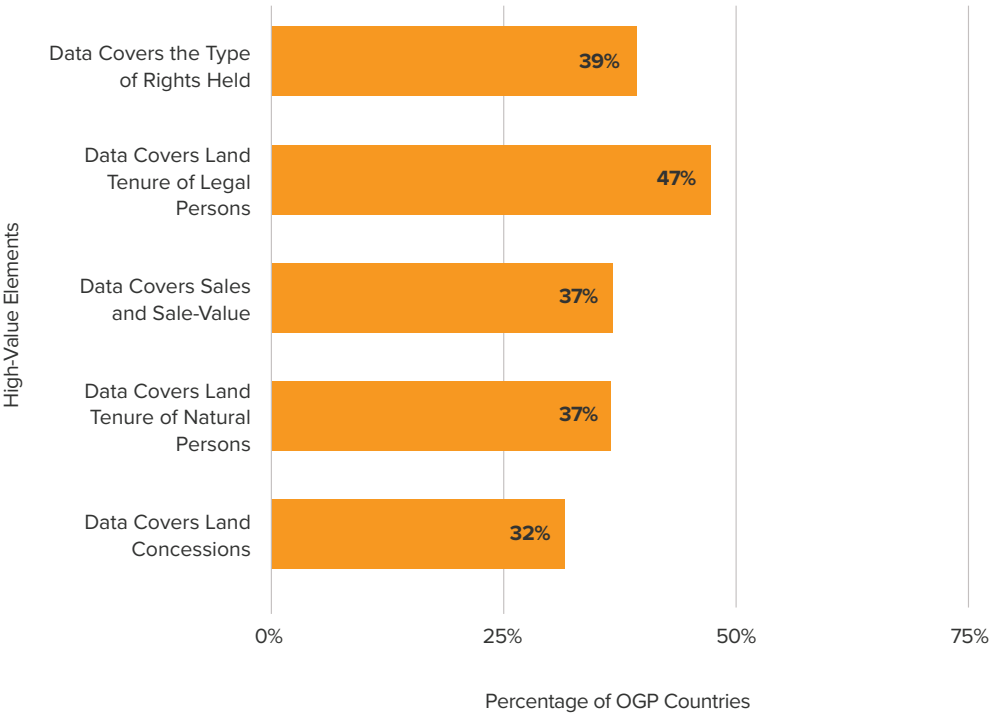
Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.



**Information on the entities that hold land tenure is scarce.** Land data covers information about beneficiaries of land ownership or tenure in only a few OGP countries. This applies to both information about companies' and other legal vehicles' land ownership or tenure ("Legal Persons" in Figure 3) and information about the *individuals* who benefit from ownership, either directly or through their companies

("Natural Persons" in Figure 3). Information about transactions involving land, including sales and sale values, is similarly uncommon. Even fewer countries include information about land concessions or leases in their data. This is concerning because it can allow corrupt actors to hide wealth and enable tax evasion and money laundering.

**FIGURE 3. Availability of high-value information on beneficiaries of land tenure and their rights is limited**  
This figure shows the percentage of OGP countries that publish key elements of land tenure data. The sample includes only the 38 OGP countries that publish land tenure data online.



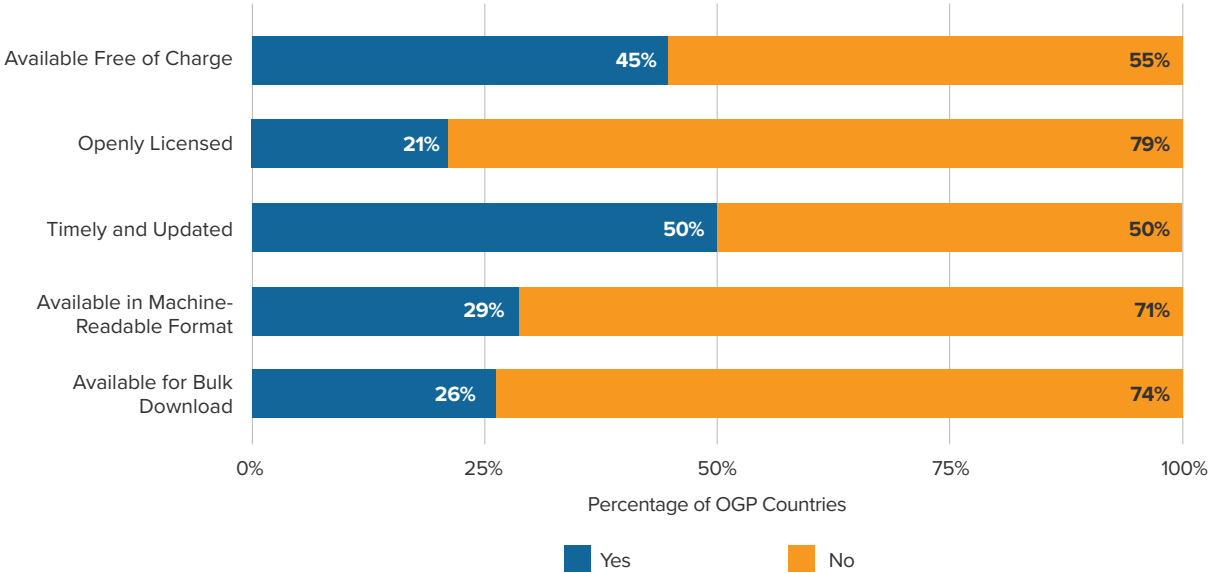
Note: For this analysis, countries with "partial" disclosure are considered cases of "no" disclosure. See the About Broken Links section of the full report for details.

## Most Land Data is Not User-Friendly

**Most land data is not user-friendly.** While land ownership and tenure data is available in most OGP countries, few countries publish the data in

a machine-readable format, make it available for bulk download, or update it regularly. Without these essential elements, it is unlikely that the public can use the data for monitoring and accountability purposes.

**FIGURE 4. Land tenure data lacks usability**  
This figure shows the percentage of OGP countries whose land tenure datasets meet open data criteria. The sample includes only the 38 OGP countries that publish land tenure data online.



Note: For this analysis, countries with "partial" disclosure are considered cases of "no" disclosure. See the About Broken Links section of the full report for details.

# Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality land data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

- **Create a land register.** In countries that currently lack any type of register, governments can begin by recording information for one or a few regions and expand their efforts as they increase their capacity. This may be managed by the land ministry, ministry of agriculture, ministry of finance, or other government agency.
- **Consider data privacy concerns.** Nonpersonal data should be made open for public scrutiny. Nevertheless, the majority of land data is personal data, and privacy should be protected. Other data could be either anonymized, aggregated, or published in ways that do not affect privacy.
- **Add geospatial data to the register.** Geospatial data, including cadastral information about land parcels and parcel boundaries, may be collected or documented separately from land tenure, or not at all. In cases where this information does not exist, governments should begin documenting geospatial information for land parcels. In countries that already have cadastres, governments can work to merge these records with the tenure information documented in the register.
- **Include information on land tenure, use, value, and development.** Data should include the type of land tenure (whether communal, public, or private) and names of the individuals or companies that have tenure over particular land parcels. In cases where the legal owner of land is a company, the data should also include information about the beneficial owners of the land. In addition, the data

should include information about the purpose for which the land is used, whether residential, industrial, commercial, or agricultural. Finally, the data should include information about the value of the land and the processes and institutions involved in developing land.

- **Document and publish information on all transactions.** This includes information on the sale of particular parcels of land.
- **Ensure that land records are complete and updated regularly.** Incomplete or outdated records prevent citizens and civil society members from using the data to monitor land use or identify breaches of integrity. Data should be checked for inaccuracies before publication and regularly after the data is made available.
- **Provide land register data in open and machine-readable formats.** Governments can make land data more accessible to citizens by publishing this information digitally in open data format. Ensure data is usable and available to the public at no cost. For governments that are new to managing land data, this may require investing in technical capacity and skill-building for staff who are unfamiliar with these processes.
- **Make land data interoperable with other datasets.** Make the land register interoperable with other related datasets, including the beneficial ownership of companies, public procurement information, and public officials’ asset disclosures (see *Good To Know: Common Identifiers to Link Up Anti-Corruption Data*).
- **Verify that data does not reproduce biases.** Collect and publish data on the land tenure of indigenous peoples, women, and other marginalized or vulnerable groups. Ensure that historically vulnerable groups have [equal access to land registration](#) and documentation processes by eliminating cultural or technical barriers (Open Data Charter, n.d.). When digitizing historical records, consider that they may exclude women who were not included on land titles due to the laws at the time.

## GOOD TO KNOW

### Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining land ownership data with asset disclosure, beneficial ownership, and procurement data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information.

Key anti-corruption and land datasets share common identifiers that facilitate mapping flows across the data ecosystem in just **3%** of OGP countries. This limits the degree to which oversight bodies, auditors, and watchdog organizations can evaluate conflicts of interest, identify bad actors, and flag potential cases of fraud or corruption.

## Beyond Open Data

The just management of land to reduce corruption and poverty will require a robust ecosystem of tools, policy frameworks, and committed actors. Open data represents an important part of this ecosystem but will be most effective when used in tandem with other reforms.

- **Legal and policy adaptations:** In the case of open land data, this includes developing policy and legal frameworks mandating the collection, maintenance, and transparency of land tenure data. Where there is currently no transparency around ownership, in particular, policy will need to establish a requirement to collect and publish data on land ownership and tenure, including by natural and legal persons.

Even more fundamentally, governments should ensure that policy and legal frameworks recognize and legitimize all people’s land tenure rights, including customary land tenure. Laws should also acknowledge and protect the land rights of women, members of indigenous communities, and other vulnerable groups.

- **Transparent and accessible institutions:** In many countries, processes to formally document land tenure are inaccessible to some individuals and communities due to complicated legal and technical requirements and challenges. For example, in [Chile](#), indigenous communities are not eligible for procedures to formalize their land tenure unless they possess specific historical documents (Notess et al., 2017). Where possible, governments should work to [simplify the process](#) of formalizing land tenure to ensure that all people’s land rights are respected (Notess et al., 2017).
- **Open land transactions:** Changes in land use policy or change in ownership from public to private (or vice versa) is prone to exclusivity and corruption. For example, [in Hungary](#), the Orban Administration did not inform the public of the sale of large swaths of public land to wealthy political allies until after the transactions had occurred (Gebrekidan, Novak, & Apuzzo, 2019). As a result, many local farmers lost access to their farmland seemingly overnight and with no recourse. Governments should give advance notice to communities affected by land sales and concessions and create transparent bidding processes for the sale of state-owned land.

• **Participation and consultation:** Open data is only useful if it accurately represents reality. Often, rural, indigenous, and other communities' land tenure may be left out of land-related data collection and decision-making processes due to a variety of cultural, linguistic, and technical barriers. Governments can address these issues by proactively inviting citizens, especially those from under-represented communities, to participate in land management. This may include efforts to consult or collaborate with citizens in the following areas:

- o Land surveying and mapping
- o Use of community land and resources
- o The environmental impact of land use and relevant mitigation strategies

Several countries have succeeded in incorporating public participation in land management through OGP—most notably, [Liberia](#) (OGP, 2020).

• **Accountability and dispute resolution:** Overlapping claims to tenure over certain land can lead to violent conflict. While the reforms described in this section can help to reduce the likelihood of such overlaps, governments should ensure that effective, fair, and accessible mechanisms exist to resolve such disputes peacefully when they do arise.

Relatedly, governments should implement effective oversight and accountability systems to ensure that citizens and communities have access to redress in cases where they believe their land rights have been violated. Such systems should include internal controls as well as mechanisms through which citizens can lodge complaints and appeals with relevant authorities. Governments should respond to all complaints and strive to do so in a timely manner.

**GUIDANCE AND STANDARDS**

Several of the United Nations **Sustainable Development Goals** include land-related targets and indicators. In particular, [Goal One: No Poverty](#) includes Target 1.4 on ensuring that all people have access to secure land tenure and documentation (United Nations, n.d.). Additionally, [Goal Five: Gender Equality](#) covers reforms to ensure equal access to land ownership and tenure for women (United Nations, n.d.).

**The World Bank's [Land Governance Assessment Framework](#)** is a diagnostic tool that is to be implemented at the local level

collaboratively, that addresses the need for guidance to diagnose and benchmark land governance, and that can help countries prioritize reforms and monitor progress over time (Deininger, Selod, & Burns, 2012).

The [Voluntary Guidelines on the Responsible Governance of Tenure](#) published by **the Food and Agriculture Organization of the United Nations (FAO)** outline principles and practices that governments can refer to when making laws and administering land, fisheries, and forests rights (FAO, 2022).



**LESSONS FROM REFORMERS**

**Increasing Access to Land Rights Information in Liberia**

In Liberia, land use issues are often highly contentious. For many years, Liberia had no constitutional or other legally mandated land rights. In practice, this meant that citizens had no means to assert their rights to use or occupy land they had called home for generations. In the 1990s and early 2000s, this led to and later [exacerbated the country's civil wars](#), as insurgent groups fought to gain control of otherwise undocumented land and resources, destroying and often killing whole communities (OGP, 2017). Even after the war, the public lacked access to information about land management issues and processes, including ownership rights and concessions.

Liberia has improved the openness of land management through commitments in recent OGP action plans. In 2017, the country committed to making [land information and data](#) publicly available, including land deeds and data on land ownership (Liberia, n.d.). The creation of this register was an important first step toward land transparency that has paved the way for further progress by both civil society organizations and the government. For example, in 2021, the Liberia Land Authority (LLA) worked with [CADASTA and other partners](#) (Dodoo, 2021) to launch the [Community Land Intervention Monitoring and Management Tool](#), which tracks the recognition of communal lands through a publicly available portal (CADASTA Foundation, n.d.).

In addition to increased transparency, the LLA created new regulations for surveying land to reduce the inaccuracy of records. Finally, the LLA and the Ministry of Justice collaborated to create an alternative land dispute resolution mechanism to ensure that land disputes are resolved peacefully and fairly.

Andrew G. Temeh, Deputy Minister of Administration at the Ministry of Information, works on a reform to improve land rights in Liberia. Photo by OGP.



## List of Resources

Cadasta Foundation, “A Community Land Intervention Monitoring and Management Tool for the Liberia Land Authority,” n.d., <https://lla-climt-cadasta.hub.arcgis.com>.

Cete, Mehmet and Tahsin Yomralioglu, *Cadastre: The Key Component in Urban-based Information Systems*, 2004, [https://www.fig.net/resources/proceedings/fig\\_proceedings/athens/papers/ts21/TS21\\_5\\_Cete\\_Yomralioglu.pdf](https://www.fig.net/resources/proceedings/fig_proceedings/athens/papers/ts21/TS21_5_Cete_Yomralioglu.pdf).

Deininger, Klaus, Harris Selod, and Anthony Burns, *The Land Governance Assessment Framework: Identifying and Monitoring Good Practice in the Land Sector*, The World Bank, 2012, <https://openknowledge.worldbank.org/handle/10986/2376>.

Dodoo, Lennart, “CADASTA Foundation, Partners Launch Community Land Intervention Monitoring and Management Tools for Liberia Land Authority,” *Front Page Africa*, December 14, 2021, <https://frontpageafricaonline.com/news/cadasta-foundation-partners-launch-community-land-intervention-monitoring-and-management-tools-for-liberia-land-authority/>.

Ferguson, Adele, Matt O’Sullivan, and Chris Gillett, “The Secret \$53m Sydney Land Deal That Has Left NSW Taxpayers with an Even Bigger Clean-Up Bill,” *The Sydney Morning Herald*, November 16, 2020, <https://www.smh.com.au/national/nsw/the-secret-53m-sydney-land-deal-that-has-left-nsw-taxpayers-with-an-even-bigger-clean-up-bill-20201111-p56drh.html>.

Food and Agriculture Organization of the United Nations, *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*, 2022, <https://www.fao.org/3/i2801e/i2801e.pdf>.

Gebrekidan, Samuel, Benjamin Novak, and Matt Apuzzo, “The Money Farmers: How Oligarchs and Populists Milk the E.U. for Millions,” *New York Times*, November 3, 2019, <https://www.nytimes.com/2019/11/03/world/europe/eu-farm-subsidy-hungary.html>.

GIZ/Deutsche Gesellschaft für Internationale Zusammenarbeit, “The Role of Open Data in Fighting Land Corruption,” 2021, [https://www.giz.de/de/downloads/giz2021\\_en/TheRoleOfOpenDataToFightAgainstLandCorruption.pdf](https://www.giz.de/de/downloads/giz2021_en/TheRoleOfOpenDataToFightAgainstLandCorruption.pdf).

International Land Coalition, *Irregular and Illegal Land Acquisition by Kenya’s Elites: Trends, Processes, and Impacts of Kenya’s Land-Grabbing Phenomenon*, 2011, <https://land.igad.int/index.php/documents-1/countries/kenya/investment-3/642-irregular-and-illegal-land-acquisition-by-kenya-s-elites-trends-processes-and-impacts-of-kenya-s-land-grabbing-phenomenon/file>.

Land Portal, “Open Land Data in the Fight against Corruption,” 2019, <https://www.landportal.org/debates/2019/open-land-data-fight-against-corruption>.

Landesa, “Women’s Land Rights,” 2015, <https://www.landesa.org/resources/womens-land-rights-and-the-sustainable-development-goals/>.

Liberia, “Transparency in the Land Authority (LR0033),” n.d., <https://www.opengovpartnership.org/members/liberia/commitments/lr0033/>.

Maloney, Maureen, Tsur Somerville, and Brigitte Unger, *Combating Money Laundering in BC Real Estate*, Cullen Commission, 2019, [https://cullencommission.ca/files/Combating\\_Money\\_Laundering\\_Report.pdf](https://cullencommission.ca/files/Combating_Money_Laundering_Report.pdf).

McGoey, Sean, “‘A Kleptocrat’s Dream’: Us Real Estate A Safe Haven For Billions In Dirty Money, Report Says,” *International Consortium of Investigative Journalists*, 2021, <https://www.icij.org/investigations/fincen-files/a-kleptocrats-dream-us-real-estate-a-safe-haven-for-billions-in-dirty-money-report-says/>.

Ministerio de Economía y Finanzas, “Sede Electrónica de la Dirección Nacional De Catastro,” n.d., <http://sede.catastro.gub.uy/Sede/>.

Moore, Rowan, “How London Became the Place to Be for Putin’s Oligarchs,” *The Guardian*, March 6, 2022, <https://www.theguardian.com/uk-news/2022/mar/06/how-london-became-the-place-to-be-for-putins-oligarchs>.

Notess, Laura et al., *The Scramble for Land Rights: Reducing Inequity between Communities and Companies*, World Resources Institute, 2017, <https://files.wri.org/d8/s3fs-public/scramble-land-rights.pdf>.

Open Data Charter, “Resources,” n.d., <https://opendatacharter.net/resources/>.

Open Government Partnership, “Lessons from Reformers: Liberia Empowers Communities to Make Decisions About Their Own Land,” 2020, <https://www.opengovpartnership.org/stories/lessons-from-reformers-liberia-empowers-communities-to-make-decisions-about-their-own-land/>.

Ostrow, Rachel, “Food from This Soil: Land Rights in Liberia,” Open Government Partnership, 2017, <https://www.opengovpartnership.org/stories/food-from-this-soil-land-rights-in-liberia/>.

Pierce, Caitlin J. et al., *Towards Transparency in Land Ownership: A Framework for Research on Beneficial Land Ownership*, Transparency International, 2018, [https://images.transparencycdn.org/images/2018\\_Report\\_TowardsTransparencyinLandOwnership\\_English.pdf](https://images.transparencycdn.org/images/2018_Report_TowardsTransparencyinLandOwnership_English.pdf).

Protected Area Downgrading, Downsizing and Degazettement, “How Well Protected Are Protected Areas?” n.d., <https://www.conservation.org/projects/paddd-protected-area-downgrading-downsizing-and-degazettement>

Rights and Resources, “Who Owns the Land in Africa?” 2015, [https://rightsandresources.org/wp-content/uploads/FactSheet\\_WhoOwnstheWorldsLand\\_web2.pdf](https://rightsandresources.org/wp-content/uploads/FactSheet_WhoOwnstheWorldsLand_web2.pdf).

United Nations, “Achieve Gender Equality and Empower All Women and Girls,” n.d., <https://sdgs.un.org/goals/goal5>.

United Nations, “End Poverty in All Its Forms Everywhere,” n.d., <https://sdgs.un.org/goals/goal1>.

Uruguay “Open Cadastre (UY0128),” n.d., <https://www.opengovpartnership.org/members/uruguay/commitments/uy0128/>.

Veit, Peter G. et al., *Protected Areas and Property Rights: Democratizing Eminent Domain in East Africa*, World Resources Institute, 2008, [https://files.wri.org/d8/s3fs-public/pdf/protected\\_areas\\_and\\_property\\_rights.pdf](https://files.wri.org/d8/s3fs-public/pdf/protected_areas_and_property_rights.pdf).

# PUBLIC PROCUREMENT

## Introduction

Public procurement represents [up to 20 percent](#) of the world economy, yet transparency in this area is weak in many countries (The World Bank, 2020). Governments spend anywhere from tens of billions to trillions of dollars on public contracts each year, but complete information is published openly on [less than three percent](#) of these contract dollars (Open Contracting Partnership & Spend Network, n.d.). A lack of transparent contracting processes hurts businesses by decreasing competition and reducing opportunities for smaller companies and companies owned by women or underrepresented populations. And they are bad for governments as well, given that large portions of procurement budgets are wasted due to corruption and inefficiency.

On the other hand, open contracting processes increase competition, improve the quality of public services, and ensure governments better value for their money. Open contracting consists of transparency and citizen engagement throughout the entire procurement process, from planning to the implementation and monitoring stages. As countries are spending trillions of dollars to rebuild their economies following the COVID-19 pandemic, open contracts are urgently needed to ensure that taxpayers' money is being used fairly, efficiently, and for those who need it most.

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

<b>Availability</b>	Nearly all OGP countries publish data on public procurement in some form.
<b>High-Value Information</b>	Most datasets include contract descriptions, values, and dates, but actual contracts are often unavailable and few countries publish data on contract implementation.
<b>Usability</b>	Most datasets are free to access and up to date, but few are bulk downloadable.

**96%**  
of OGP countries have  
data available online

A former Turkish television presenter, Sedef Kabas, was recently acquitted by an Istanbul court of charges of targeting a public servant. She was previously arrested in 2015 for posting a tweet suggesting a cover-up in a government corruption scandal. Opening up procurement data allows for greater monitoring and oversight from civil society, journalists, and state auditors. Photo by Jelican9.

# Policy Justification

**Open contracting saves money and increases government efficiency.** Countries have saved millions of dollars in procurement after establishing online procurement portals. For example, Ukraine saw over [55 million USD in savings](#) during the pilot phase of its procurement portal, ProZorro (Brown, 2016). Open contracting platforms, such as [Ecuador's emergency buying platform](#) for medical supplies during COVID-19, make the procurement process faster and more efficient, ultimately leading to better value for government money (Colman, 2020).

**Open contracting improves the quality of public service delivery.** Transparency in contracting enables greater opportunity for public monitoring during contract implementation, which in turn can lead to improved quality of services. For example, the [average shelf life of school textbooks doubled](#) in the Philippines when the public was able to monitor the Department of Education's contracts (Innovations for Successful Societies & Princeton University, 2019).

**Open contracting leads to greater and fairer competition.** An open procurement process increases opportunities for more suppliers to bid and be awarded contracts. For example, [half of Colombia's suppliers in 2015](#) were awarded their first government contract following the introduction of open contracting reforms (Colombia Compra Eficiente, n.d.). This is especially beneficial for [small businesses](#) and businesses owned by [marginalized groups](#) (Open Contracting Partnership, n.d.). But greater competition is also beneficial for governments, given that more bidders lead to [lower contract costs](#) (Adam, Hernandez Sanchez, & Fazekas, 2021).

**Open contracting increases integrity by reducing opportunity for corruption.** Opening up procurement data allows for greater monitoring and oversight from civil society, journalists, and state auditors. [Even the potential threat](#) of external monitoring can deter corruption and fraud, ensuring that taxpayer money is used ethically and efficiently (IGC, 2017).

## GOOD TO KNOW

### Key Terms

- **Public procurement** is the purchase of goods, works, and services by or on behalf of the government.
- **Open contracting** is an approach to reform public procurement policies and processes to increase transparency, participation, and inclusivity (from planning to implementing public contracts) by using open, timely, and accessible data for decision-making, monitoring, and oversight.
- The [Open Contracting Data Standard \(OCDS\)](#) is an international standard and best practice schema for publishing open contracting data, implemented by over 30 governments and endorsed by major international groups such as the OECD, G20, and the G7 (Open Contracting Partnership, n.d.). The OCDS is a common data model that enables disclosure of data and documents throughout all stages of the contracting process.

## GOOD TO KNOW

### What Does “Public Procurement Data” Mean in this Report?

This module covers findings from the Global Data Barometer on the publication of public procurement data in OGP countries. It includes information on the availability of the following types of data related to public procurement:

- Procurement of goods, services, and public works
- Names and unique identifiers for suppliers
- Start and end dates, values, and description of each contract
- Information on spending against the contract
- Links to accessible contract documentation
- Information on the planning, tender, award, and contract implementation stages
- Identifiers that connect a single contract across stages

## State of Progress Through OGP

**Public procurement and open contracting commitments have become more popular in recent years.** Over OGP's first ten years, 60 members have made 115 commitments related to open contracting. In the early years of OGP, ten percent of members focused on open contracting. Now, nearly half of the members currently have commitments in this area.

**Commitments tend to focus on publishing data or increasing opportunities for citizen participation.** Within OGP, a majority of open contracting commitments focus on increasing transparency of contracting data. Most of these commitments ensure data is available online and in accordance with open data principles, with some attention given to improving accessibility and usability of the data. Some commitments focus on open contracting in a specific sector, such as extractive industries, while others aim to open data on all public procurement. Thirty commitments specifically

reference implementation of the [OCDS](#), a common model that requires disclosure of contracting data throughout all stages of the contracting process (Open Contracting Partnership, n.d.). One-third of open contracting commitments involve an element of citizen participation, such as developing citizen monitoring mechanisms or increasing participation in open contracting policy-making. Citizen participation is especially a focus area for countries that already publish high-quality, usable procurement data.

**Open contracting reforms within OGP have shown particularly strong results.** Based on assessments by OGP's Independent Reporting Mechanism (IRM), open contracting commitments tend to be more ambitious and achieve stronger early results than the average OGP commitment. Six in ten open contracting commitments have had high potential impact, or ambition, compared to half of all OGP commitments. Nearly one-third of open contracting commitments have produced strong reforms in government practice, a feat that only one-fifth of all OGP commitments have achieved.



# Key Findings from the Global Data Barometer

## GOOD TO KNOW

### About GDB Data

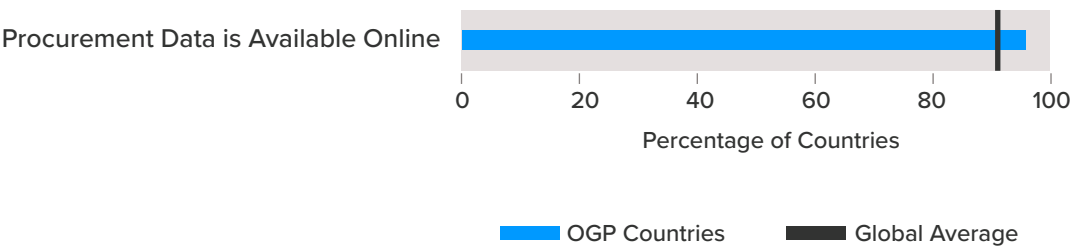
The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

**Procurement data is widely available in OGP countries.** Ninety-six percent of OGP countries publish procurement data online (see Figure 1). Around four in five OGP countries update their

procurement data regularly, which is critical to ensuring greater opportunity for inclusion and accountability in the procurement process.

**FIGURE 1. Nearly all OGP countries publish public procurement data online**

This figure shows the percentage of OGP countries that publish public procurement data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.

**Datasets typically do not cover all procurement stages.** While publishing data on the award stage is critical to achieving greater competition, open contracting consists of disclosure throughout *all* stages of the procurement process, without information on planning and implementation, the public cannot influence project goals and budgets or

monitor progress toward completion. OGP countries tend to disclose more on the bidding processes, with three-quarters of countries publishing data on award and tender stages (see Figure 2). Half of OGP countries disclose information on the planning phase, and one-fifth publish information on contract implementation.

**FIGURE 2. Most countries’ datasets do not include information on contract implementation**

This figure shows the percentage of OGP countries that publish data on each stage of the procurement process. The sample includes only the 64 OGP countries that publish public procurement data online.

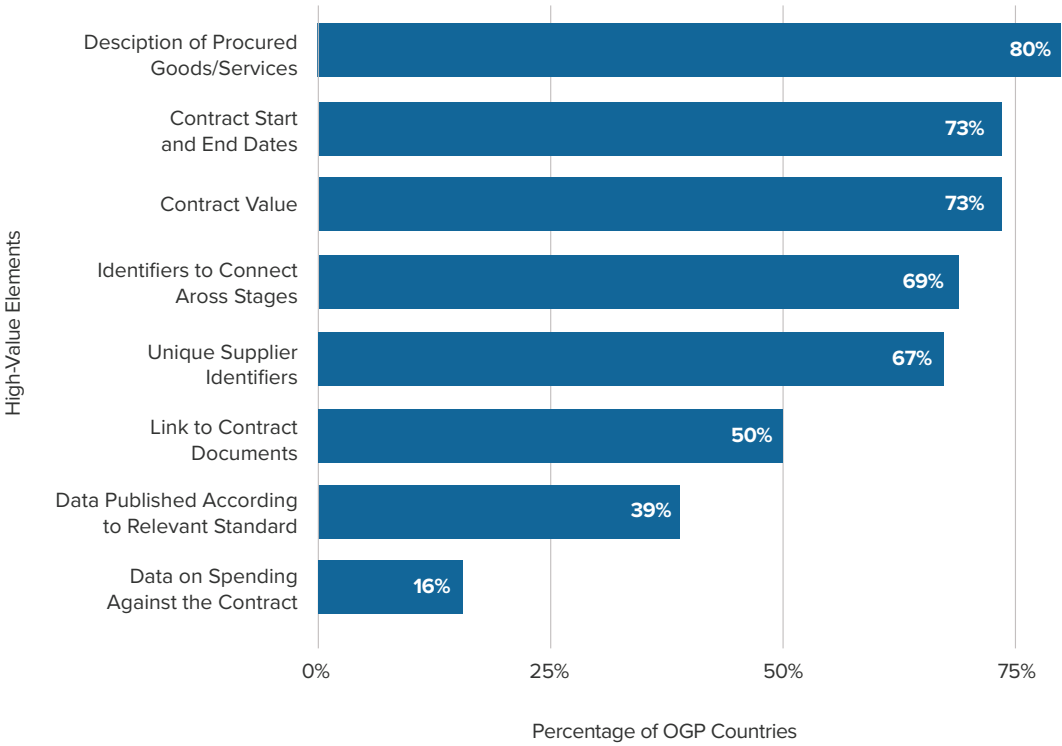
Stage of Procurement Process	Percentage of OGP Countries that Publish Data on the Stage
Planning	52%
Tender	80%
Award	81%
Implementation	23%

Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.

**Some datasets do not include information on contract specifics.** Nearly all OGP countries publish data on procurement of goods, services, and public works. Around one-quarter of OGP countries do not publish specific information regarding the description of each contract, contract values, or start and end dates. One-third of OGP countries do not use unique identifiers for each supplier or unique identifiers

that connect a single contract across all stages of procurement, making it difficult for users to monitor implementation or connect businesses across multiple datasets (such as beneficial ownership data). Finally, a majority of OGP countries do not publish links to full contract documentation or information on spending against the contract (see Figure 3).

**FIGURE 3. Some countries do not publish high-value information on contract specifics**  
This figure shows the percentage of OGP countries that publish key elements of public procurement data. The sample includes only the 64 OGP countries that publish public procurement data online.

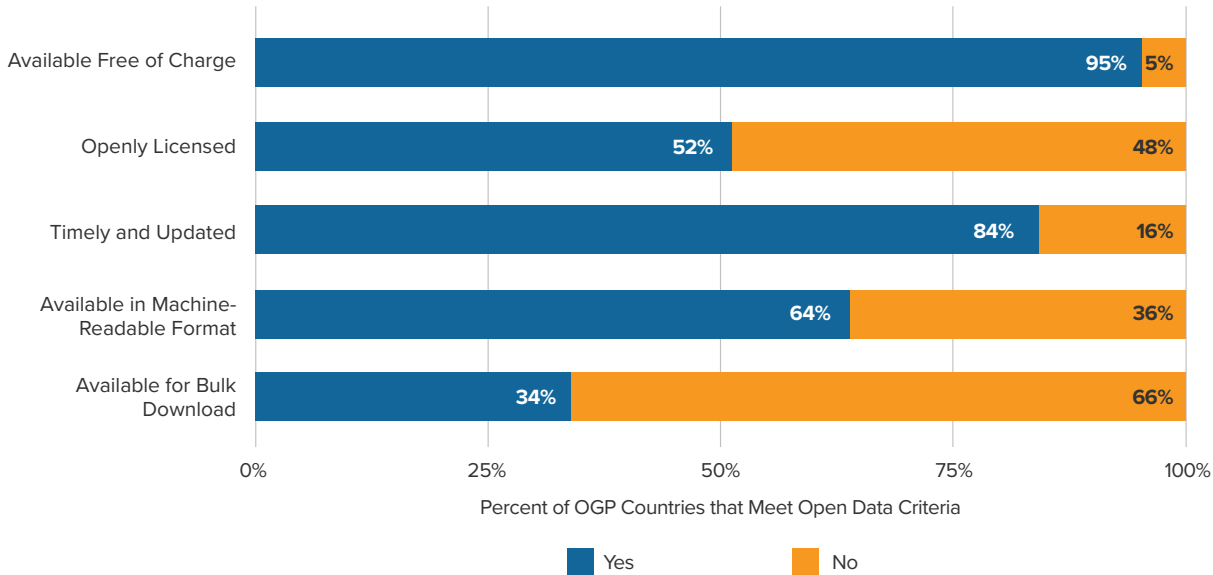


Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section for details.

**Data usability remains an area for improvement.** While almost all OGP countries publish procurement data online, a third of those do not provide data in a machine-readable format, and half do not have openly licensed procurement data, which prevents the public from reusing the data for analysis (see

Figure 4). Two-thirds of OGP countries do not allow for bulk downloading of data, which prevents users from downloading full sets of the data to use for various purposes, including monitoring and oversight or business intelligence.

**FIGURE 4. Usability remains an area for improvement for countries with available data**  
This figure shows the percentage of OGP countries whose public procurement datasets meet open data criteria. The sample includes only the 64 OGP countries that publish public procurement data online.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.

# Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality public procurement data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

- **Establish or strengthen the legal environment for open procurement:** Create rules for procurement transparency and accountability, preferably in one central piece of legislation or regulation for clarity and consistent application. Legislation should:
  - o Ensure requirements to publish data in an open format and establish deadlines to ensure data stays timely and updated.
  - o Establish an oversight authority and create a feedback and complaints mechanism to address issues during the procurement process.
  - o Mandate disclosure of all stages of the procurement process, from the planning phase to implementation. Use unique business identification numbers and a common identifier, like an [Open Contracting ID prefix](#), to link the various stages of a single contract (Open Contracting Partnership, n.d.).
  - o Require publication of contract details and amendments, including the value of the contract and a description of the goods or services procured. Require publication of the start and end dates for the contract, and provide links to contract documentation.

- **Ensure data is accessible and usable:** Publish procurement information online, free of charge, in a machine-readable format. Adhere to the [OCDS](#) so that data can be analyzed and monitored by a wide range of users (Open Contracting Partnership, n.d.). Ensure data is updated regularly and openly licensed.
- **Encourage user engagement with data:** Provide training that will enable a wide range of users, including businesses, state auditing institutions, civil society, journalists, and the general public, to engage with the data. Consider creating tools and visualizations to make data more accessible and user-friendly.
- **Interoperability:** Make data interoperable with other systems, such as beneficial ownership registries and government spending data. This includes ensuring that contract data uses a common identifier system for legal and actual persons as well as projects (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*).

## GOOD TO KNOW

### Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining procurement data with beneficial ownership, political finance, and asset disclosure data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information. The facts below show how many OGP countries have the most important common identifiers for public procurement data.

- **66%** of OGP countries publish identifiers that connect together data on each stage of a single procurement process.
- **64%** of OGP countries use unique identifiers for companies awarded contracts.. This is essential to ensure that the same company can be traced across multiple contracts and ensures cleaner data.
- However, key anti-corruption and public procurement datasets share common identifiers that facilitate mapping flows across the data ecosystem in just **7%** of OGP countries. This limits the degree to which procurement offices, auditors, and watchdog organizations can evaluate conflicts of interest, identify bad actors, and identify potential kickbacks for political campaigns.



# Beyond Open Data

Making data on government contracts available and usable is not enough to ensure the procurement process is fair and efficient. Other steps must be taken to enable the public to participate and monitor the procurement process.

- **Citizen participation:** Opportunities for public consultation should be prioritized when creating or amending relevant procurement legislation, as well as throughout all stages of the procurement process. Additionally, countries must work to identify and consult stakeholders, including the private sector, civil society, journalists, and interested citizens, before developing tools, systems, or platforms to understand user demands and ensure inclusive processes. For example, prior to issuing tenders, [Chile conducts open consultations](#) with suppliers and publishes answers online for all interested suppliers to see (OECD, n.d.).
- **User education:** Tools and training should be provided for a wide range of users, including businesses and civil society, to ensure that the

open contracting platform is accessible for all and to actively encourage public involvement throughout all stages of the procurement process. For example, [New Zealand offers documentation](#) to help users navigate and interpret their procurement data (Ministry of Business Innovation & Employment, 2022).

- **Oversight and accountability:** A complaint mechanism should be in place for suppliers, civil society, or other stakeholders to flag potential cases of corruption or fraud. Empower an oversight body, such as the supreme audit institution, an ombudsman, or an independent inspectorate within the implementing agency, to acknowledge and act upon complaints and feedback. Require regular reporting on how well the procurement platform is meeting objectives. For example, Colombia measured the impact of their [contracting platform](#) based on changes across several dimensions, including value for money, integrity and transparency in competition, and accountability, between 2014 and 2015. See *Lessons from Reformers: Increasing Competition Through Open Contracting in Colombia* (Colombia Compra Eficiente, n.d.).

## GUIDANCE AND STANDARDS


The **Open Government Partnership's** *Skeptic's Guide to Open Government* includes a chapter on [evidence-based benefits of open contracting](#) (Open Contracting Partnership, 2022).

The **Open Contracting Partnership** is the lead steward of the [OCDS](#), a model for procurement transparency that is followed by countries around the world (Open Contracting Partnership, n.d.). They provide [best practices](#) (Open Contracting Partnership, 2021) for creating open contracting legislation, [step-by-step guidance](#) (Open Contracting Partnership, n.d.) on implementing [open contracting](#) (Open Contracting Partnership, 2021) and the OCDS, and [global principles](#) (Open Contracting Partnership, n.d.) for both disclosure and participation in public procurement.

**Transparency International** provides a [guide](#) (Kühn & Sherman, 2014) to curbing corruption in procurement that includes key principles and standards, along with [recommendations](#) (Transparency International, 2018) for how OGP members can incorporate open contracting commitments in their OGP action plans.

The **Organisation for Economic Co-operation and Development's** [Public Procurement Toolbox](#) (OECD, n.d.) features many resources on procurement transparency, including a [checklist](#) for implementing their transparency principles and many country case studies (OECD, 2016).

The **G20 Anti-Corruption Working Group** published [high-level principles](#) on promoting integrity in public procurement (G20, n.d.).



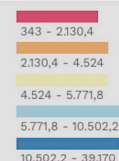
# Tervetuloa hankkimaan!

## LESSONS FROM REFORMERS

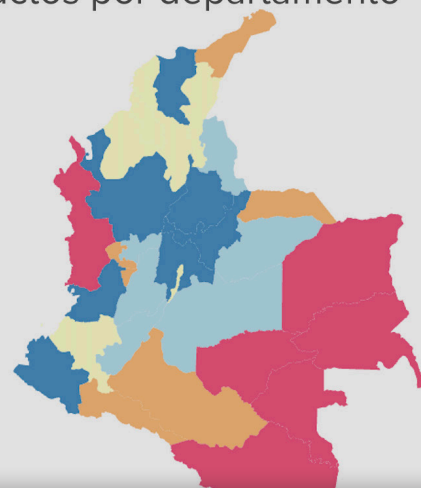
### Making Procurement Data User-Friendly in Finland

Despite ranking highly on the OECD's Open-Useful-Reusable Government Data Index, open data on public procurement was still unavailable in Finland before 2017. Information related to state procurement was only available to organizations that went through the lengthy request for information process. Because publishing open procurement data can create opportunities for citizen participation in holding the government accountable and decrease levels of corruption, Finland (n.d.) committed to creating an open access service for state procurement data in their [2017 OGP action plan](#). Importantly, the focus of this commitment was to publish data through an open access service that emphasized accessibility and usability for citizens. Since the [online service](#) (Tutki Hankintoja, n.d.) was published in late 2017, it has won multiple national and international [awards](#) (International Awards, n.d.), particularly for its user-friendly design. This commitment had a major impact on government transparency through its improvement of procurement data accessibility.

Photo from [hankintailmoitukset.fi](#)



## Productos por departamento



### LESSONS FROM REFORMERS

## Increasing Competition Through Open Contracting in Colombia

Colombia's open contracting reforms have seen major successes in improving competition and increasing suppliers in the public procurement market. As part of their [2015 OGP action plan](#), Colombia (n.d.) committed to publishing open contracting data from over 1,000 entities, adhering to the OCDS. Through this commitment, Colombia transitioned from their static contracting platform, SECOP I, to an interactive, dynamic platform, SECOP II.

[Analysis conducted by the Open Contracting Partnership](#) found a major change in competition as more government entities have begun using SECOP II for procurements (Open Contracting Partnership, 2020). From 2018 to 2019, government entities saw an increase in the median number of bids per contract and an increase in unique suppliers.

SECOP II continues to operate today with user-friendly visualization options—including an [Open Contracting Dashboard](#)—and information across all stages of procurement (Colombia Compra Eficiente, n.d.). Colombia is currently implementing a commitment as part of their [2020 action plan](#) to publish all emergency-related procurements related to the COVID-19 pandemic (Open Contracting Partnership, 2020, n.d.).

Photo from [tablerocontratacion.colombiacompra.gov.co](http://tablerocontratacion.colombiacompra.gov.co).

## List of Resources

Adam, Isabelle, Alfredo Hernandez Sanchez, and Mihály Fazekas, "Global Public Procurement Open Competition Index," Government Transparency Institute, 2021, [https://www.govtransparency.eu/wp-content/uploads/2021/09/Adam-et-al\\_Evidence-paper\\_procurement-competition\\_210902\\_formatted\\_2.pdf](https://www.govtransparency.eu/wp-content/uploads/2021/09/Adam-et-al_Evidence-paper_procurement-competition_210902_formatted_2.pdf).

Brown, Sophie, "'Everyone Sees Everything': Overhauling Ukraine's Corrupt Contracting Sector," Open Contracting, November 28, 2016, <https://medium.com/open-contracting-stories/everyone-sees-everything-fa6df0d00335>.

Colman, Romina, "How COVID-19 and Collective Intelligence Transformed Procurement Risks into Opportunities for Transparency in Ecuador," Open Contracting Partnership, December 20, 2020, <https://www.open-contracting.org/2020/12/20/how-covid-19-and-collective-intelligence-transformed-procurement-risks-into-opportunities-for-transparency-in-ecuador/>.

Colombia, "More Transparency in Public Procurement (CO0032)," n.d., <https://www.opengovpartnership.org/members/colombia/commitments/co0032/>.

Colombia Compra Eficiente, "Resultados Del Sistema De Indicadores," n.d., <https://colombiacompra.gov.co/indicadores/resultados-del-sistema-de-indicadores>.

Colombia Compra Eficiente, "Resultados Del Sistema De Indicadores," n.d., <https://colombiacompra.gov.co/indicadores/resultados-del-sistema-de-indicadores>.

Colombia Compra Eficiente, "Tablero de Contrataciones Abiertas," n.d., <https://colombiacompra.gov.co/indicadores/resultados-del-sistema-de-indicadores>.

Finland, "Publishing State Procurement Data to Citizens (FI0027)," n.d., <https://www.opengovpartnership.org/members/finland/commitments/fi0027/>.

G2O, "G20 Principles for Promoting Integrity in Public Procurement," n.d., [https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Public-Sector-Integrity-and-Transparency/G20-Principles\\_for\\_Promoting\\_Integrity\\_in\\_Public\\_Procurement\\_2015.pdf](https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Public-Sector-Integrity-and-Transparency/G20-Principles_for_Promoting_Integrity_in_Public_Procurement_2015.pdf).

Innovations for Successful Societies, Princeton University, *Promoting Accountability, Monitoring Services: Textbook Procurement and Delivery, The Philippines, 2002–2005*, 2019, [https://successfulesocieties.princeton.edu/sites/successfulesocieties/files/Philippines%20Textbook%20ToU\\_1.pdf](https://successfulesocieties.princeton.edu/sites/successfulesocieties/files/Philippines%20Textbook%20ToU_1.pdf).

Interaction Awards, "Finland: Explore State Spending," n.d., <https://awards.ixda.org/entry/2019/finland-explore-state-spending/>.

Kühn, Susanne and Laura B. Sherman, *Curbing Corruption in Public Procurement: A Practical Guide*, Transparency International, 2014, <https://www.transparency.org/en/publications/curbing-corruption-in-public-procurement-a-practical-guide>.

Lagunes, Paul, *Guardians of Accountability: A Field Experiment on Corruption & Inefficiency in Local Public Works*, International Growth Centre, 2017, <https://www.theigc.org/wp-content/uploads/2017/11/Lagunes-2017-Working-paper.pdf>.

Ministry of Business Innovation & Employment, "New Zealand Government Procurement Open Data," 2022, <https://www.mbie.govt.nz/cross-government-functions/new-zealand-government-procurement-and-property/open-data/>.

Open Contracting Partnership, "Build," n.d., <https://standard.open-contracting.org/latest/en/>.

Open Contracting Partnership, "Global Principles," n.d., <https://www.open-contracting.org/what-is-open-contracting/global-principles/>.

Open Contracting Partnership, "Guidance," n.d., <https://standard.open-contracting.org/latest/en/guidance/>.

Open Contracting Partnership, "Open Contracting Data Standard," n.d., <https://standard.open-contracting.org/latest/en/>.

Open Contracting Partnership, "Open Contracting Legislative Guide," 2021, <https://www.open-contracting.org/resources/open-contracting-legislative-guide/>.





# LOBBYING

## Introduction

Lobbying is an essential part of a democracy. Interest groups need to be able to talk to their representatives and other officials about policies and programs of interest. The voting public needs to know who is informing and influencing decisions. Lack of transparency prevents understanding, identifying, and addressing unequal access to decision makers. This is undesirable not only because it limits access and insight into decision-making, but also due to the fact that it results in a narrower range of views and alternatives considered in policy design and can contribute to corruption and unethical behavior. In the absence of impartially administered lobbying rules that promote transparency, only those with personal connections or the money to get close to decision makers can initiate discussion.

Lobbying data should be comprehensive enough to give citizens an accurate picture of how decisions are being made and who is having an impact on legislation and policies. Lobbying should not be conducted such that it affects the rights of individual citizens, preventing them from gaining access to public decision makers. (See *Good to Know: Key Terms* used in this section.)

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

## Key Takeaways

Availability	A quarter of OGP countries assessed in the Global Data Barometer (GDB) publish lobbying data. Four countries publish lobbying data despite an absence of legislation.
High-Value Information	Half of the available datasets include the topic of the lobbying interaction and the goal of the meeting. Fewer than a quarter include specific dates or how much money was spent on the interaction, limiting the ability to track influence.
Usability	All but one of the datasets are free to access. Half were updated recently, and less than a quarter were available for bulk download. This greatly limits the usefulness of data for tracing the influence and footprint of lobbyists and their clients, or ensuring compliance with codes of conduct.

27%

of OGP countries have data available online

Citizens protesting in Chile after officials approved HidroAysén, a controversial \$3.2 billion project to build five dams on two of Patagonia’s wildest rivers. The project was backed by the Chilean companies Endesa and Colbun. A congressional report later revealed that there had been irregularities and flaws in the government’s environmental approval process for the dams. This section discusses how creating a transparent lobbying register is one of the major measures to ensure that access to public officials is open, accessible, and ethical. Photo by Grisel Dayhanna Sepúlveda Rozas.



Open Contracting Partnership, “Open Contracting Quickstart Guide,” 2021, <https://www.open-contracting.org/resources/quickstart-guide/>.

Open Contracting Partnership, “Open Contracting: Impact and Evidence,” n.d., <https://www.open-contracting.org/impact/evidence/>.

Open Contracting Partnership, “Open for Business: Colombia’s Data-Driven Procurement Reforms Increase Competition,” 2020, <https://www.open-contracting.org/2020/07/16/open-for-business-colombias-data-driven-procurement-reforms-increase-competition/>.

Open Contracting Partnership, “The Open Contracting Data Standard,” n.d., <https://www.open-contracting.org/data-standard>.

Open Government Partnership, “The Skeptic’s Guide to Open Government,” 2022, [https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc\\_3](https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc_3).

Open Contracting Partnership, Spend Network, “How Governments Spend: Opening up the Value of Global Public Procurement,” n.d., <https://www.open-contracting.org/what-is-open-contracting/global-procurement-spend/>.

Organisation for Economic Co-operation and Development, “Checklist for Supporting the Implementation of OECD Recommendation of the Council on Public Procurement: Transparency,” 2016, <https://www.oecd.org/governance/procurement/toolbox/search/Checklist%2001%20Transparency.pdf>.

Organisation for Economic Co-operation and Development, “Country Case: Consultation with Suppliers by the Chilean Central Purchasing Body ChileCompra,” n.d., <https://www.oecd.org/governance/procurement/toolbox/search/consultation-suppliers-chilean-central-purchasing-body-ChileCompra.pdf>

Organisation for Economic Co-operation and Development, “Public Procurement Toolbox,” n.d., <https://www.oecd.org/governance/procurement/toolbox/principlestools/transparency/>.

The World Bank, “Global Public Procurement Database: Share, Compare, Improve!” March 23, 2020, <https://www.worldbank.org/en/news/feature/2020/03/23/global-public-procurement-database-share-compare-improve#:~:text=Overall%2C%20public%20procurement%20represents%20on,be%20lost%20due%20to%20corruption>.

Transparency International, “Recommendations on Open Contracting for Open Government Partnership National Action Plans,” 2018, <https://www.transparency.org/en/publications/recommendations-on-open-contracting-for-open-government-partnership-nationa>.

Tutki Hankintoja, “Explore Public Spending,” n.d., <https://openprocurement.fi>.



Many countries are working to include “lobby registers” in various parts and levels of government. These digital registers are used to centralize and publish information on lobbying for scrutiny by the public. Creating a transparent lobbying register is one of the major measures to ensure that access to public officials is open, accessible, and ethical. Lobbying data—especially when combined with legislative voting records, transparency in political finance, and strong ethics enforcement—can make the legislative process more accountable to the public interest.

Transparency is an essential part of improving the overall *integrity* of lobbying. Transparency by itself can support integrity but also must be supported by clear rules and guidance for officials and lobbyists, standards of conduct, and enforcement for violations of rules.

## Policy Justification

- **Lobbying is an important part of any democracy. But transparent lobbying is more democratic.**

Lobbying takes place in [all societies](#) (Eagan, n.d.). The difference is that in some places, it is secret and informal. In others, it is transparent and regulated. While personal connections still matter, even in a situation of full transparency, it will be harder for any one interest group to maintain a monopoly on communication with decision makers.

- **Equality of access to decision makers is essential to fairness.** Lobbying transparency makes decision-making more representative of diverse interests. A [study](#) of Chile’s lobbying law commissioned by OGP showed that, when the country’s lobbying transparency law was passed, the number of meetings between the public and government increased, as did the diversity of participants (OGP, 2016).

- **Transparency supports accountability for ethics.**

When combined with political finance and other anti-corruption data, access to lobbying data allows governmental and nongovernmental watchdog organizations to flag conflicts of interest and corruption. (See [Lobbying in the 21st Century](#) for an explanation of how political finance data needs to be combined with lobbying data [OECD, 2021].) The two data systems work together to help voters understand how policy is made, who influences their elected representatives, and whether they should take actions to hold lobbying organizations to account.

- **Transparency makes for better rules.** At the administrative level, transparency of lobbying allows courts to review whether an administrative decision was arrived at through a legal and reasoned process. This is [especially powerful](#) when combined with regulatory transparency and judicial review of regulations (World Bank Group, 2016). The recent Organisation for Economic Co-operation and Development (OECD) report, [Lobbying in the 21st Century: Transparency, Integrity, and Access](#), identifies two main risks of secretive lobbying: monopoly of influence (when groups that are financially and politically more powerful have more weight than other interests with fewer resources) and undue influence (when policies are influenced by providing covert, deceptive, or misleading evidence or data [OECD, 2021]).

- **Transparency encourages wider participation.** Decision makers, aware that the public is watching, have added incentive to: consult a broader range of parties, limit interactions (and finance) from corrupting actors, and take steps to ensure that decisions reflect the broader public interest. In addition, this data allows decision makers to proactively reach out to underrepresented interest groups who might otherwise have a strong interest in the issue.

- **Professional lobbyists prefer transparency.** In a survey of professional lobbyists and legislators conducted by the OECD, the overwhelming majority of respondents preferred greater transparency and professionalization. Lobbyists, in particular, felt that there was a stigma attached to their activities and that transparency might “alleviate actual or perceived problems of inappropriate influence peddling.” (See [Organisation for Economic Co-operation and Development \(OECD\) Lobbying Brochure](#), p. 2 [OECD, 2013].) Further, it allows citizens to evaluate the decision-making process more precisely and then consider this when voting in elections.

- **Transparency supports responsible corporate lobbying.** Finally, it allows members of the public, as well as corporate shareholders, to investigate engagement and influence from interest groups. (See, for example, UNPRI’s summary of [Responsible Climate Lobbying](#), wherein shareholders are increasingly demanding disclosure of corporate political activity [PRI, 2018].)

### GOOD TO KNOW

#### Key Terms

- **Lobbying:** Defined by Transparency International as “any activity carried out to influence a government or institution’s policies and decisions in favor of a specific cause or outcome,” lobbying is a legitimate activity and an important part of the democratic process. Public officials need to be available to the people who elected them as well as to citizens and interest groups. This is true of elected officials as well as administrative officials. Lobbying allows people interested in political and policy decisions to observe, inform, and shape government decision-making.
- **Lobbying register:** This is a digital register to which all individuals and organizations that engage in lobbying must sign up to conduct their lobbying activities, and within which such activities are to be reported periodically along with any designated supplementary information. In many countries, officials will also record meetings. The lobbying register should include information on: lobbyist identity; the subject matter of lobbying activities and outcomes sought; the ultimate beneficiary of lobbying activities (where relevant); the targeted institution and/or the public official concerned; the type and frequency of lobbying activities; any supporting documentation shared with the public officials; lobbying expenditure; including in-kind (calculated to set criteria, in cost bands, if need be); sources of funding, per client and per dossier; any political contributions, including in-kind; any prior roles as public official held by the individual and/or family members; public funding received. This criteria was adapted from [International Standards for Lobbying Transparency](#) (n.d.).

GOOD TO KNOW

## What Does “Lobbying Data” Mean in this Report?

This module covers findings from the Global Data Barometer on the publication of lobbying data in OGP countries. It includes information on the availability of the following types of data related to lobbying:

- Unique identifiers for lobbyists and public officials
- Clear identifying information for lobbying clients
- Details on interactions between lobbyists and public officials
- Details on lobbyists’ goals
- Dates and time details of interactions
- Topic of interactions
- Money spent on lobbyists’ interactions

## State of Progress Through OGP

**Lobbying commitments have been relatively unpopular among OGP members.** Despite being central to public participation, transparency, and anti-corruption, lobbying commitments remain surprisingly rare in OGP, with 16 members making 24 commitments over OGP’s first ten years. This is a small number relative to both the importance of the policy and in comparison to other policy areas—for example, the closely related public participation in regulatory processes, where dozens of countries have undertaken commitments to create participatory structures to allow people to inform policy-making. There may be a number of reasons for this: the relative newness of the topic in some countries, the association of lobbying with the legislative branch (which is a small but growing part of OGP), or the reticence of politicians to undertake such commitments.

**Most lobbying commitments have focused on legal reform.** The majority of commitments concern passing legislation. This focus on legal reform is fairly unique among OGP policy areas. In other policy areas, the use of legislation to advance commitments is less common, as most reforms are primarily administrative. (Of course, some countries have unlegislated codes of conduct, such as Spain

or Germany, which encourage publication but are more limited in scope.) Where specified, most commitments cover the legislature. Two (Italy and Madrid) specifically address lobbying and meeting records for administrative officers. A smaller number of commitments also cover transparency of lobbying in the executive branch, such as Chile.

Commitments to implementing existing laws have been less common. Only four members are committed to implementation (Chile, Italy, Madrid, and North Macedonia), showing that, among OGP members, this policy is still relatively nascent. And unlike most policy areas included in OGP action plans, lobbying commitments are not centered on digital approaches to government. Only North Macedonia explicitly commits to developing a digital platform for public participation in legislation.

**Commitments in this area typically have stronger potential impact relative to commitments in other policy areas.** Over half of lobbying commitments (13 of 24) were rated as having high potential impact by the Independent Reporting Mechanism. This is double the median (22 percent) for most topics in OGP, showing just how impactful this reform is to OGP members. Twelve of 24 have seen substantial completion, which is slightly lower than the typical OGP commitment area.

## Key Findings from the Global Data Barometer

GOOD TO KNOW

### About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

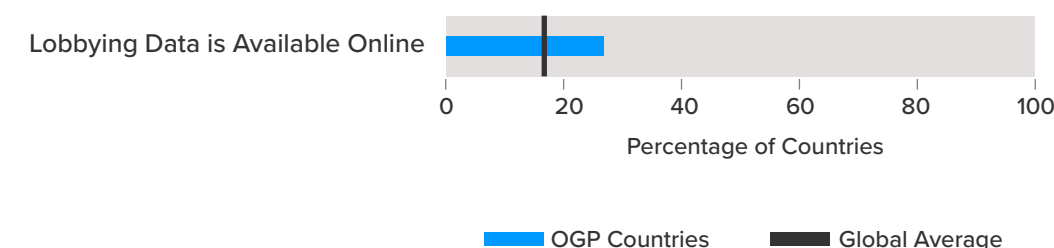
#### Very few OGP countries publish lobbying data.

The GDB is the first global review of lobbying laws and actual implementation of lobbying registers in 67 OGP countries.<sup>1</sup> Eighteen of the 67 (26 percent) OGP

countries surveyed have some lobbying data online (see Figure 1). Nearly three-quarters (73 percent) have no lobbying data online.

**FIGURE 1. Few OGP countries publish lobbying data online**

*This figure shows the percentage of OGP countries that publish lobbying data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.*



*Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for more details.*

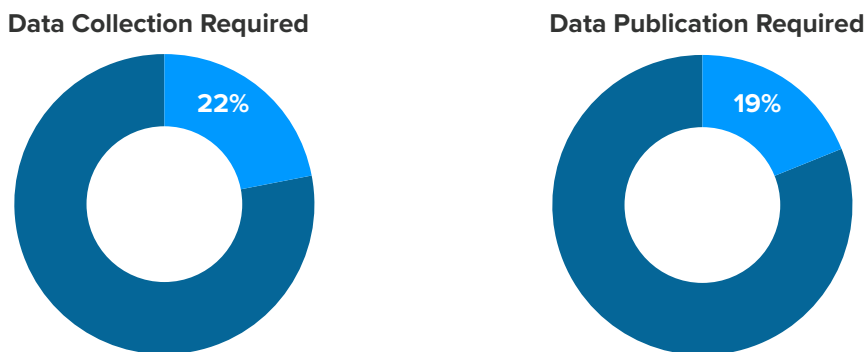
<sup>1</sup> The OECD’s review of lobbying notably covers 41 countries, not all of which are OGP members. The findings reveal just how much work remains to be done if lobbying activities become transparent.

# Legal Frameworks for Lobbying Data

**More than three-quarters of OGP countries assessed lack a lobbying law.** Of those with such laws, most require disclosure of the lobbying data, although few explicitly require lobbying data to be published as open data (see Table 1). Of the 15 countries with lobbying laws, all but one publish their data.

**FIGURE 2. Gaps in legal frameworks governing lobbying**

This figure shows the percentage of OGP countries with collection and disclosure requirements for lobbying data. The sample includes all 67 OGP countries assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational. See the About Broken Links section of full report for details.

**While many countries do not have lobbying laws, a number do publish data on lobbying.** This may be due to the existence of administrative requirements or voluntary standards. Four countries were found to publish lobbying data despite not having fully enacted legislation. All four were European: Germany, Italy, and Spain have draft laws or laws that were not yet implemented, and the Netherlands has data even though it has no lobbying disclosure law (see Table 1).

**TABLE 1. Even without laws, some countries publish data**

This figure shows the number of OGP countries with laws governing collection of lobbying data compared to the number of OGP countries with published data. The sample includes all 67 OGP countries assessed by the GDB.

	No Law	Law
No Data Published	48	1
Data Published	4	14

Note: This analysis only considers binding laws and policies that exist and are operational. Countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of full report for details.

**The actual data disclosed is limited in the topics it covers.** Very few countries, even those with relatively strong laws, provided important data points (see Figure 3). The missing data on lobbying includes the following critical data points:

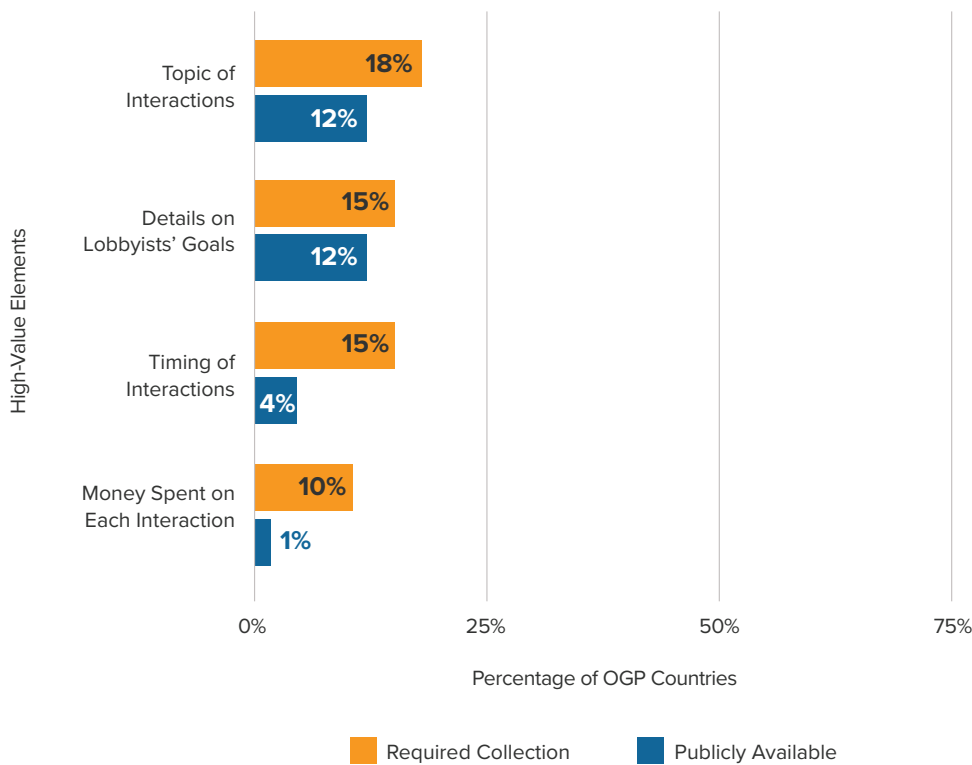
- Unique identifiers for lobbyists
- Meeting topics or purposes

- Duration of meetings
- Expenditures

This limits the ability of stakeholders in government, watchdog organizations, advocacy groups, or the private sector to track interactions.

**FIGURE 3. Required collection and availability of high-value information is limited**

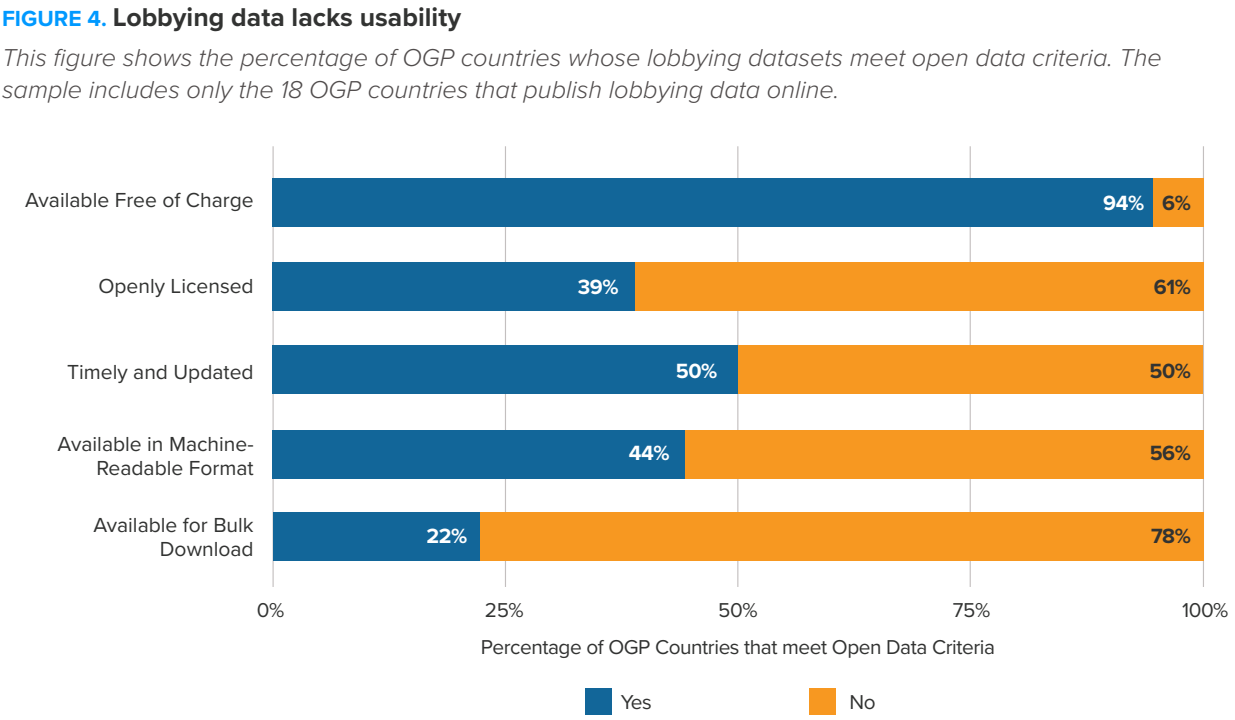
This figure shows the percentage of OGP countries that require collection of key elements of lobbying data compared to those that publish the key elements online. The sample includes all 67 OGP countries assessed by the GDB.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of full report for details.



**Usability is heavily impaired.** Only a tenth of OGP national members had freely available, bulk downloadable data, meaning that, even among those that made it available, the cost to analyze and use for accountability could be prohibitive (see Figure 4). Of those that also had published data, fewer than a quarter offered that data as bulk downloads, adding considerably to the cost and intensity of gathering information.



*Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.*

# Maturity Model for Future Actions

Below is a set of steps—from foundational to advanced—that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality lobbying data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

- **Establish a modern lobbying law:** Modern lobbying laws require disclosure and reporting through digital means. They take a broad, nondiscriminatory, nonpunitive approach to disclosure, which incentivizes transparency and participation of all interested parties. Particular industries or interests do not have special rules, and the law does not stigmatize lobbying.
- **Extend coverage beyond the national legislature:** Many older lobbying laws only cover the legislature. In modern countries, this is inadequate. Much of the law is created in ministries, departments, and agencies through the development of bylaws and regulations. [Lobbying transparency](#), ideally, then, should cover both legislative and executive branches. In addition, especially in governments with unitary legal systems, such lobbying requirements can be extended to the local and provincial levels. In governments with more federal structures, such as Spain, regional governments have shared resources and learning in establishing lobby registers (Dickson, 2012). A growing number of countries, according to the OECD’s [Lobbying in the 21st Century Report](#), are also including judiciaries and tribunals in reporting requirements as they are frequently asked to determine public policy outcomes in policy areas with major social impacts, such as constitutional rights protections, trade and commerce, national security, labor, and environmental protection (OECD, 2021).
- **Implement double-entry reporting:** A growing number of lobbying laws require filing by both lobbyists and lobbied parties. This allows for verification of filings and an opportunity to identify omissions.
- **Establish a unified lobby register:** As this report shows, the majority of OGP countries do not yet have a unified lobby register. The intent is to establish and maintain a comprehensive and freely accessible unified website containing clear identifying information for all existing lobbyists, reasons for visits, lobbying targets, and other data regularly reported.
- **Ensure timely public access, validation, and reuse:** Advocates want to know who is influencing legislation; shareholders want to know what corporations (and governments) are doing; and lobbyists favor open registries. Beyond investors, the general public has been increasingly interested in the lobbying activities of companies, especially around issues such as climate change. In order for stakeholders to track the behavior of companies, they must have nearly-immediate filing of meetings and, where there are omissions or errors, the public should have the ability to flag those errors and request correction.
- **Build for interoperability and reuse:** Ensure that all data includes unique identifiers for the lobbyist, the represented interests, and the purpose of the meeting. This allows for better tracking and comparison with other records, such as government contracts (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*).

GOOD TO KNOW

Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining lobbying data with political finance, rulemaking, and procurement data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information. The facts below show how many OGP countries have the most important common identifiers for lobbying data.

- **7%** of OGP countries publish unique identifiers for each lobbyist and public official in lobbying datasets. This allows interests to be tracked across lobbying registers and ensures cleaner data.
- **3%** of OGP countries use common identifiers in lobbying data and political finance data for lobbyist clients and party and campaign donors. This limits the degree to which oversight bodies, auditors, and watchdog organizations can identify bad actors or potential kickbacks for political campaigns.
- **No** OGP countries use common identifiers for regulations in lobbying registers and public consultation data. This prevents users from tracing the influence of interest groups or organizations within certain rulemaking processes.

While there may be room for debate about how and where the mandate is placed, a number of functions are necessary to ensure a lobbying register system operates properly. The following assessment and oversight functions are adapted from [Lobbying Transparency](#) (a consortium of organizations including Access Info, Sunlight Foundation, Transparency International, and Open Knowledge Foundation) (International Standards for Lobbying Regulation, n.d.).

- **Management and investigation:** An independent, mandated, and well-resourced oversight body or coordinated mechanism should be charged with:
  - o Managing lobbying registration
  - o Reviewing potential conflicts of interest
  - o Collating and disseminating the locations of proactively disclosed information
  - o Monitoring compliance (including proactive verification and spot audits of reports)
  - o Following up on complaints
  - o Investigating apparent breaches and anomalies
  - o Consulting on and defining further regulatory provisions where there is a mandate
- **Advice, analysis, and awareness raising:** This body or mechanism should also: offer guidance and training to lobbyists and public officials on the application of relevant laws; analyze trends and report on their findings; raise awareness among the public and the profession on recent developments; and promote best practices of lobbying transparency.
- **Complaint mechanism:** There should be a well-publicized complaint mechanism that allows anyone to report violations either openly, confidentially, or anonymously and to be informed of outcomes of the complaint, subject to any privacy limitations.
- **Sanctions:** Lobbyists and public officials must be subject to effective, proportionate, and dissuasive sanctions for violating lobbying rules.

Public Participation

In addition, the public will need a clearly established law and processes by which it can participate in decisions. Transparency of lobbying alone will not be enough if all organizations and individuals do not have equal access to decisions.

Public Participation in Legislation and Rulemaking

- **Right to participate:** There should be a generally recognized right for all groups and the public at large to participate in public decision-making, extending in particular to legislative and policy matters within all levels of governance.
- **Public consultation process:** A legal framework should lay out in a law or a group of laws the varied means for public participation in the formulation, implementation, and evaluation of policies and laws, including time frames and specific mechanisms to disseminate public meeting information, attendance and participation rules, instruments and tools to submit comments and opinion on specific policies, as well as feedback on how inputs were taken into account. (See the *Rulemaking* module of this report for more on how some governments use open data to encourage greater engagement.)
- **Safeguards for democratic freedoms:** Any regulatory measures to secure lobbying transparency should be proportionate, fit for purpose, and not impede the individual rights of assembly, free speech, and petition of government.

Public Participation About Lobbying

- **Regulations and rulemaking:** Formation of new lobbying rules and regulations should be subject to similar oversight and consultation. The public should have access and opportunity to provide input related mechanisms ensuring compliance with lobbying laws, and have the ability to suggest amendments to existing rules.
- **Reporting on equality and diversity of access:** Legislatures and other rulemaking bodies should regularly report on who takes part in decision-making and what efforts have been made to reach out to a wider group of constituents and interested parties.

Beyond Open Data

Open data alone will not ensure that lobbying contributes to greater cleaner, fairer politics. Rather, a number of institutions, policies, and practices are necessary to help ensure that information is useful, usable, and used. Two functions, in particular, merit closer consideration: the role of monitoring and oversight and more structured means of encouraging public engagement. (In addition, ethics enforcement, beyond the scope of this report, is another necessary component.) Without these elements, it will be difficult for data on its own to have a major impact.

Monitoring and Oversight

Lobbying registers are not self-sustaining. They require institutions that will set the rules for data collection, monitoring compliance, publishing data, and supporting analysis or enforcement actions where required.

Notably, the mandate for maintaining lobbying registers is not uniform across countries. In Canada, there is a lobbying commission with an appointed commissioner responsible for carrying out the law. In Chile, the Transparency Council is responsible for overseeing lobbying disclosure (along with other issues closely related to fighting corruption). In the US, implementation of the Lobbying Disclosure Act is overseen by the House of Representatives and the Senate through the Clerk of the Congress, with the US District Attorney for the District of Columbia carrying out enforcement.



A panel at the OGP Global Summit in Mexico discusses international standards on regulation and transparency of lobbying. Photo by OGP.

### Additional Transparency Measures

Beyond lobbying registers, additional mechanisms can strengthen the transparency of how laws and policy are made:

- **Legislative and committee agendas:** Publication of these important documents allows any interested party to assess the legislative process and determine the necessary oversight.
- **Regulatory and legislative footprints:** So-called “footprint” documents bring together information and data on corporation, lobbying, legislation or regulation, and political finance activity across jurisdictions and levels of government. These documents can assemble (through use of common identifiers) all of the activities of a particular lobbying organization, interest group, or other relevant stakeholders across different decision-making processes. See *Guidance and Standards* to learn about Transparency International’s role in promoting and assembling legislative footprints.
- **Shareholder and stakeholder transparency:** Shareholders and stakeholders have become more interested in the lobbying activities and political positions of the companies in which they have a stake. Companies or industries may voluntarily disclose their activities according to common standards, such as in quarterly or annual financial filings. However, a growing number of governments and financial regulators are requiring such disclosures as part of regular corporate reporting requirements. Moreover, an increasing number of countries are also empowering shareholders to demand such disclosures. (See *Guidance and Standards* to learn about “The United Nations Principles for Responsible Investment Guidance” for more information on this growing set of disclosure requirements.)

### GUIDANCE AND STANDARDS

[Lobbyingtransparency.net](#) is a major collaboration between **Access Info, Sunlight Foundation, Transparency International,** and **Open Knowledge Foundation**, which promotes better lobbying rules through a three-pronged approach: transparency, equality of access, and ethics (International Standards for Lobbying Regulation, n.d.). It is a valuable resource for reformers, with definitions of key legal terms and recommended standards.

The **Organisation for Economic Co-operation and Development (OECD)** [Principles for Transparency and Integrity in Lobbying](#) are part of a larger body of work on lobbying carried out by the OECD (n.d.). The majority of OECD countries lack lobbying laws. As a consequence, these ten principles remain relevant for most OECD members and beyond when designing or updating lobbying policies. In the absence of clear lobbying guidance, the OECD has also worked with members to establish [Codes of Conduct for Lobbyists](#), which can help pave the way to more formal official systems (OECD, 2012). Codes of conduct can complement necessarily government-administered systems.

Shareholders and investors (and stakeholders more broadly, such as consumers) are increasingly demanding that companies engage in ethical lobbying consistent with environmental, social, and governance goals. A number of corporate regulatory missteps have further intensified demand, including the 2015 Volkswagen pollution emissions scandal, as well as increasing global focus on combating climate change. The **United Nations Principles for Responsible Investment**, a UN-supported network of private sector actors, has developed [recommendations](#) to create a policy environment that supports responsible lobbying (PRI, 2018).

**Transparency International** has also made recommendations for expanding lobbying law coverage and disclosure to create a more comprehensive “[legislative footprint](#)” (Berg, 2015). Many of the recommendations deal with improving the coverage (who, what, and why) of lobbying activity and improving data standardization and interoperability to understand which decisions and institutions are being influenced and by whom across the European Union.





LESSONS FROM REFORMERS

Implementation of Lobbying Law in Chile

Before 2014, Chile had no formal legislation or regulation requiring lobbying disclosure. [A string of scandals](#) (Bonneyoy, 2016) in late 2014 regarding illegal campaign contributions, bribery, and corruption led to [record-low approval ratings](#) for elected officials (Thomson & Quiroga, 2016) and significantly affected public trust in the government. Further investigations found that corporate executives and public officials [held frequent, undisclosed meetings](#) (Valenzuela & Sahd, 2017), leading to private exchanges in resources and disproportionate opportunities for influence. Consequently, Chile enacted legislation in 2014 to modernize its system of lobbying. In its second OGP action plan, Chile (n.d.) [committed to implementing and monitoring](#) its newly passed lobbying legislation. The commitment included finalizing lobbying transparency rules with citizen consultation and training public officials responsible for implementation. A [lobbying website](#) was created, where citizens can find information on registered lobbyists, hearings records, travel-related records, and donor information published in open data format (Info Lobby, n.d.).



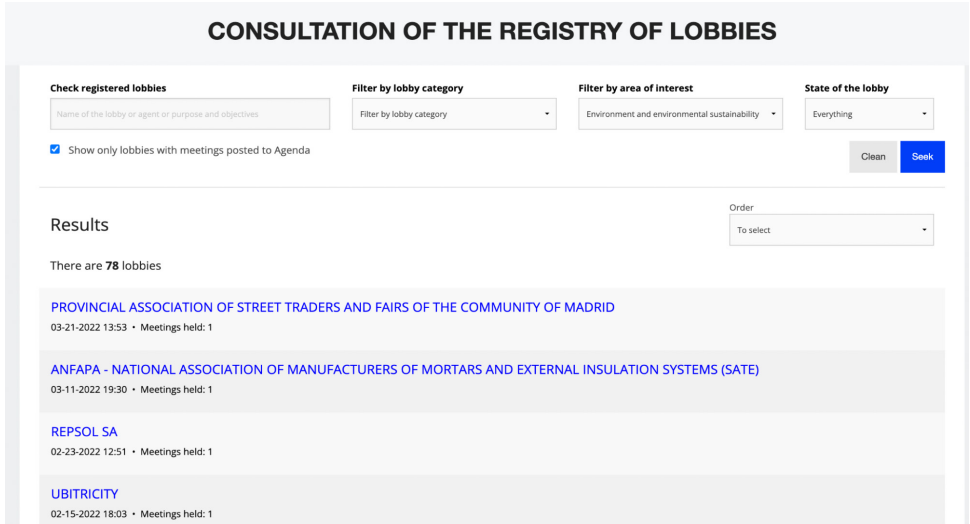
Chilean coin. Photo by Renatto vect.



LESSONS FROM REFORMERS

Mandatory Lobbying Registry in Madrid, Spain

In 2015, the Madrid City Council experienced a change in party control for the first time in 25 years, [mainly due to a new anti-corruption movement](#), questions surrounding public procurement processes, and reports of political corruption (BBC, 2015). In its first OGP action plan, Madrid responded to these perceived fears of corruption by committing to creating a mandatory lobby registry for the Madrid City Council to ensure traceability of public decision-making. Major milestones included creating a publicly available lobby registry, ensuring ease of use and accessibility for those required to register, and incentivizing registry via an alert system to inform those registered about decision-making processes or potential meetings with the city council. As of early 2021, over 500 lobbyists have [successfully registered](#) (Transparencia, n.d.). Following the success of this local commitment, Spain (n.d.) [committed to](#) establishing a federal law regarding lobbying transparency in its 2020–2024 action plan.



Madrid, Spain. Photo by OGP.



## List of Resources

BBC News, “Spanish Elections: Podemos and Ciudadanos Make Gains,” 2015, <https://www.bbc.com/news/world-europe-32871610>.

Berg, Janina, *What’s the Real Influence of Lobbying?* Transparency International, 2015, <https://transparency.eu/wp-content/uploads/2016/09/Transparency-05-small-text-web-1.pdf>.

Bonnefoy, Pascale, “As Graft Cases in Chile Multiply, a ‘Gag Law’ Angers Journalists,” *New York Times*, April 7, 2016, <https://www.nytimes.com/2016/04/08/world/americas/chile-corruption-press-gag-law.html>.

Chile, “Implementation and Monitoring of Lobbying Law (CL0030),” n.d., <https://www.opengovpartnership.org/members/chile/commitments/cl0030/>.

Dickson, Sara, “Common Challenges in Lobbying Transparency: Lessons from Europe,” Open Government Partnership, June 8, 2021, <https://www.opengovpartnership.org/stories/common-challenges-in-lobbying-transparency-lessons-from-europe/>.

Eagan, Jennifer L., “Lobbying Strategies and Tactics,” *Britannica*, n.d., <https://www.britannica.com/topic/interest-group/Interest-groups-in-international-politics>.

Info Lobby, n.d., <https://www.infolobby.cl/Portada#!/busqueda-simple>.

International Standards for Lobbying Regulation, “Integrity,” n.d., <https://lobbyingtransparency.net/standards/integrity/>.

International Standards for Lobbying Regulation, “Transparency,” n.d., <https://lobbyingtransparency.net/standards/transparency/>.

Johns, Melissa and Valentina Saltane, *Citizen Engagement in Rulemaking: Evidence on Regulatory Practices in 185 Countries*, World Bank Group, 2016, <https://documents1.worldbank.org/curated/en/462571475068174273/pdf/WPS7840.pdf>.

Organisation for Economic Co-operation and Development, “10 Lobbying Principles,” n.d. <https://www.oecd.org/corruption-integrity/explore/oecd-standards/lobbying-principles/>.

Organisation for Economic Co-operation and Development, *Lobbying in the 21st Century: Transparency, Integrity and Access*, 2021, <https://www.oecd.org/corruption/ethics/lobbying-21-century.htm>.

Organisation for Economic Co-operation and Development, *Lobbyists, Governments and Public Trust, Volume 2*, 2012, [https://www.oecd-ilibrary.org/governance/lobbyists-governments-and-public-trust-volume-2/codes-of-conduct-for-lobbyists\\_9789264084940-6-en](https://www.oecd-ilibrary.org/governance/lobbyists-governments-and-public-trust-volume-2/codes-of-conduct-for-lobbyists_9789264084940-6-en).

Organisation for Economic Co-operation and Development, “Transparency and Integrity in Lobbying,” 2013, <https://www.oecd.org/corruption/ethics/Lobbying-Brochure.pdf>.

Principles for Responsible Investment, *Converging on Climate Lobbying*, 2018, <https://www.unpri.org/download?ac=4707>.

Sahd, Jorge and Cristian Valenzuela, *Lobby Law in Chile Democratizing Access to Public Authorities*, Open Government Partnership, 2016, [https://www.opengovpartnership.org/wp-content/uploads/2001/01/report\\_Lobby-law-in-Chile.pdf](https://www.opengovpartnership.org/wp-content/uploads/2001/01/report_Lobby-law-in-Chile.pdf).

Spain, “Encourage Citizen Participation Through Online Platform (ES0054),” n.d., <https://www.opengovpartnership.org/members/spain/commitments/ES0054/>.

Thomson, Eduardo and Javiera Quiroga, “Another Latin American State, Chile, Hit by Brazil-Like Scandal,” *Bloomberg*, 2016, <https://www.bloomberg.com/news/articles/2016-03-22/another-latin-american-state-chile-hit-by-brazil-like-scandal>.

Transparencia, “Consulta Del Registro De Lobbies,” n.d., <https://tomadedecisiones.madrid.es/organizations>.

Valenzuela, Cristian and Jorge Sahd, “Lobby Law in Chile: Democratizing Access to Public Authorities,” *Cornell Policy Review*, 2017, <http://www.cornellpolicyreview.com/lobbylawchile/>.

# RIGHT TO INFORMATION PERFORMANCE

## Introduction

Access to government information enables the public to participate meaningfully in official decision-making and to hold [government actors accountable](#) for their decisions (OGP, 2021). [Right to information](#) (RTI) laws enable citizens to obtain information and documents from public authorities and relevant private bodies (Transparency International, n.d.). Many [modern RTI laws](#) also require governments to proactively publish core information and data, including how the RTI law is working (Centre for Law and Democracy, n.d.).

As of 2021, 132 countries have adopted constitutional guarantees or enacted [RTI laws](#) (UNESCO, 2022). However, the quality, comprehensiveness, and actual implementation of these laws vary. In practice, issues about the timeliness of response, inappropriate use of exemptions, difficulties in contesting decisions, lack of independent oversight, and insufficient staffing and technical expertise among the relevant government officials can impede [access to information](#) (GDB: Political Integrity Module Design Draft, 2021).

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

<b>Availability</b>	Nearly half of OGP countries publish data on RTI performance in any form.
<b>High-Value Information</b>	Most datasets include information on the number of requests submitted, but less than half of datasets include details about how long it took to fulfill a request, materials withheld and reasons for holding it, appeals to RTI determinations and their results, and the relevant agency or department.
<b>Usability</b>	Just over half of the datasets are free to access, but few are published in machine-readable or bulk-downloadable formats.

## 46%

of OGP countries have data available online

The United States Small Business Administration flagged nearly 2.3 million Paycheck Protection Program (PPP) loans worth at least \$189 billion — about a quarter of the roughly \$800 billion lent out — for further review between August 2020 and September 2021, according to a massive dataset obtained by the Project On Government Oversight (POGO) through a Freedom of Information Act lawsuit. There are 4.3 million flags signifying concerns that loans were potentially fraudulent, the recipient was possibly ineligible, or the loans in question merited closer examination. According to the Justice Department, many who participated in fraudulent activities used the stolen funds to purchase luxury automobiles, private jet flights and swanky vacations. Photo by Phillip Pessar.

Since most countries now have RTI laws, they are dealing with “second generation” problems—compliance, backlogs of requests, and achieving consistency in responses to requests. Data on performance of public authorities can help improve measure progress or regress, aid learning and accountability, and help prioritize reforms.

Specifically, [data on the performance of an RTI law](#) can help describe when, where, and how people request information as well as whether they get that information, and why or why not (Hazell & Worth, 2010). (For more information on key data points, refer to *Good to Know: What Does “RTI Performance Data” Mean in this Report?*.)

Evidence from the [Global Data Barometer](#) (GDB, n.d.) shows the following:

- Most OGP countries have an RTI law, regulation, or policy.
- Reporting is typically required on each authority’s implementation of the law, regulation, or policy.
- Despite legal requirements, those authorities do not proactively publish data on their performance. When they do, that data is not always open or standardized.

The GDB study is the first global study to bridge the gap between the many [useful legal studies](#) (Centre for Law and Democracy, n.d.) and more comprehensive but time-consuming studies about performance (see *Good to Know: About GDB Data* for more details).<sup>1</sup> Of course, looking at performance data out of context cannot address whether agencies are abusing or mis-administering the RTI. But, without this data, it is difficult to tell whether denial of information is part of a pattern or unique, and it is difficult to know how to address shortcomings in fulfilling this right.

# Policy Justification

**Effective implementation of RTI laws is important for the prevention and detection of corruption, waste, and abuse.** Studies have found that [countries with RTI laws](#) have lower levels of corruption (Islam, 2006) and the existence of a freedom of information act is associated with a significant positive trend in [controlling corruption](#) (ERCAS, 2013). In addition, RTI can help ensure that governments follow procedures as laid out in the law, act impartially, and give reasons for their decisions. Data on RTI performance can surface patterns of misadministration and outliers that could make the law ineffective.

- **Open access to RTI performance data can surface noncompliance during times of crisis.** Recently, the COVID-19 pandemic significantly increased [pressure on governments](#) to deliver complete, timely information to the public, leading to the suspension of RTI procedures in many countries (“RTI Rating COVID-19 Tracker,” n.d.). During these critical times, the public has a heightened need for complete, timely information.

**RTI performance data can be used to assess how well the right to information is being respected and fulfilled.** Publishing data on the number of requests submitted and how they have been responded to can inform the public if requests are not being addressed according to the legal requirement.

- **Understanding time frames:** A study in Spain showed that Spanish institutions ignored 57 percent of access to information requests in 2013.<sup>2</sup> This “mute refusal” can be a common way that RTI laws go unimplemented. In some countries, such as the United States, excessive delays can last years. Understanding time frames can help identify where there are bottlenecks to be addressed.

- **Excessive exemptions:** All RTI laws require authorities to publish reasons for any denial of information. These reasons must be included in the list of exemptions (see *Good to Know: Key Terms*). Publishing this data (1) ensures that agencies are giving reasons for denial, (2) helps understand what the most common reasons for denial are, and (3) helps authorities address excessive exemptions. Publication of such data by authorities allows supervising agencies, ombudsmen, and watchdog organizations to identify and curb excessive information refusal. In other cases, it can help identify where legal reform is necessary, such as where people are requesting personal data through RTI or where they are using RTI to engage in corporate espionage, and these would be better addressed through other remedies.
- **Appeals data:** Data requesters can appeal a response to an information request that was denied as a result of an exemption. Data related to the number of appeals and their resolutions can give the public insight into what has become case law and alert them of any abuse of exemptions and delays in the process.

- Access to data on RTI performance improves accountability and learning.** Open access to RTI administration data allows everyone to see if the RTI law is working.
- **Administrators:** For administrators, having access enables them to see patterns of practice that might not be evident with individual cases. This allows them to develop problem-specific solutions with authorities.
  - **Oversight:** Similarly, RTI commissions (or their equivalents), ombudsman offices, government watchdogs, and RTI professionals in government can address patterns or egregious cases where there is evidence.
  - **Public accountability:** Finally, members of the public, other branches of government, professional organizations, and NGOs can use the data to hold authorities to account where there are patterns of practice or particular cases inconsistent with the law and where legal reform is necessary.

## GOOD TO KNOW

### What Does “RTI Performance Data” Mean in this Report?

This module covers findings from the GDB on the publication of RTI performance data in OGP countries. It includes information on the availability of the following types of data related to RTI performance:

- The number of requests submitted
- The time it took to respond to requests
- The number of denials and reasons for withholding information
- The number of appeals and their results
- Whether the data is available free of charge
- Whether the data is linked to the relevant authority or department

<sup>1</sup> The Carter Center Implementation Assessment Tool, <https://www.cartercenter.org/peace/ati/iat/index.htm>.  
<sup>2</sup> *Spanish institutions ignored 57% of access to information requests during 2013*, Access Info Europe and Fundación Ciudadana Civio, the ‘year of transparency,’ <http://www.access-info.org/en/spain>



## GOOD TO KNOW

### Key Terms

- **Public authority:** For this analysis, public authorities can include government branches, as well as private bodies performing public functions or those operating with public funds.
- **Proactive and reactive disclosure:** Information held by public authorities can be accessed by the public via proactive disclosure, when the authority releases information without requests being filed, or via reactive disclosure, when members of the public can file requests for information. [Proactive disclosure](#) ensures that members of the public are receiving timely information about the laws and decisions that affect them (Darbshire, 2015).
- **Requests submitted:** The number of requests submitted, specifically data on successful requests, can indicate how an RTI framework is performing and the level of public awareness around this process.
- **Time limits:** it is important to process requests promptly, and performance data can alert the public about how long it took to receive a response. Failure to provide a response or “mute refusals” and delays in response are forms of noncompliance.
- **Exemptions:** Public authorities can exempt information from disclosure in certain instances where those details fall in categories such as national security, attorney-client privilege, ongoing investigations, commercial secrecy, and privacy.
- **Appeals:** If a public authority denies the release of information due to an exemption, requestors have the option to challenge the response. Generally, most RTI legal frameworks adopt one of [four different models](#): courts, tribunals, ombudsman, or a specialist commissioner (Hazell & Worthy, 2010).
- **Open data:** This analysis looks at whether performance data is available online and whether it is available in an open data format. Data and content are considered open if they can be freely used, modified, and shared by anyone for any purpose. This report assesses countries on five key elements of open data: the data is available free of charge, openly licensed, timely and updated, provided in machine-readable format(s), and is available for bulk download. Additionally, it is important to publish metadata, the information published to assist with understanding the data, and any changes made to the collection or reporting methodology. For more details on open data requirements, see *What is Open Data?* in the *Global Overview* section of this report.

## State of Progress Through OGP

### Right to information has historically been a popular area for reform among OGP members.

OGP countries [are required](#) to have legal frameworks, enabling fair access to information (OGP, 2022). Since the launch of OGP, RTI has been one of the most popular policy areas for reform and has seen effective commitment results. Altogether, 70 members have made 317 total RTI commitments since 2011.<sup>3</sup> However, the percentage of members implementing RTI commitments has [declined rapidly](#) in recent years (OGP, 2021). Out of the hundreds of RTI commitments, just 34 commitments focus specifically on the collection or publication of RTI performance data.

**Few commitments have focused on the publication of RTI performance data.** Commitments have focused on the use of online platforms to submit and service RTI requests, improving management of government records, and publicly disclosing data requested through RTI. Seven of the world’s ten top-rated countries for RTI legislation improved their legislation or its implementation through OGP.<sup>4</sup> These countries are Mexico, Serbia, Sri Lanka, Albania, Croatia, Liberia, and El Salvador. Most of these do not explicitly focus on publishing performance data, however. Yet, few commitments focus on

strengthening compliance with RTI legislation and improving record management and proactive disclosure of request decisions. For example, [Nigeria](#) (n.d.) is working to improve the record management system for information requests to ensure efficient delivery of information to the requester and mandating annual reports on request and response rates. See *Lessons from Reformers: Improving Freedom of Information (FOI) Act Compliance in Nigeria* later in this chapter.

**Evaluations of RTI commitments have found promising results.** Overall, OGP commitments that focus on creating or reforming RTI laws and regulations have been both common and largely successful. According to [OGP’s Independent Reporting Mechanism](#) (IRM), RTI commitments have been a bit more ambitious than the average OGP commitment but perform similarly on completion and early results (OGP, 2020). Although there have been very few commitments focusing on RTI performance data, they have shown strong results according to IRM analysis.

<sup>3</sup> As of April 22, 2022.

<sup>4</sup> According to the global RTI Rating which measures the strength of the legal framework for the right to access information held by public authorities (the right to information or RTI) based on 61 discrete indicators—each of which looks at a particular feature of a strong legal regime for RTI—divided into seven main categories—namely Right of Access, Scope, Requesting Procedure, Exceptions & Refusals, Appeals, Sanctions & Protections, and Promotional Measures. More details can be found here: <https://www.rti-rating.org/>.



LESSONS FROM REFORMERS

Improving Freedom of Information (FOI) Act Compliance in Nigeria

Due to their high level of noncompliance regarding Freedom of Information Act requirements, Nigeria (n.d.) committed to improving RTI procedures in their 2019 action plan (OGP, n.d.). Specifically, the aim is to improve compliance by proactively disclosing information, establishing an electronic portal for information requests, and mandating annual reports on request and response rates. The use of electronic portals for submission of FOI requests would ease the process of requesting information. Previously, information requests have been largely paper-based. Additionally, the commitment calls for increasing the number of FOI officers within public agencies, as most agencies currently lack FOI units. If implemented fully, this commitment could have a transformative potential impact on increasing public institutions’ compliance with the FOI Act (IRM, 2020).

Nigeria is using its OGP action plan to improve RTI compliance by proactively disclosing information, establishing an electronic portal for information requests, and mandating annual reports on request and response rates. Photo by KC Nwakalor for USAID / Digital Development Communications.

Key Findings from the Global Data Barometer

GOOD TO KNOW

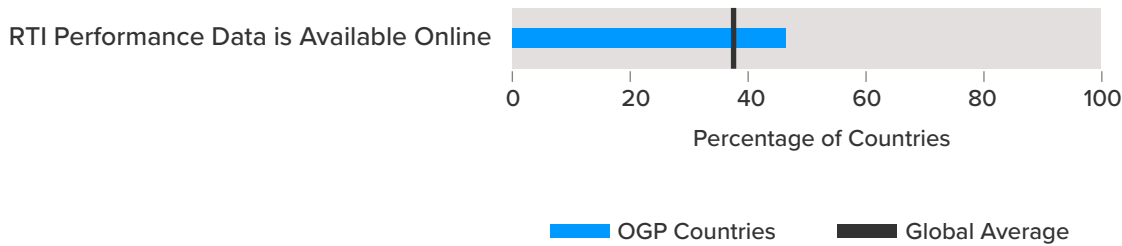
About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

The GDB study examined 67 OGP countries for law, policy, and practice of collecting and publishing RTI performance data. Below is an overview of the findings of openness of data regarding RTI performance.

**Less than half of OGP countries publish RTI performance data.** Forty-six percent of the 67 OGP countries surveyed have RTI performance data online (see Figure 1). Having a strong legal requirement is an important factor in publishing RTI performance data (see *Legal Frameworks for RTI Performance Data*).

**FIGURE 1. The percentage of countries that publish RTI performance data is higher among OGP countries**  
This figure shows the percentage of OGP countries that publish RTI performance data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for details.

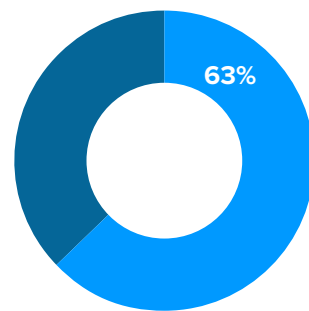
## Legal Frameworks for RTI Performance Data

**Most legal frameworks do not require publication of RTI performance data.** Forty-two of 67 assessed OGP countries (or 63 percent) have a legal framework governing RTI performance data. However, many countries with a law, policy, or regulation lack a mandate to collect and publish structured data on the performance of RTI processes. Despite the absence of legislation requiring publication of RTI performance data, many countries do so.

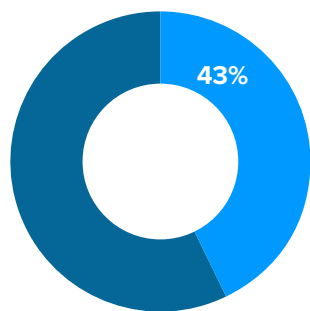
**FIGURE 2. Gaps in legal frameworks governing RTI performance**

This figure shows the percentage of OGP countries with collection and disclosure requirements for RTI performance data. The sample includes all 67 OGP countries assessed by the GDB.

**Data Collection Required**



**Data Publication Required**



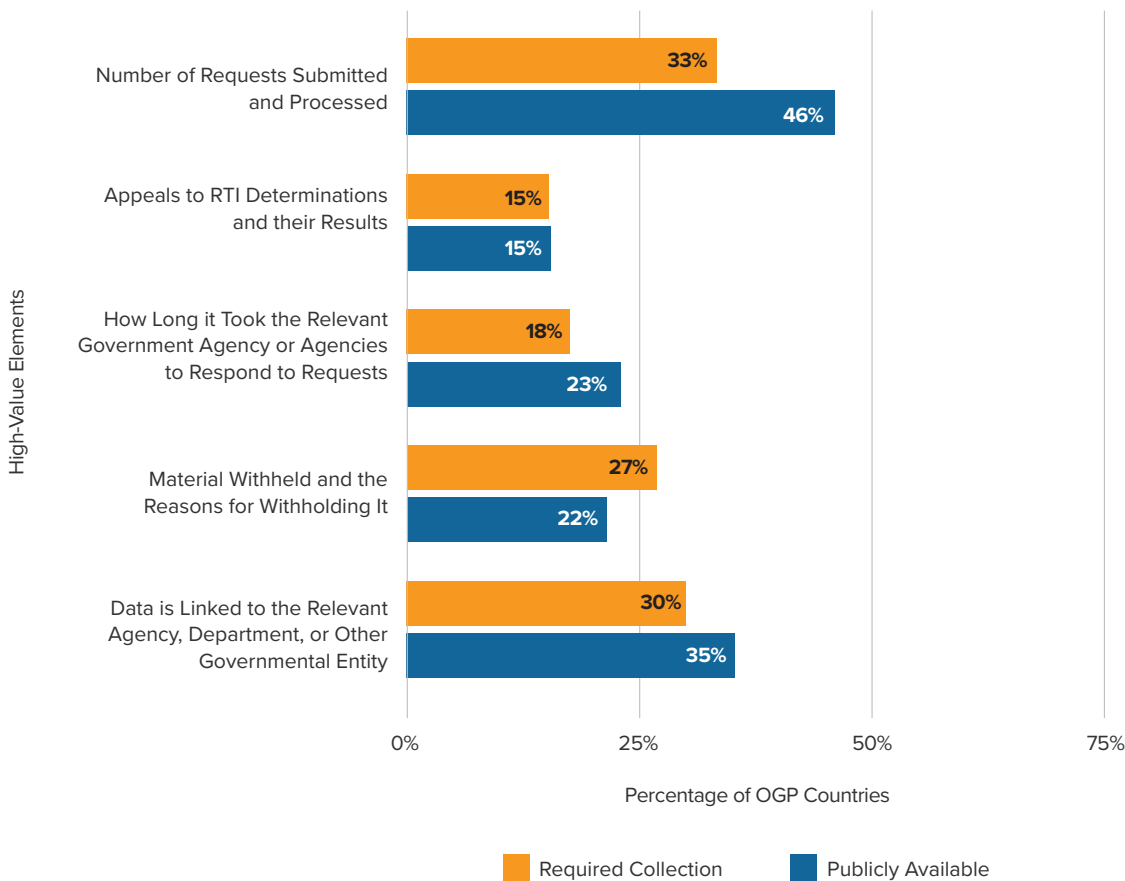
Note: This analysis only considers binding laws, regulations, and policies that exist and are operational. See the About Broken Links section of the full report for details.

**Agency-by-agency data and core measures are often unavailable.** In the majority of assessed OGP countries, the law does not require the collection and publication of data regarding the administration of RTI. This includes the number of requests submitted and processed, appeals against government departments' RTI decisions and their results, how long it took the relevant government agencies to respond to requests, and material withheld and the reasons for withholding it. Additionally, only a third of

OGP countries have laws requiring that information is linked to the relevant agency, department, or other governmental entity. The limited coverage of publicly available data limits the ability of stakeholders such as citizens, government officials, civil society organizations, journalists, and professional associations to analyze and track whether data is being adequately shared and whether agencies are complying with the law (see Figure 3).

**FIGURE 3. High-value data related to RTI performance is limited**

This figure shows the percentage of OGP countries that publish key elements of RTI performance data. The sample includes only the 31 OGP countries that publish RTI performance data online.



Note: For this analysis, countries with "partial" disclosure are considered cases of "no" disclosure. See the About Broken Links section of the full report for details.

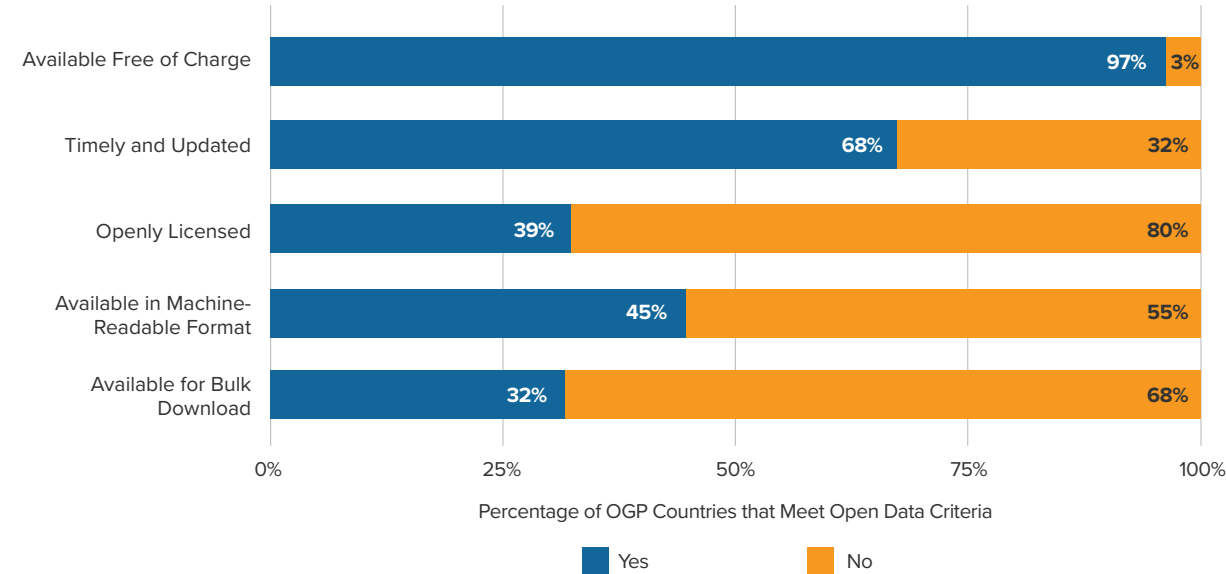


**Data has low usability.** Although RTI performance data is available online in almost half of assessed OGP countries, few countries publish data in formats that enable reuse. Among OGP countries that publish RTI performance data online, only half

provide data that is machine-readable, and fewer than a third allow for data to be downloaded in bulk. This means the public has limited access to data that can be used for monitoring and accountability purposes (see Figure 4).

**FIGURE 4. Data usability among OGP countries is low**

This figure shows the percentage of OGP countries whose RTI performance datasets meet open data criteria. The sample includes only the 31 OGP countries that publish RTI performance data online.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.

## Maturity Model for Future Actions

Below is a set of steps, from foundational to advanced, that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality RTI performance data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

**Expand or improve current RTI legislation or regulations.** The law should require the collection and publication of RTI performance information in open data format. Efforts can include the following:

- **Mandate collection and publication:** Mandate collection and publication of performance data for each authority covered by the RTI law.

- **Mandate collection and publication as structured data:** Ideally, such reforms would require agencies to submit such data using standardized, validated reporting methods in structured data format on an open platform.
- **Mandate standardized annual reports:** In addition to submitting datasets, require agencies to summarize their RTI performance, using a standard format, covering key indicators highlighted in this chapter.
- **Mandate anonymized, request-level data:** In a few of the most advanced systems, authorities publish lists of actual information requested and the disposition of those requests, which provide significantly more granular and useful information.

### Improve availability and usability of RTI performance data.

- **Proactive and frequent disclosure:** Governments should proactively disclose RTI performance data online, free of charge, and in a timely manner.
- **Provide data in open format:** Provide data that is in nonproprietary formats, is machine-readable, and is bulk-downloadable so the public can access data for monitoring and accountability purposes.
- **Public validation:** Data presentations should allow for members of the public to [flag data](#) that may need further validation or correction (OGP, 2015).
- **Prioritize digitalization:** Create online platforms through which citizens can request information and then use the platforms to provide access proactively to detailed performance data. See *Lessons from Reformers: Uruguay, Right of Access to Public Information* for an example of this type of reform.

### Provide information that covers important data points of RTI performance.

- **Addressing missing performance data:** Standardize data for ease of comparison and reporting. Publish details such as the number of requests submitted and processed, how long it took the relevant government agency or agencies to respond to requests, request disposition, reasons for denial, and appeals against RTI decisions, and their results.
- **Engage statistical officers:** In decentralized systems, engage chief statisticians and chief information officers to work toward common reporting. In more centralized or lower capacity settings, involve national statistical offices, which can help to make reporting performance data operational, useful, and accurate.

### • Data standards and interoperability:

Standardizing data and introducing common identifiers for key information elements can allow for learning and comparison across time, across levels of government, and between agencies. Introduction of common identifiers, in particular, can reduce the administrative burden (by relying on other validated databases) of tracking RTI.

- o **Across time:** Make performance data consistent and comparable across requests and over the years by ensuring continuity of key indicators across years. This can help identify major changes in performance over time. Of course, the value of longitudinal data should be weighed against adaptation over time when adopting standard reporting techniques. (For example, laws, regulations, or jurisprudence may change the definition of an exemption.)
- o **Across localities and agencies:** To the extent that a government or voluntary association can coordinate the adoption of standards for data, encourage (or mandate) other entities to use similar fields where comparison is possible through the production of guidance, appropriate validation methods, and incentives for standardization.
- o **Incorporate common identifiers:** To the extent that authority RTI performance data can be compared, standardize identifiers that may be used in other important data (such as budgeting or spending data). Such common identifiers may include authority or agency identifiers and dates.



#### LESSONS FROM REFORMERS

## Uruguay, Right of Access to Public Information

Ten years after the approval of the Law on Access to Public Information, the government of Uruguay used its 2016–2018 action plan to strengthen implementation of that existing legislation. Uruguay's (n.d.) [commitment](#) sets up an online System of Access to Information to submit and track requests for information and expands the publication of details regarding compliance with law requirements, such as the uses of exemptions and reasonings behind declaring information confidential. As part of this commitment, civil society advocates were also actively involved in defining the criteria for opening information on human rights violations during Uruguay's military dictatorship (1973–1985). According to the [IRM assessment](#), the implementation of this commitment constituted a significant advance for the opening of the government (OGP, 2020).

Efforts to strengthen accountability of government entities continue as part of Uruguay's (n.d.) most recent [action plan](#) (2021–2024), which would implement a National Index of Transparency and Access to Information that will evaluate the websites of the reporting entities and would, as a result, improve the quality of published information.

Uruguay used their OGP action plan to set up an online system to track requests for information and more recently committed to implementing a system to evaluate websites of reporting entities to improve the quality of information. Photo by Carlos Reusser.

## Beyond Open Data

The *Maturity Model for Future Action* section above focused on how to improve the administration of data on RTI performance. This section focuses on how to strengthen actual usage of that data for purposes of accountability and learning. While collecting and publishing usable open data on the performance of the RTI law can provide citizens with information to hold government and appeal institutions to account, other RTI reforms can make a real difference too. The following are some ways RTI reforms can make a difference Beyond Open Data.

### *Strengthening RTI Practices*

- **Centralized and distributed request systems:**

The chief implementing agency can design and encourage (or mandate where the law allows) standardized request systems for each authority covered by the RTI law. These will allow for common formatting of requests, easier rerouting of requests filed to the wrong authority, and more standardized reporting. This relieves significant administrative burden for the implementing authorities and makes the final release of RTI performance data much easier.

- **Capacity and professional incentives**

- o **Training:** Provide adequate training to all relevant public officials, especially information officers, on proper recording of data, record keeping, use of standardized data, and the timely provision of information and appropriate use of exemptions.
- o **Professionalization:** Establish a professional track for RTI professionals within agencies and, where possible, create professional certificates for relevant data management.
- o **Incentives:** Align personnel and budgetary incentives with RTI performance data (alongside other evaluation criteria).

### *Oversight*

Effective RTI systems will mandate appropriate oversight mechanisms to ensure compliance with [reporting and implementation](#) of the RTI law across branches of government (Mendel, 2015).

- **Executive/administrative:** Within each authority, establish a body (or give powers to existing inspectorates or ombudsmen) that can review cases, policies, and practices based on individual requests or denials, failures to report, and patterns of denial. Such bodies may publish those reports for public consumption and make recommendations to chief administrators.
  - **Independent oversight:** Empower RTI commissions (or their equivalent) to investigate irregularities and patterns of practice as reflected in performance data and to independently report their findings to the legislature and the public. Allow [independent oversight](#) to conduct on-site inspections and impose sanctions for noncompliance (Haughey, 2018).
  - **Parliamentary oversight:** Parliaments may hold ad hoc or standing committees and hearings to oversee the publication of RTI performance data and the major findings from that data.
  - **Judicial and quasi-judicial review:** Expand enforcement capacities to ensure that nonreporting, falsification, and misrepresentation of data has adequate, publicly accessible avenues of redress and remedy. Ensure that there are tribunals with the mandate and capacity to review irregularities and patterns of practice.
- ### *Increase Public Engagement*
- **Public advisory panel:** Establish or enhance an advisory group to include RTI users (including journalists, industry, and civil society organizations) and government data producers to:
    - o **Identify problems and solutions:** Ensure that the advisory group solicits, amalgamates, and gives feedback on the quality of reporting and recommends solutions revealed by data from agencies.



- o **Prioritize data:** Allow information users to share feedback about their priorities for proactive publication of information. This way, details are focused on current events and needs.
- **Digital engagement:** Create accessible and open official tools to help users explore data and increase engagement, like [Paraguay's tool](#) that provides users with statistics of RTI requests (República del Paraguay, n.d). Currently, only 11 percent of OGP countries have an interactive tool

## GUIDANCE AND STANDARDS

The enactment of domestic RTI legislation became commonplace at the end of the 20th century. The right of access to information is recognized under [Article 19 of the Universal Declaration of Human Rights](#) (Article 19, 2012) and [Article 19 of the International Covenant on Civil and Political Rights](#) as an element of freedom of expression (“UN Human Rights Committee,” 2011).

**Sustainable Development Goal 16.10.2**, part of the United Nations Agenda 2030, tracks progress on the adoption and implementation of constitutional, statutory, and/or policy guarantees for public access to information (Sustainable Development Goals, n.d.).

The [joint declaration](#) published by the three special mandates on freedom of expression at the **UN, OSCE**, and the **Organization of American States (OAS)** in 2004 that recognized the right to access information held by public authorities as a fundamental human right also enjoined governments to ensure effective implementation of RTI legislation (OAS, 2004).

In October 2020, the **OAS** approved the [Inter-American Model Law 2.0 on Access to Public Information](#) as a follow-up to the Model Inter-American Law on Access to Public Information of 2010, which, at the time, was promptly embraced in the region as a reference for the development of this right (OAS, 2021).

that displays user-filtered extracts of the data in response to simple questions.

- **Public education:** [Create demand and raise awareness](#) of the benefits of RTI performance data (Foti & Khan, 2015).
- **Financial support:** [Provide education, grants, and support](#) to data intermediaries (such as NGOs or local legal clinics) to create systems that garner input and prioritize data priorities (Foti & Khan, 2015).

The **African Commission on Human and Peoples’ Rights** [Model Law on Access to Information for Africa](#) of 2013 (ACHPR, 2013), also referenced as a source for further guidance in the Commission’s [2019](#) update to the Declaration of Principles on Freedom of Expression in Africa (ACHPR, 2019), requires public bodies and relevant private bodies to submit annual reports on RTI performance to the relevant oversight mechanism, which is in turn directed to review and publish these reports.

The **EuroPAM** database’s set of RTI indicators includes a question regarding whether frameworks require the release of data on requests and appeals to the public (EuroPAM, n.d.).

### Find out more from the following organizations:

- [Centre for Law and Democracy](#) (n.d.)
- [Access Info Europe](#) (n.d.)
- [African Freedom of Information Centre](#) (n.d.)
- [Article 19](#) (n.d.)
- Additionally, RTI-Rating.org has [tracked and cataloged](#) the detailed characteristics of all RTI laws, including amendments thereto and whether through legislation or by decree (Centre for Law and Democracy & Access Info, n.d.).

## List of Resources

Access Info Europe, n.d., <https://www.access-info.org>.

African Commission on Human and Peoples’ Rights, *Declaration of Principles on Freedom of Expression and Access to Information in Africa*, 2019, [https://www.achpr.org/public/Document/file/English/draft\\_declaration\\_of\\_principles\\_on\\_freedom\\_of\\_expression\\_in\\_africa\\_eng.pdf](https://www.achpr.org/public/Document/file/English/draft_declaration_of_principles_on_freedom_of_expression_in_africa_eng.pdf).

African Commission on Human and Peoples’ Rights, *Model Law on Access to Information for Africa*, 2013, <https://www.achpr.org/legalinstruments/detail?id=32>.

African Freedom of Information Centre, n.d., <https://africafoicentre.org>.

Article 19, n.d., <https://www.article19.org>.

Article 19, *International Standards: Right to Information*, 2012, <https://www.article19.org/resources/international-standards-right-information/#~:text=The%20public%20has%20a%20right,other%20matters%20of%20public%20concern>.

Centre for Law and Democracy and Access Info, “COVID-19 Tracker,” n.d., <https://www.rti-rating.org/covid-19-tracker/>.

Centre for Law and Democracy, n.d., <https://www.law-democracy.org/live/>.

Centre for Law and Democracy, “Publications, Reports and Papers,” n.d., <https://www.law-democracy.org/live/understanding-democracy-right/publicationsreportspapers/>.

Centre for Law and Democracy, “RTI Rating,” n.d., <https://www.law-democracy.org/live/rti-rating/>.

Darbshire, Helen, *Proactive Transparency: The Future of the Right to Information? A Review of Standards, Challenges, and Opportunities*, World Bank Institute, 2015, [https://www.access-info.org/wp-content/uploads/Darbshire\\_Proactive\\_Transparency.pdf](https://www.access-info.org/wp-content/uploads/Darbshire_Proactive_Transparency.pdf).

European Public Accountability Mechanisms, “EuroPAM Database,” n.d., <http://europam.eu/?module=overview>.

Foti, Joseph and Sonia Khan, *Aligning Supply and Demand for Better Governance: Open Data in the Open Government Partnership*, Open Government Partnership, 2015, <https://www.opengovpartnership.org/wp-content/uploads/2001/01/IRMReport-OpenData.pdf>.

*Global Data Barometer—Political Integrity Module Design Draft*, 2020, <https://docs.google.com/document/d/12wgEDeZawj0ReS2f5T4lr-ve46ii1mgC-mYrHJOFS48/edit#>.

Global Data Barometer, “Data for Public Good,” n.d., <https://globaldatabarometer.org>.

Haughey, Nuala, *Leave No Trace: The Right to Information and the Duty to Document*, Access Info Europe, 2018, 6, <https://www.access-info.org/2018-01-11/leave-no-trace-the-right-to-information-and-the-duty-to-document/>.

Hazell, Robert and Ben Worthy, “Assessing the Performance of Freedom of Information,” *Government Information Quarterly* 27, no. 4 (2010): 352–359, <https://citeseerx.ist.psu.edu/view doc/download?doi=10.1.1.404.6772&rep=rep1&type=pdf>.

Independent Reporting Mechanism, *Nigeria Design Report 2019–2021*, 2020, 47, [https://www.opengovpartnership.org/wp-content/uploads/2020/10/Nigeria\\_Design\\_Report\\_2019-2021.pdf](https://www.opengovpartnership.org/wp-content/uploads/2020/10/Nigeria_Design_Report_2019-2021.pdf).

Islam, Roumeen, “Does More Transparency Go Along with Better Governance?” *Economics and Politics* 18, no. 2 (2006), as cited in *Right to information laws: Impact and implementation*, Transparency International, 2014, 121–167, <https://www.u4.no/publications/right-to-information-laws-impact-and-implementation.pdf>.

Mendel, Toby, *Designing Right to Information Laws for Effective Implementation*, World Bank, 2015, <https://openknowledge.worldbank.org/handle/10986/22507>.

Mungiu-Pippidi, Alina, “FOIA as an Anti-Corruption tool. Hertie School of Governance,” ERCAS, 2013, <https://www.againstcorruption.eu/wp-content/uploads/2013/04/WP-34-FOIA-as-an-anti-corruption-tool1.pdf>.

Nigeria, “Improve Compliance with Freedom of Information Act with Focus on Records Management (NG0023),” n.d., <https://www.opengovpartnership.org/members/nigeria/commitments/NG0023/>.

Nigeria, “Improved Compliance with Mandatory Publication Provisions Requirement (FOIA) (NG0024),” n.d., <https://www.opengovpartnership.org/members/nigeria/commitments/NG0024/>.



Open Government Partnership, “Eligibility Criteria & OGP Values Check,” 2022, <https://www.opengovpartnership.org/process/joining-ogp/eligibility-criteria/>.

Open Government Partnership, “Right to Information Fact Sheet,” 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Right-to-Information-fact-sheet.pdf>.

Open Government Partnership, “Right to Information Fact Sheet,” 2020, <https://www.opengovpartnership.org/wp-content/uploads/2021/11/Right-to-Information-fact-sheet.pdf>.

Open Government Partnership, *Right to Information Policy Progress Report*, December 2021, <https://www.opengovpartnership.org/wp-content/uploads/2021/12/OGP-Policy-Overview-Right-to-Information.pdf>.

Open Government Partnership, “Uruguay End-of-Term Report 2016–2018,” 2020, <https://www.opengovpartnership.org/documents/uruguay-end-of-term-report-2016-2018/>.

Organization of American States, *Inter-American Model Law 2.0 on Access to Public Information*, 2021, [https://www.oas.org/en/sla/dil/docs/publication\\_Inter-American\\_Model\\_Law\\_2\\_0\\_on\\_Access\\_to\\_Public\\_Information.pdf](https://www.oas.org/en/sla/dil/docs/publication_Inter-American_Model_Law_2_0_on_Access_to_Public_Information.pdf).

Organization of American States, “International Mechanisms for Promoting Freedom of Expression,” 2004, <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=319&IID=1>.

Republica del Paraguay, “Estadísticas,” n.d., <https://informacionpublica.paraguay.gov.py/portal/#!/estadisticas>.

Sustainable Development Goals, “Indicator 16.10.2,” n.d., <https://sdg.data.gov/16-10-2/>.

Transparency International, “Right to Information,” n.d., <https://www.transparency.org/en/our-priorities/right-to-information>.

“UN Human Rights Committee, General Comment No. 34 Article 19: Freedoms of Opinion and Expression,” 2011, <http://www.refworld.org/pdfid/4ed34b562.pdf>.

UNESCO, *To Recovery and Beyond: 2021 UNESCO Report on Public Access to Information*, 2022, <https://unesdoc.unesco.org/ark:/48223/pf0000380520>.

Uruguay, “Right of Access to Public Information (UY0083),” n.d., <https://www.opengovpartnership.org/members/uruguay/commitments/uy0083/>.

Uruguay, “Strengthening Compliance with Right to Information (UY0145),” n.d., <https://www.opengovpartnership.org/members/uruguay/commitments/uy0145/>.

# RULEMAKING

## Introduction

In the 20th century, many governments began to open regulatory processes to public participation and scrutiny. Legislators realized that there is significant value to be gained from enhancing tools for public input and oversight into the law and regulation-making processes, particularly due to their growing complexity. Consequently, a significant number of OGP countries now have requirements that obligate officials to seek input from impacted and/or interested parties. (Forty-two of 71 countries surveyed in 2019 have such regulations [Falla 2019, p. 10].)

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

### Key Takeaways

<b>Availability</b>	Nearly two-thirds of OGP countries assessed in the Global Data Barometer publish data on rulemaking.
<b>High-Value Information</b>	Fewer than half included text of proposed regulations, and less than a quarter of such websites included final regulations, links to public comments, and supporting documentation. A small number of innovators did link regulatory data to legal challenges.
<b>Usability</b>	Almost all of the datasets are free to access, although a few charged fees or were only accessible through a third-party paywall. Half were updated recently, and less than a quarter were available for bulk download.

63%

of OGP countries have data available online

In Mexico, congress passed legislation in 2000 that established the Federal Commission for Regulatory Improvement, a federal oversight body tasked with ensuring effective regulations and a transparent rulemaking process. In 2018, the entity's mandate expanded, becoming the National Commission for Regulatory Improvement, and adopting the General Law of Better Regulation. This made it one of the most powerful regulatory-coordinating authorities in the world, with authority over regulatory measures at all levels of government, including state and municipal regulations. The impact of Mexico's regulatory framework is perhaps most clear during the COVID-19 pandemic, as all pandemic-related regulatory changes at all levels of government are published on its website daily. Photo by OGP.

Regulators often rely on stakeholders to raise concerns and help evaluate alternatives in many countries. Beyond consulting citizens during the development of laws and regulations, several governments began recognizing the legal rights of citizens to challenge regulatory decisions and actions of officials. These enhancements to public participation can significantly improve the quality of policy decisions, but also implementation decisions and actions to ensure due process as well as fair and equitable enforcement.

The recent rise in digital government now allows for improved public participation in rulemaking processes.<sup>1</sup> In the early 2000s, the governments of countries such as Australia, the United Kingdom, and the United States began posting the text of proposed regulations online for citizens to read and comment on. Regulators also realized the benefit of having open dialogues with stakeholders to discuss the areas of concern and receive their input. Many countries, such as Korea and the Slovak Republic, have strengthened citizen participation through regularized and structured feedback (see *Lessons from Reformers: Slov-Lex Supports Improvements in Deliberation*).

A new area for action has been to make public consultations machine-readable and reusable. Many governments have begun to move systems such as national gazettes or registers (publications containing upcoming regulations and updates to the legal code) from “print-first” into “web-first” documents, and into structured data. This allows interest groups to reuse this data for areas as diverse as soliciting and analyzing public comments, which help improve quality of laws/regulations by avoiding unintended adverse consequences of policies. It also improves transparency about who is trying to influence policy and implementation.

While this is still an area of emerging practice, the effective elements of an open-access state-of-the-art system have become clearer:

- Advance notifications (or links to regulatory agendas)
- Draft rules
- Final rules
- Impacts assessments: regulatory, environmental, and others
- Public comments
- Official responses to comments
- Legal challenges and outcomes in the public record

A mature and sustainable system would have:

- A strong legal basis
- Clear legal obligations on officials to ensure the timely and accurate publication of text or links to supporting documentation
- Common identifiers that allow for the linking of all documents
- Application programming interfaces (APIs) to allow for reuse and interoperability with other data sources (e.g., courts data)

# Policy Justification

The benefits of open government approaches to rulemaking are well-documented. Less explored are the additional benefits of employing an open data approach. This section explores both.

First, it is worth looking at the importance of having transparent, clear rules. Transparency and accountability in [government actions](#) (Gisselquist, 2012) are central to [economic development](#) (Fosu, Bates, & Hoeffler, 2016), and [political stability](#) (Bates et al., 2004).

- **Rule of law:** When citizens have effective access to the laws and regulations that govern their society and also have a role in shaping them, they are more likely to comply with those laws and regulations. [Corruption](#) is less common, and the quality of laws and regulations can significantly improve (Aidt, 2009). Easy and comprehensively searchable public access to an official centralized website of laws and regulations will significantly improve transparency and accountability across all sectors and branches of government, including in judicial decisions.
- **Investment:** In addition, citizen access to the government rulemaking process is central to the creation of a business environment in which investors make long-range plans and investments. A 2009 [study](#) by Aidt (2009) found that [open laws](#) (Diergarten and Krieger, 2015) and [regulations](#)

(Lindstedt & Naurin, 2010) predicted higher levels of [economic growth](#) (Shim & Eom, 2008).

- **Fairness:** Openness in the rulemaking process can enhance fair and equitable implementation and enforcement of laws and regulations, which can improve equality of opportunity and level the playing field in all sectors. This is particularly important in all sectors, especially those where corruption risks can be prevalent; for example, in health care, energy, and transportation. Numerous studies show that increased [transparency](#) of rulemaking processes directly corresponds to increased fairness and competition (Coglianese, Kilmartin, & Mendelson, 2009).
- **Legitimacy:** When citizens have easy access to laws and regulations, and can [influence the rules](#) (Gisselquist, 2012) that govern their society, public institutions tend to be more [politically stable](#) (Fosu, Bates, & Hoeffler, 2006). And if the new regulations are [well-crafted](#) (Fadairro, Williams, & Maggio, 2015) and have [clear benefits](#) (Vallbé and Casellas, 2014) for [society](#) (Molster et al., 2013) and business communities, [transparent rulemaking](#) (Torriti, 2007) achieves [better compliance](#) (Radaelli, 2003) with and support for the scope and application of new laws. Integrity, transparency, and accountability are improved when officials know that arbitrary and selective regulatory decisions and actions can be easily challenged. Undeniably, good governance depends on [stakeholder involvement](#) (King & Stivers, 1998).

## GOOD TO KNOW

### Key Terms

**Regulations** are the legally enforceable rules adopted by an executive authority, ministry, or agency to implement laws enacted by the legislative branch of government. Regulatory provisions are legally binding and enforceable against officials, as well as the individuals or companies covered by them. Regulations include subordinate legislation, administrative formalities, decrees, circulars, and directives.

By extension, the **rulemaking** process is defined as the process for initiating, drafting, deliberating, and issuing final regulations that comply with and are squarely based on the underlying laws. This process deals with the enforceable regulatory implementation of laws, rather than with primary laws (passed by the legislative branch of government).

**Public consultations** are government-led processes where the government invites and considers public comments provided on proposed and draft regulations.

<sup>1</sup> Note: In the Global Data Barometer, the data used in this section is referred to as “Data on Public Consultation.” For ease of use and increased precision, this section will use the term “Rulemaking” to refer to the set of processes to determine administrative law and guidelines.





#### LESSONS FROM REFORMERS

## Slov-Lex Supports Improvement in Deliberation

In 2012, the Slovak Republic committed to creating rules outlining public involvement in the development of selected policies. Soliciting comments on proposed regulations is now mandated by law per the Legislative Rules of the Slovak government. This system is notable for a number of features that governments pursuing this reform might consider.

- **Notification of proposed rules:** During early legislative deliberation phases, each ministry or lawmaking entity has to publish a notification on the Slov-Lex portal, upload a tentative legislative draft, and provide a brief summary of the main objectives of the proposed regulation.
- **Accompanying documentation:** Rulemakers are also required to publish all the supporting documents, such as background research studies, meeting notes, budget assessments, and consultative process timelines.
- **Centralization:** Simultaneously, the same information is made available on the Ministry of the Economy's website.
- **Duration of early consultation:** Early-stage consultations with business communities usually take about four weeks, while consultations through interministerial procedures take no longer than two weeks. Although four weeks is typically the extent of the consultations, urgent cases might call for tighter deadlines.
- **Specialist consultations:** Prior to or in parallel with consultations, ministries often form working groups of issue-specific experts to produce in-depth assessments of drafted legislation.
- **Multiple formats:** Stakeholders may submit feedback either individually or collectively.
- **Reasoned response to major categories of comment:** Whenever 500 or more entities/individuals provide similar feedback, the Ministry of the Economy is obliged to consider the received comments and revise the regulatory draft. Regulators also have to provide a detailed written response as well as a comprehensive justification in cases when comments are not incorporated in updated drafts.

- **Follow-up consultations:** Depending on the initial outcome of the consultative process, the Ministry of the Economy decides whether further consultations should take place.
- **Revisions and feedback:** If further consultations are decided, the Ministry and the Better Regulation Center of the Slovak Business Agency, which aims to improve the business environment in the country, send a revised legislative draft to stakeholders in addition to reposting it on the Slov-Lex portal. The results of further consultative processes are also made public through the portal.

This set of processes has resulted in real changes to proposed legislation. Recently, the Ministry of Energy conducted early consultations on a proposed law on electric vehicle regulation. In parallel with an official consultative process, the Ministry of Energy organized active early-stage engagements with stakeholders. The engagements were carried out through workshops, meetings, and multilevel bilateral dialogues. The draft law underwent significant revisions due to feedback provided by car and battery producers.

Adapted from Cecilia Cabañero-Verzosa and Helen R. Garcia, *People, Politics and Change: Building Communication Capacity for Governance Reform*, World Bank, 2011, <https://openknowledge.worldbank.org/handle/10986/20188>.

Kapitulská Street, Bratislava, Slovak Republic. Photo by Billy Wilson.

#### GOOD TO KNOW

### What Does “Rulemaking Data” Mean in this Report?

This module covers findings from the Global Data Barometer on the publication of rulemaking data in OGP countries. It includes information on the availability of the following types of data related to rulemaking:

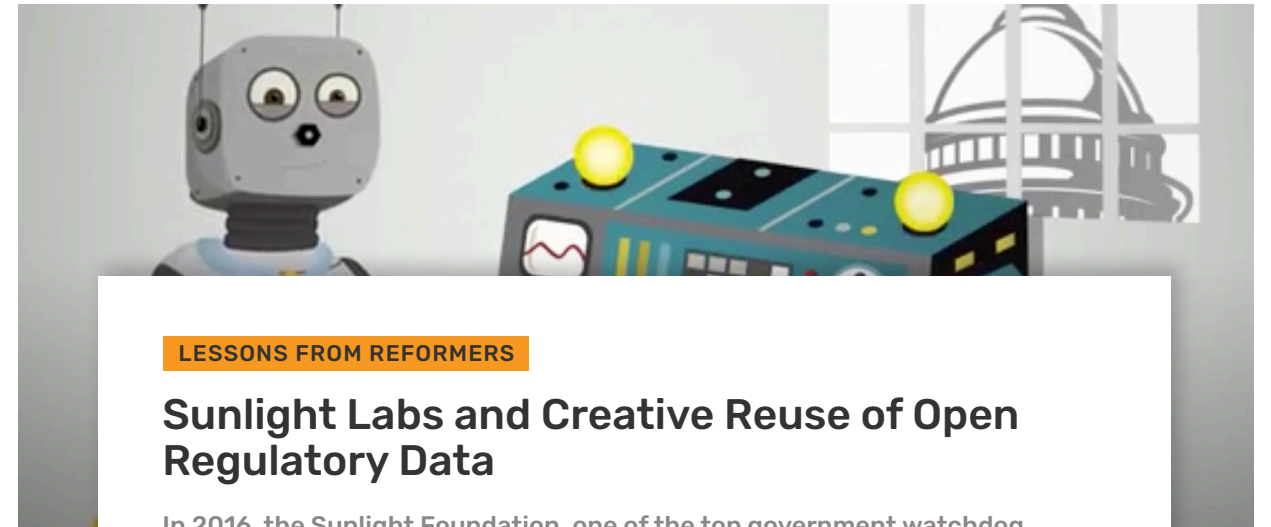
- Proposed regulations
- Public comments generated through public consultations
- Notices of intent and reasoned responses
- Final regulations and justification
- Challenges to regulations and results of challenges



## Building on Open Data

An open data approach for regulations means making data available, structured, machine-readable, and interoperable. When this approach is followed, the information about regulations can be more readily reused.

- **Unified and distributed code:** A centralized, complete, free, and searchable database of laws is essential to a well-functioning society, which requires that law is well-known. When rules and laws are centralized and structured, this allows for consistent publication in many different locations. Having all regulations available in data contributes to this larger project.
- **Reduced search costs:** Making regulations (including drafts) and their supporting documents available online increases discoverability of documents. This can reduce search costs, allowing more community or local groups to participate in rulemaking, and reduce arbitrary and selective regulatory actions/decisions by officials. In a number of countries, information is only available through private, third-party search platforms. In many cases, this renders regulations only accessible to wealthy firms and businesses.
- **Proactive notification:** An open data approach will allow organizations to build “push” systems and “alert” systems to notify interested and affected stakeholders, especially at the grassroots or subnational level, when terms of interest may come up, such as an amendment to existing legislation or a particular location. (See *Lessons from Reformers: Sunlight Labs and Creative Reuse of Open Regulatory Data*, featuring the “scout” tool from Sunlight Labs which allowed people to set up regulatory alerts.)
- **Decentralized commenting:** Advanced “write” APIs can allow submission of comments by the public from a variety of websites beyond the official government portals. This can aid mass mobilization for public campaigns and help gauge where there is strongly organized interest.
- **Section-specific commenting:** An open text format can better allow section-by-section (or paragraph-by-paragraph) commenting, reducing labor on the part of the regulatory agency in collating comments.
- **Docket creation:** Perhaps equally important to commenting, an open format would allow for the linking of relevant documents (including drafts, comments, impact assessments, clearances) through machine-readable metadata. This is important because often regulations may have accompanying impact statements, scientific or economic analyses, or legal documents. These are necessary to inform better public input and to ensure that regulatory formation followed due process. By creating dockets or unique identifiers, people may more readily find and discover these linked documents.
- **Comment filtering:** Because online comments would largely be submitted through a standard format, readers could carry out a mass analysis of comments (e.g., separating automated, mass mail, or form letter comments) by contents, keywords, or submitting organization. This may speed up the preparation of subsequent reasoned responses or preparation of legal documents.



### LESSONS FROM REFORMERS

## Sunlight Labs and Creative Reuse of Open Regulatory Data

In 2016, the Sunlight Foundation, one of the top government watchdog organizations in the United States, closed its doors for good. It did so, leaving a legacy of innovation and ideas that are still worth implementing in the US and beyond. Two tools, in particular, are worth highlighting for readers: Scout and Docket Wrench.

[Scout](#) was an alert-based search engine that scoured federal and state legislative and judicial documents for upcoming bills, rules, and rulings (Sunlight Foundation, 2012). This allows interested stakeholders to ensure that they get timely alerts on issues of interest to them. This could be a topic (such as “school lunches,” a specific law like “Section 40.522”), a locality, or a particular legislator. Scout was essential to a policy victory for the Sunlight Foundation when they set up an alert for changes to Freedom of Information Act and were able to petition, with other organizations, to successfully stop the introduction of new exemptions.

[Docket wrench](#) (Sunlight Foundation, 2013) was an [open-source tool](#) (Sunlight Foundation, n.d.) that allowed people to search, visualize, and download data from all federal regulations. The tool allowed anyone to look at the number of comments and submissions to proposed and current rules. The tools also grouped together comments by how similar the text was. This allows one to see just who is commenting on regulations (such as particular professional associations, industry organizations, or private individuals). The tool can also be used in reverse to look at regulatory participation by particular organizations (which is not required to be disclosed under the US lobbying law).

While the Sunlight Foundation is no longer functional, the tools created showed how powerful tools built on open regulatory data can be. Currently, all US agencies and independent authorities work through [www.regulations.gov](#), which still would potentially allow for most of these functionalities, and, according to the Global Data Barometer featured in this report, leads the world in the accessibility of such data, including data about comments.

Scout from the Sunlight Foundation. Photo from [sunlightfoundation.com](#).

## State of Progress Through OGP

**Reforming the process of regulation, in general, is very popular in OGP.** OGP action plans have featured nearly 400 regulatory governance reform commitments since early 2022. Among these, the most popular area of focus is around enhancing public consultations in regulatory processes. More pertinent to the subject of this report are the 41 commitments that deal directly with releasing open data. Of those, the Independent Reporting Mechanism (IRM) found that 28 commitments had noteworthy early results. A number of these commitments focused on issues of direct relevance to open data and rulemaking and are highlighted in *Lessons from Reformers: Notable Reforms from Early OGP Action Plans*.

**More focus is needed on improving technology and citizen engagement in rulemaking.** While this remains a popular area of work among OGP members, a more concerted effort could be supported in the partnership to ensure that governments are using approaches that allow for the best use of technology, specifically. Further, more work is needed to develop and implement tools and systems to effectively and efficiently support early citizen engagement in the rulemaking process, strengthen accountability mechanisms, and mainstream open regulatory practices across multiple levels of government, particularly in lower-income countries. These are detailed in the *Beyond Open Data* section.

### LESSONS FROM REFORMERS

#### Notable Reforms from Early OGP Action Plans

**Croatia:** As part of their [first OGP action plan](#), Croatia (n.d.) established a single interactive Internet system for consultations with the public in procedures of adopting new laws, regulations, and acts. While the law already required formation of working groups with the public on major new legal acts, documentation was carried out on an agency-by-agency basis. With a new standardized format, anyone can now see other peoples' comments and agency responses to individual comments.

**Kyrgyz Republic:** The first Kyrgyz national action plan sought to [enhance consultation on regulations](#) (Kyrgyz Republic, n.d.). To that end, it built a new "single electronic portal" which provides access to the legal drafts with advanced search possibilities, including by responsible agency, type of legal act, exact date or date range, and current status. In addition, the platform

allows visitors to sign up for notification on drafts with selected features, which allows the public to follow legislative initiatives by a specific body or on specific topics without constantly visiting the platform or government websites. Moreover, the platform allows following the status of drafts and analyzing their history. OGP's IRM [assessed](#) the platform as contributing to significantly improved civic participation (OGP, n.d.).

**Italy:** A new regulation, "Nuovo regolamento Italia 15 settembre 2017," was signed on September 15, 2017, and entered into force on December 15, 2017. The regulation reformed impact assessments, ex-post evaluations, and stakeholder consultations within the rulemaking process at the central government level (<http://www.normattiva.it/>). Article 16 of the new regulation states that administrations in charge of regulatory proposals must carry out appropriate stakeholder consultations.

**Malta:** Directive 6, issued through the Office of the Prime Minister and legally binding through the Public Administration Act, obliges the public administration to undergo a consultation process for both legislative and nonlegislative future initiatives. Comments are requested through a unified website (<https://socialdialogue.gov.mt>).

**Mexico:** According to Article 69(k) of the Federal Law of Administrative Procedure, all drafts must be subject to a public consultation process. The comments are requested through a unified website for all proposed regulations (<http://www.cofemersimr.gob.mx>). A specialized government body tasked with soliciting and receiving comments is the Federal Commission on Regulatory Improvement.

**Norway:** According to the Instructions for Official Studies and Reports, Article 3-3, proposals for regulations are subject to a public consultation. The comments are requested through a unified website for all proposed regulations (<http://www.regjeringen.no>).

# Key Findings from the Global Data Barometer

GOOD TO KNOW

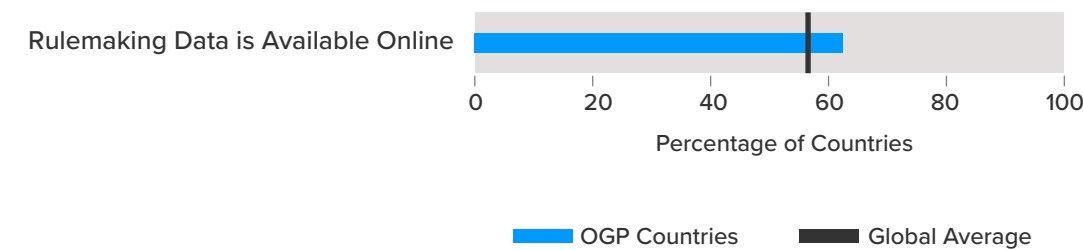
## About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

**A critical mass lacks any information:** One-third of OGP countries assessed by the GDB still do not publish information on consultations for regulations (see Figure 1).

**FIGURE 1. Over half of OGP countries publish rulemaking data online**

This figure shows the percentage of OGP countries that publish rulemaking data online compared to the global average. The GDB assessed 109 countries, 67 of which are OGP members.



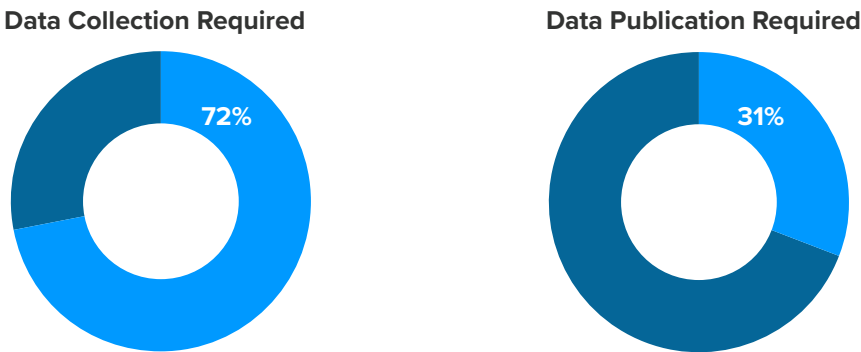
Note: This analysis only considers data that is available as a result of government action. See the About Broken Links section of the full report for details.

## Legal Frameworks for Rulemaking Data

Three-quarters of OGP countries have laws in place governing regulatory participation and data disclosure. Very few specifically require structured data, however, limiting usability. Less than half require disclosure of key elements such as advance notice, draft text, comments, responses to comments, or legal challenges.

**FIGURE 2. Gaps in legal frameworks governing rulemaking**

This figure shows the percentage of OGP countries with collection and disclosure requirements for rulemaking data. The sample includes all 67 OGP countries assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational. See the About Broken Links section of the full report for details.



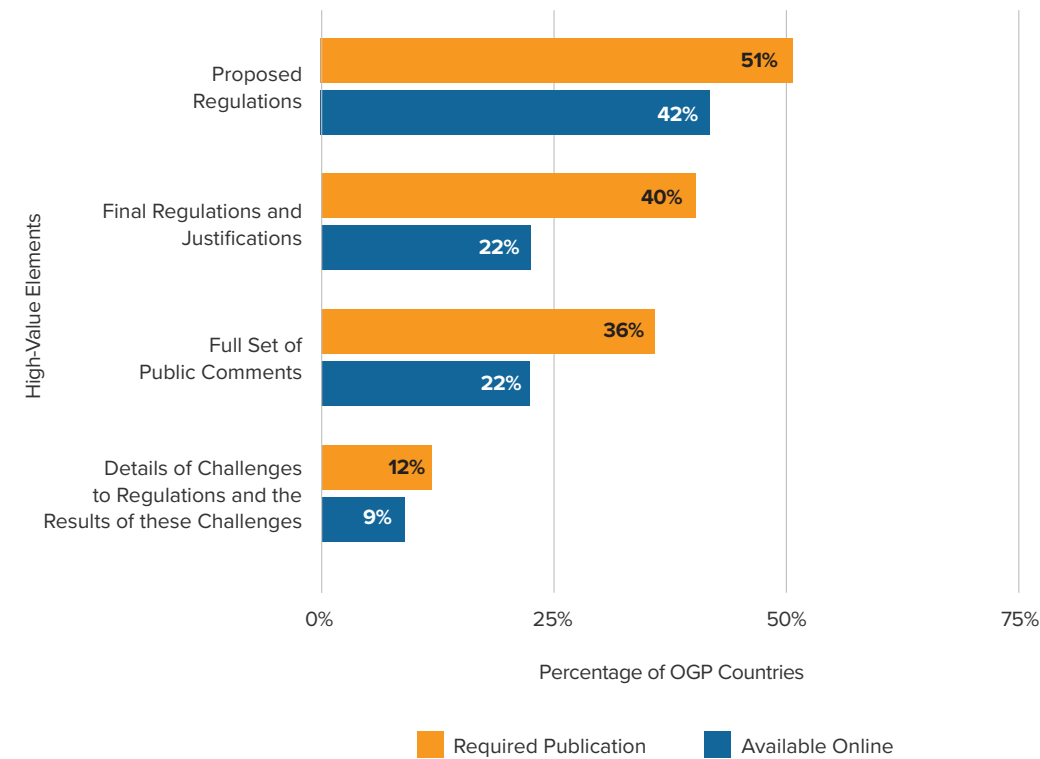
**Data coverage and design limits usefulness:**

About one-quarter of OGP countries surveyed had structured information on public comments, related documentation, and responses to public input. Such data is necessary for individuals and organizations to understand how and why policy is made (see Figure 3).

**Accountability data is further behind:** One-in-twelve countries published judicial and appeals data on existing regulations. Such accountability data is important to understand interpretations and status of a regulation (see Figure 3).

**FIGURE 3. Required collection and availability of high-value information is limited**

This figure shows the percentage of OGP countries that require publication of key elements of rulemaking data compared to those that have actually published the key elements online. The sample includes all 67 OGP countries assessed by the GDB.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.

**Published information lacks structure and accessibility:**

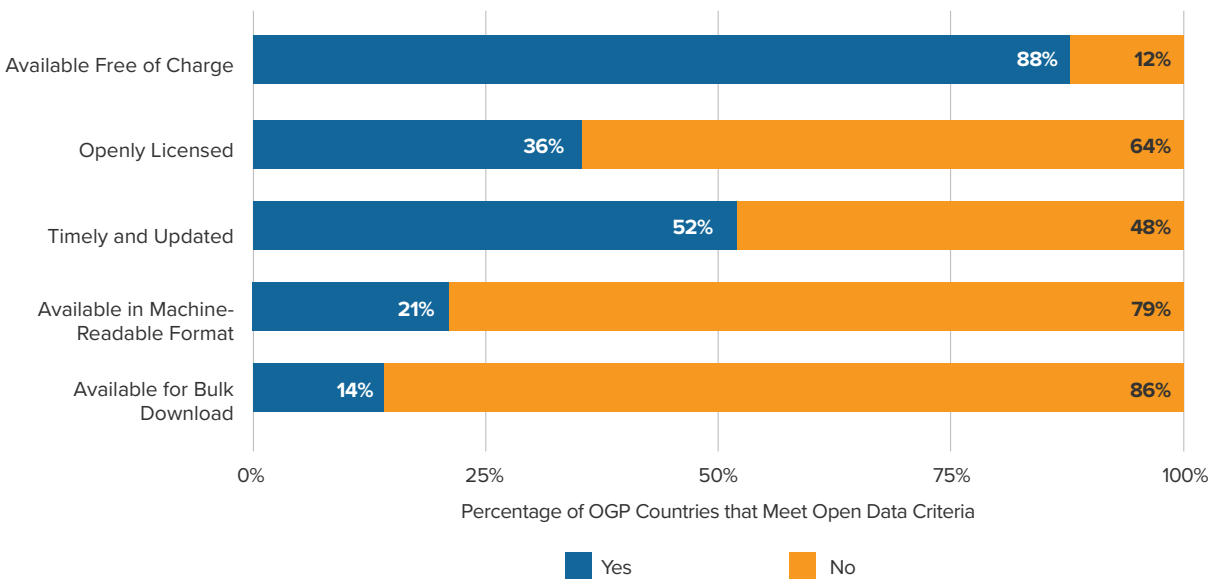
Slightly less than two-thirds of OGP countries release basic information on regulations. By and large, information is not released in a structured format. However, regulatory information is largely released in older formats, such as “national gazettes.” While there are existing data standards for legislative

texts and dockets, adoption does not seem common in regulatory processes (see Figure 4).

**Information is largely released after the fact:** While many countries have improved their publication of existing regulations, around a half publish *proposed* regulations online (see Figure 4).

**FIGURE 4. Rulemaking data lacks usability**

This figure shows the percentage of OGP countries whose rulemaking datasets meet open data criteria. The sample includes only the 42 OGP countries that publish rulemaking data online.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure. See the About Broken Links section of the full report for details.

# Maturity Model for Future Actions

Below is a set of steps—from foundational to advanced—that members across the spectrum of policy implementation can take to improve the collection and disclosure of high-quality rulemaking data. Open data alone, however, is not enough (see the *Beyond Open Data* section for a discussion of other steps that must complement data collection and disclosure).

- **Establish a public gazette of all proposed rules and finalized rules:** At a basic level, there should be no secret law, including administrative law. Yet some countries still do not have a fully available public body of law.
- **Ensure there is a strong legal framework for open administrative rulemaking:** Modern administrative law assumes that executive and independent agencies will need to interpret and enact legislation passed by the parliament. Modernization includes amending legal frameworks to obligate officials to: (1) publish draft and final regulations; (2) create public, documented spaces for consultation for all interested parties; (3) publish all impacts assessment documentation; and (4) create channels to ensure that regulations are prepared within the scope of administrative and other law.
- **Structuring data for remote public comment and reuse of key public documents:** Increasingly, modern regulatory websites allow interested individuals, organizations, and regulated entities to submit comments publicly. In addition, a small number have “read” and “write” APIs that allow for read and write APIs as well as bulk downloading for analysis. This allows for commenting and reading comments from other sites, which may be useful for organizations that are working on submitting multiple comments, for example, from membership organizations. For this set of reforms, governments will need to ensure that there are agreed-upon metadata categories and values for key documents, including comments. In addition, the full text of such documents should be centralized, searchable, and, ideally, structured in a way that allows for differentiation of different types of text.

- **Comment discovery, search, and analysis:** Ideally, especially in more advanced countries, this would allow agencies to analyze where comments are coming from, which comments represented organized “mass-mail campaigns,” and which represented singular viewpoints or expert views. This allows for better influence tracking across commitments.
- **Cross-branch coordination:** In addition, a country can link to court cases and appeals to help build the body of law and interpretation on an existing regulation, providing greater consistency and lowering costs of accessing the law. Some countries may wish to additionally link relevant laws to parliamentary oversight functions. This requires a uniform identification standard for individual commitments.
- **Interoperability with lobbyists and other key governance data:** In some countries, lobbying disclosure rules cover both legislative and executive decision-making. Ideally, such data would allow people to understand who is participating in regulatory processes and which interests they represent, if any (see *Good to Know: Common Identifiers to Link Up Anti-Corruption Data*).
- **Push systems for public participation:** Advanced systems will allow people to subscribe to particular dockets. For example, in the United States, [regulations.gov](https://www.regulations.gov) allows interested parties to only search for major regulations, particular agencies, topic areas, or locations. It is possible that a government would want to develop these systems themselves or allow secondary actors to develop applications on top of data. (See *Lessons from Reformers: Sunlight Labs and Creative Reuse of Open Regulatory Data* for an example of how civil society groups built useful tools on top of open regulatory data.)
- **Targeted outreach to stakeholders:** In addition to pushing out data, agencies may wish to maintain and strengthen a list of interested and affected stakeholders who may be engaged in regulatory processes.

More positive examples can be found in the [extensive research collaboration](#) between the OGP Support Unit and the World Bank (Falla Lopez & Saltane, 2020).

## GOOD TO KNOW

### Common Identifiers to Link Up Anti-Corruption Data

Data is more likely to advance accountability when it can be combined with other data. In addition to the high-value elements of each dataset, certain elements should be shared across datasets through the employment of “common identifiers.” These may be stored in a third dataset, reducing the need for data cleaning and validation.

Combining rulemaking performance data with lobbying data is particularly important. When designing or improving a particular dataset, decision makers should ensure that datasets rely on common identifiers as much as possible and require validation of those common identifiers in the entry of information.

According to the GDB, no OGP countries use common identifiers for regulations in lobbying registers and public consultation data. This prevents users from tracing the influence of interest groups or organizations within certain rulemaking processes.

## Beyond Open Data

A strong system for regulatory governance requires more than open data. It requires strong mandates, a set of online tools that are easily accessible, and institutions with the capacity to maintain the process, data, and systems to promote stronger participation in regulation.

### Accessing Laws and Regulations

- **State of play:** OGP members are strongest in this area. Most countries make laws and regulations publicly available, although the quality and searchability of the information is an issue. Keeping legal databases up to date is also a challenge.
- **Recommendations:** Establish and maintain an official, comprehensive, searchable, and free-to-access central website for all existing laws and regulations. Eliminate restrictions on data usage, and ensure regular updates of the information. Ensure disclosure at the local level as well.

### Transparency of Rulemaking

- **State of play:** Several countries have made OGP commitments in this area. However, most OGP countries still do not push forward regulatory plans, particularly in the Americas and Africa, where relevant commitments are generally lacking.
- **Recommendations:** Amend relevant laws to obligate officials to publish forward regulatory plans and regulatory drafts on unified portals that enable citizens to provide feedback. Ensure that citizens can follow regulations from development through to adoption.
- **Enforcement:** Ensure full compliance with reporting requirements by creating processes of data auditing, public flagging of suspect data, and enforcement actions for noncompliance and falsification of reporting.

Public Consultations

- **State of play:** Most OGP members have notice-and-comment systems in place (albeit not all legally enforceable), but many do not provide a reasoned response to citizen input, much less through dedicated websites.
- **Recommendations:** Amend or adopt laws that obligate officials to implement timely and effective notice-and-comment procedures, set minimum standards for inviting public input, and establish credible oversight systems. Document public input and provide responses before adoption of final regulations.

Challenging Regulations

- **State of play:** Citizens in many OGP countries cannot challenge the validity of regulations or regulatory actions/decisions by officials based on laws and related regulations to ensure fairness in application and enforcement. In other cases, legal challenges are difficult to enforce. In addition, only two OGP members have made commitments in this area to date.
- **Recommendations:** Adopt legislation that provides the legal basis to challenge regulations if not developed through open processes or if discriminatory. Publish information about the process and enable citizens to also challenge regulations on substantive grounds. Amend relevant laws to permit courts to award equitable remedies (including damages and legal costs) to those who prevail in court cases challenging laws and regulations, as well as inappropriate application or enforcement decisions and actions by regulatory officials.

GUIDANCE AND STANDARDS

**OECD 2012 Recommendation on Regulatory Policy and Governance** (Principle 2) advises OECD members to “Adhere to principles of open government, including transparency and participation in the regulatory process to ensure that regulation serves the public interest and is informed by the legitimate needs of those interested in and affected by regulation.” The recommendation covers design of regulatory process and the range of documentation that should be shared (such as impact assessment and other supporting analyses). (Full guidance is available [here](#) [OECD, 2012].)

The [Global Regulatory Impact Assessment Guidance Database](#) (World Bank, n.d.) gathers best practices on regulatory impact assessment documents. The Bank also maintains a comprehensive, [multi-year dataset](#) (World Bank, n.d.) on current rulemaking practices.

List of Resources

Aidt, Toke S., “Corruption, Institutions, and Economic Development,” *Oxford Review of Economic Policy* 25, no. 2 (2009): 271–91, <https://www.jstor.org/stable/23607049>.

Bates, Robert H. et al., “Institutions and Development,” CID Working Paper 107, Center for International Development at Harvard University (Cambridge, MA, 2004).

Coglianesi, Cary, Heather Kilmartin, and Evan Mendelson, “Transparency and Public Participation in the Federal Rulemaking Process: Recommendations for the New Administration,” *George Washington Law Review* 77, no. 4 (2009): 924–72, [https://scholarship.law.upenn.edu/faculty\\_scholarship/238](https://scholarship.law.upenn.edu/faculty_scholarship/238).

Croatia, “Improving the Consultation Process with the Interested Public in Legislative Procedures (HR0020),” n.d., <https://www.opengovpartnership.org/members/croatia/commitments/hr0020/>.

Diergarten, Yorck and Tim Krieger, “Large-Scale Land Acquisitions, Commitment Problems and International Law,” *Law and Development Review* 8, no. 1 (2015): 217–33, <https://doi.org/10.1515/ldr-2015-0007>.

Fadairo, Sikiru A., Rosemary Williams, and Evelyn Maggio, “Accountability, Transparency and Citizen Engagement in Government Financial Reporting,” *Journal of Government Financial Management* 64, no. 1 (2015): 40–45, <https://www.proquest.com/openview/e5a185f4b1bb286587552f9c4cdca47f/1?pq-origsite=gscholar&cbl=26015>.

Falla Lopez, Renzo and Valentina Saltane, *Regulatory Governance in the Open Government Partnership*, Open Government Partnership, 2020, <https://www.opengovpartnership.org/documents/regulatory-governance-in-the-open-government-partnership/>.

Fosu, Augustin, Robert Bates, and Anke Hoeffler, “Institutions, Governance and Economic Development in Africa: An Overview,” AERC Supplement, *Oxford Journal of African Economies* 15, no. S1 (2006): S1–S9, <https://doi.org/10.1093/jae/ejk004>.

Gisselquist, Rachel M., “Good Governance as a Concept, and Why This Matters for Development Policy,” UNU-WIDER Working Paper 2012/30, United Nations University World Institute for Development Economics Research, Helsinki, 2012.

King, Cheryl Simrell and Camilla Stivers, *Government Is Us: Public Administration in an Anti-Government Era* (Thousand Oaks, CA: Sage Publications, 1998).

Kyrgyz Republic, “Single Electronic Portal (KG0006),” n.d., <https://www.opengovpartnership.org/members/kyrgyz-republic/commitments/KG0006/>.

Lindstedt, Catharina and Daniel Naurin, “Transparency Is Not Enough: Making Transparency Effective in Reducing Corruption,” *International Political Science Review* 31, no. 3 (2010): 301–22, <https://www.jstor.org/stable/25703868>.

Molster, Caron, Ayla Potts, Beverly McNamara, Leanne Youngs, Susannah Maxwell, Hugh Dawkins, and Peter O’Leary, “Informing Public Health Policy through Deliberative Public Engagement: Perceived Impact on Participants and Citizen-Government Relations,” *Genetic Testing and Molecular Biomarkers* 17, no. 9 (2013): 713–18, <https://doi.org/10.1089/gtmb.2013.0044>.

Open Government Partnership, *Independent Reporting Mechanism (IRM): Kyrgyz Republic Transitional Results Report 2018–2020*, n.d., [https://www.opengovpartnership.org/wp-content/uploads/2022/01/Kyrgyz-Republic\\_Transitional-Results-Report\\_2018-2020\\_EN.pdf](https://www.opengovpartnership.org/wp-content/uploads/2022/01/Kyrgyz-Republic_Transitional-Results-Report_2018-2020_EN.pdf).

Organisation for Economic Co-operation and Development, *Recommendation of the Council on Regulatory Policy and Governance*, 2012, <https://www.oecd.org/governance/regulatory-policy/49990817.pdf>.

Shim, Dong Chul and Tae Ho Eom, “E-Government and Anti-Corruption: Empirical Analysis of International Data,” *International Journal of Public Administration* 31, no. 3 (2008): 298–316, <https://doi.org/10.1080/01900690701590553>.

Sunlight Foundation, “Docket Wrench API,” n.d. <http://sunlightlabs.github.io/sparerib/#api-methods/entity-search-results>.

Sunlight Foundation, “Docket Wrench Tutorial,” YouTube Video, 4:34, January, 21, 2013, <https://www.youtube.com/watch?v=DgUYPSJSsnk>.

Sunlight Foundation, “Scout: Sunlight’s New Custom Alert Service,” 2012, <https://sunlightfoundation.com/2012/06/11/scout-sunlights-new-custom-alert-service/>.



The World Bank, “Global Database for Regulatory Impact Assessment (RIA),” n.d., <https://rulemaking.worldbank.org/en/ria-documents>.

The World Bank, “Global Indicators of Regulatory Governance,” n.d., <https://rulemaking.worldbank.org/en/ria-documents>.

Torriti, Jacopo, “(Regulatory) Impact Assessments in the European Union: A Tool for Better Regulation, Less Regulation or Less Bad Regulation?” *Journal of Risk Research* 10, no. 2 (2007): 239–76, <https://doi.org/10.1080/13669870701217847>;

Radaelli, Claudio M., *The Open Method of Coordination: A New Governance Architecture for the European Union? Report 1*, Stockholm: Swedish Institute for European Policy Studies, 2003, [https://kipdf.com/the-open-method-of-coordination\\_5af0aad57f8b9ae5708b45e2.html](https://kipdf.com/the-open-method-of-coordination_5af0aad57f8b9ae5708b45e2.html).

Vallbé, Joan-Josep and N. Casellas, “What’s the Cost of e-Access to Legal Information? A Composite Indicator,” Presented at the Doing Business Research Conference “Past, Present, and Future of Business Regulation,” McDonough School of Business, Georgetown University, Washington, DC, February 20–21, 2014, [https://pure.uva.nl/ws/files/2331714/157635\\_S8\\_3.pdf](https://pure.uva.nl/ws/files/2331714/157635_S8_3.pdf).

# INTEROPERABILITY: LINKING UP DATA AND PEOPLE

## Introduction

The evidence is growing: the right data, paired with robust oversight, can make a difference. [Combining](#) each [dataset](#) with others, however, increases the [effectiveness](#) of any single dataset (Rossi, 2012; Arce, Falla, & Foti, 2019; Global Financial Integrity, 2022). For example, lobbying data is important. When combined with political finance data and beneficial ownership data, however, lobbying data becomes even more powerful for tracing the flow of not only ideas, but also money in politics. Similarly, open contracting data has been shown to have numerous benefits; when joined with political finance data, it can help detect potential kickbacks or opportunities for illicit enrichment. This section looks at what steps governments can take to ensure that data to counter political corruption can be joined up to ensure this synergy.

This analysis is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report, which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the Global Data Barometer.

## Key Takeaways

**Human and machine interoperability:** Getting people together and starting small is essential to success, whether or not the data collection and publication systems are up to standard. Getting people to talk, especially across sectors, can be key to making sure that anti-corruption data makes politics cleaner and more fair.

**Reform is necessary and overdue:** Using standardized, validated approaches to data collection and publication makes individual datasets exponentially more powerful in combating corruption. Lobbying data is more powerful when asset declarations are made public, and procurement data works better when the public knows who owns winning companies.

**Common identifiers:** According to the Global Data Barometer (GDB), most OGP countries do not have common identifiers when it comes to companies, legislation and regulation, politicians, lobbyists, or other essential data. Given how much work remains for most OGP countries, building validated common identifiers into the system early will be essential.

Open County Kilifi monitors and evaluates the performance of county projects. Open Institute worked with the county government and young citizens to collect data on the status of these projects. This initiative also includes a review phase where supervisors can verify the date in real time and flag where clarification is needed or data quality is low. Overall this project is serving to enhance citizen engagement and ownership by its own citizens. Photo by Open Institute.



# Policy Justification

There are strong arguments for interoperability beyond the control of corruption. Democratic political systems are complex, with many actors, many organized interests, and consistent, significant government activity. The following are arguments for making data interoperable (see *Good to Know: Key Terms*).

- **Corruption often doesn’t involve only a single act, type of act, or actor, but rather entails networks and flows.** Data can be a critical tool in tracking illicit financial flows and otherwise fighting corruption, but when the relevant data types aren’t interoperable, it may offer only a fragmentary picture. However, making such data interoperable—for example, using the same unique identifiers across different types of datasets—makes it increasingly useful.
- **Interoperability allows people to learn and compare across jurisdictions, globally, and within a given country.** This is essential for learning but also comparison and, in some cases, may be useful for legal and trade harmonization. An example of where national comparability of asset disclosure, for example, would be valuable is ensuring that bribe paying is not occurring to ministries or legislators by multinational corporations or locally based companies. This levels the playing field to some extent. Similarly, investors may want to understand the political risk their companies or bonds are subject to when they invest in countries with weaker accountability institutions.

- **Interoperability allows people to trace influences between levels of government, especially where a government function is federalized or decentralized.** Being able to compare provincial, regional, or state-level data allows national governments to identify innovators and areas for capacity improvement at the state level. This can be especially important where spending capacity on infrastructure, health, or education is delegated to lower levels of government.
- **Perhaps most importantly, interoperability is essential for data to be useful for different sectors of society—including government regulators, the press, watchdog groups, the private sector, and interested citizens.** Ensuring that data is standardized allows these organizations to recombine it with other datasets and information at a speed and rate that is otherwise impossible without some standardization for interoperability.

## GOOD TO KNOW

### Key Terms

Surprisingly, there are few resources defining interoperability in the space of democracy and control of corruption. This report borrows the definition from the United States Federation of Government Information Processing Councils, which defines it as:

*Interoperability of systems only requires a common basis for those elements that are, in fact, shared. Typically, not all of the information managed by two systems is shared. Therefore, interoperability requires identifying the **shared elements**. Not even all elements that have common (or close) definitions need to be shared. **Interoperability involves common semantics and syntax only for those elements that must be combined, compared or aggregated.** [Emphasis added.]*

For purposes of this report, those elements or common identifiers which need to be combined, compared, and aggregated are laid out in detail in Table 1: *Common identifier by justification*. They include: officials; interests, assets, and liabilities; legal persons (including companies); and identifiers for legislation and regulation.

**Common identifiers** are specific data fields or sets of data fields that allow for more automated approaches to information exchange. By standardizing these common identifiers, they allow for: better information flow across systems (e.g., between a database with lobbying clients and company ownership); decentralized management of data in different parts of government; and a reduction in the need for duplicate copies of information about important subjects (such as people, politicians, or countries).

Experts interviewed in the production of this report also suggested that, in many contexts, data may simply not yet be standardized enough. Given this potential limitation, they encouraged the report to also cover “**human interoperability**,” wherein individuals in key agencies (or outside of government) meet to ensure that information can still be exchanged, even if this information is in documents, rather than available as structured data. One expert cited the example of the relative success of the Nigerian Extractive Industry Transparency Initiative as a model worth exploring. While the multistakeholder forum responsible for reporting has been unable to produce uniform data in a central database, it has been able to regularly bring together 12 distinct agencies to harmonize key data on the country’s oil and gas sector for a number of years. This has been a noteworthy improvement (Hatcher-Mbu, 2022); earlier data had largely been unavailable or inconsistent across sources.





In the Republic of Moldova, the public budget is largely misused through fraudulent and corrupt public procurement procedures. While the country does have an e-procurement system called MTender where information on the procurement process is available, only experts in public procurement can properly interpret the data and draw truthful conclusions. Recently, reformers from the Association for Efficient and Responsible Governance (AGER) launched the monitoring portal Revizia.md to help ordinary citizens understand the most frequent irregularities. They hope to encourage civil society groups and media to detect and report fraud and demand better accountability from their government. Photo by AGER.

## Analog and Digital Infrastructure

Linking up political data requires more than collecting and publishing data. It also requires “analog” or “human” interoperability. This means making sure that people and organizations have the relationships and ability to unlock the data. It also means having institutional structures that make collaboration easier and more effective than working in silos. Eventually, this means of interoperability similarly requires development of common identifiers and data standards to make everything work smoothly and reliably.

Given that linking up data is as much about humans as it is about data standards, reformers seeking to capitalize on the data may choose different sequences. Some may take a “standards-first” approach, while still others focus on bringing people and organizations together and letting common

practices evolve, a “people first” approach. Which strategy to take probably depends on the strength of the legal mandate for linking up data, the age of existing systems, and the complexity of the institutions responsible for collection and publication of the data. In cases where capacity, data quality, or cooperation are low from the outset, it may make sense to opt for a “people first” approach. *Lessons from Reformers: Getting “Human Interoperability” Right in Kenya* takes a look at how, in the absence of more technical approaches, journalists and watchdog groups are still bringing together data to unearth corruption.

Acknowledging that some governments may wish to take the “analog” approach, it is still worth looking at what is known about more standardized approaches. Here the GDB data gives us an insight into one measurable aspect of implementation: the existence of common identifiers.

### LESSONS FROM REFORMERS

## Getting “Human Interoperability” Right in Kenya

While many of the findings of the GDB focus on the issues of common identifiers and the systems that would support linking up data, it is worth taking some time to look at cases where standardization may not be immediately attainable. Lessons from big reforms in Kenya show some of the ways in which the reform process can move forward even in the absence of a high-tech approach.

### The Case of Kenyan Contracts

Open contracting has been an area of major focus in Kenya. Progress on contracts is difficult, however, precisely due to issues of interoperability. In this particular case, there is a lack of standardization between the national and county-level procurement data publishing portals. As a start, data in both national and county-level procurement portals is mapped to the Open Contracting Data Standard (OCDS), creating an opportunity for standardization. Secondly, in May 2022, the open contracting cluster (consisting of both county and national governments), under the Open Government Partnership, developed a road map to address both policy and technical aspects of interoperability in the coming two years.

A number of procurement processes take place at the county level. The [Public Procurement Regulatory Authority](#) (PPRA, n.d.) has [statutory authority](#) to create regulations and guidance, as well as to collect relevant data (PPRA, 2019). The PPRA does not, however, have powers of enforcement for when procuring authorities do not collect or publish their data. Further, it lacks a direct mandate to standardize and collect all of the data from the local level. Consequently, many counties either do not submit or store data in their own, proprietary software. Because the PPRA cannot independently collect, standardize, or collect data, it is left with an enforcement problem.

Without adequate enforcement, standard procedures, data, and transparency, opportunities for corruption and “informal arrangements” multiply. This is best documented by the investigative journalism organization Africa Uncensored. In a series of investigations entitled



*Captured* (2019–2021), journalists, using leaked documents from the Integrated Financial Management System, found serious conflicts of interest in the awarding of contracts to private companies with no expertise (Africa Uncensored, 2019).

Currently, because there is inadequate data and little consequence for nonreporting, journalists and activists must rely on unofficial data to report on issues of public interest. Government units working to regularize procurement, as well, often rely on informal means of enforcement (such as leaks) rather than following straightforward legal channels. In an ideal scenario, the data would be available, complete (covering all procuring authorities), comparable, and would allow people to investigate the tenders, the awards, the companies (and their owners), and the status of implementation.

In the coming years, Kenya will roll out a new financial system, the e-GP (or e-Government Procurement). All counties and national government entities will be mandated to procure through this system. Ideally, such a system should also be able to support disclosure to the entire public.

#### **Hidden Owners**

Since the London Anti-Corruption Summit in 2016, President Uhuru Kenyatta has publicly pursued the goal of publishing beneficial ownership data. At the same time, there have been numerous scandals that have plagued the administration, most notably around health contracts (during COVID-19) and security contracts. One specific issue is the awarding of contracts to unqualified shell companies, companies that have been banned but have re-registered, or cases where the same company applies multiple times through different shell companies. These issues could be better dealt with if there were clear, publicly available beneficial owners.

Beneficial ownership data, however, remains less useful than it might otherwise be. To improve the utility of the ownership data, it needs to better align with data on politically exposed persons or asset disclosure data. Further, conflict of interest laws that apply to “public officers” or civil servants apply in a more limited number of cases to “state officers,” a different category that includes parliamentarians.

In the absence of this data, or where data is messy, there is often a reliance on nongovernment actors—whether media, NGOs, or private companies.

There is, however, currently little formal or regular coordination between the government and journalists or other watchdog organizations. While there is a multistakeholder working group on corruption that meets regularly, it has been limited in impact. Additionally, its minutes are not public. Nonetheless, the group can informally refer cases or findings to other processes for investigation or prosecution.

#### **Avenues of Accountability**

There are several other avenues to human interoperability that experts say might help Kenya.

The first would be to bring in private sector and finance sector allies that wish to help create a more level playing field to form official partnerships with government champions of corporate transparency. Indeed, the International Monetary Fund has been working to make ownership data for contractors public. A number of multinational companies have also come out in favor of open ownership. Bringing these powerful players into the discussion will be necessary, as there are strong forces working against open ownership information—from local companies resisting regulation to banks that are unaccustomed to customer due diligence and lawyers arguing for client anonymity.

The second avenue in the absence of strong regulatory capacity would be to strengthen social accountability, which has been done recently by the Office of the Auditor General. The Auditor General has asked for public information from organized groups of citizens through a structured social audit process in comparison with infrastructure.

The third avenue would be to strengthen public sector and private sector whistleblower protections and rewards. In other countries, these have been shown to be effective at incentivizing civil servants and private sector actors to identify cases of waste, fraud, and abuse, especially where there is a clear pathway to release information through official channels.

# Common Identifiers

Assuming that, at some point, regulators, watchdog organizations, and parliaments want to make anti-corruption monitoring better, they will eventually want to introduce common identifiers. Common identifiers are a core part of the structure of a dataset and are, ideally, used across multiple datasets.

For the purposes of common identifiers for linking up anti-corruption, there is no single current data standard. Of course, existing data standards such as the Open Contracting Data Standard (OCDS) and Open Ownership can be easily joined in jurisdictions where both standards are adopted. In the absence of standardization, however, there are a number of identifiers that remain essential. The common indicators and their justifications are shown in Table 1.

TABLE 1: Common identifier by justification

COMMON IDENTIFIER TOPIC	DATASETS USING IDENTIFIER	JUSTIFICATION
Public Officials		
Public officials identifying information	Asset disclosure, lobbying, political finance	Most anti-corruption datasets require information on politicians. These include asset disclosure, lobbying, political finance, as well as election and voting records (not included in this dataset).
Interests, assets, and liabilities	Asset disclosure and political finance	Political parties, politicians, and donors should be able to identify accounts, expense types, and donations. This allows auditors and watchdog organizations to identify inconsistencies and identify instances of illegal gifts or spending.
Interests		
Lobbyist clients and party and campaign donors	Lobbying data and political finance	In addition to having unique identifiers for lobbying, unique identifiers for interest organizations (regardless of legal form) allow the reconciliation of lobbying (communication) with political finance (money).
Company ownership information	Lobbying data	Company ownership data is essential for identifying who is active in lobbying and owning land, as well as understanding when there are conflicts of interest with politicians.
Legal persons	Lobbying, political finance, and companies' data	Creating common identifiers for legal persons, including businesses, NGOs, and other such organizations ensures better understanding of who is seeking to inform government-decision-making as well as who is affected by it.

COMMON IDENTIFIER TOPIC	DATASETS USING IDENTIFIER	JUSTIFICATION
Corruption Vectors and Targets		
Land ownership	Political corruption data (general)	Open land ownership data is essential for identifying which interests lie behind political decisions, who benefits from public finance decisions, as well as major changes in land use. It is also essential to help track and verify whether real estate assets declared by candidates and appointees match public records.
Regulations and legislation	Lobbying registers and public consultation	Unique identifiers are essential to allow people to see which laws and regulations are the objectives of lobbying and public participation, whether in the legislative or executive branches of government.
Public finance	Political corruption data (general)	Common identifiers for budget items allow people to see where potential conflicts of interest may lie and who benefits from spending priorities.
Public procurement	Political corruption data (general) and public procurement	Common identifiers for contracts and bids allow oversight of kickbacks, ghost contracts, or potential conflicts of interest.

# Key Findings from the Global Data Barometer

GOOD TO KNOW:

## About GDB Data

The Global Data Barometer (GDB) is a global expert survey drawing on primary and secondary data that assesses data availability, governance, capability, and use around the world to help shape data infrastructures that limit risks and harms. Together with regional hubs and thematic partners, GDB researchers collected data on 109 countries, including 67 of the 77 OGP participating countries. The GDB captures data developments between May 1, 2019, and May 1, 2021, and includes 39 primary questions and over 500 sub-questions.

GDB researchers looked at the existence of common identifiers between different datasets. Researchers began by looking at data already located for political finance, interest and asset declarations, lobbying, and public consultation to see if they used shared fields of data between them. They also looked to see if common identifiers were present between the various datasets in this report such as companies ownership data, land ownership data, public procurement data, and public finance data. Having interoperability between these datasets speeds up how quickly journalists, oversight bodies, and independent watchdog organizations can find patterns across datasets. Figure 1 below visualizes how consistently different countries employ common identifiers across sets.

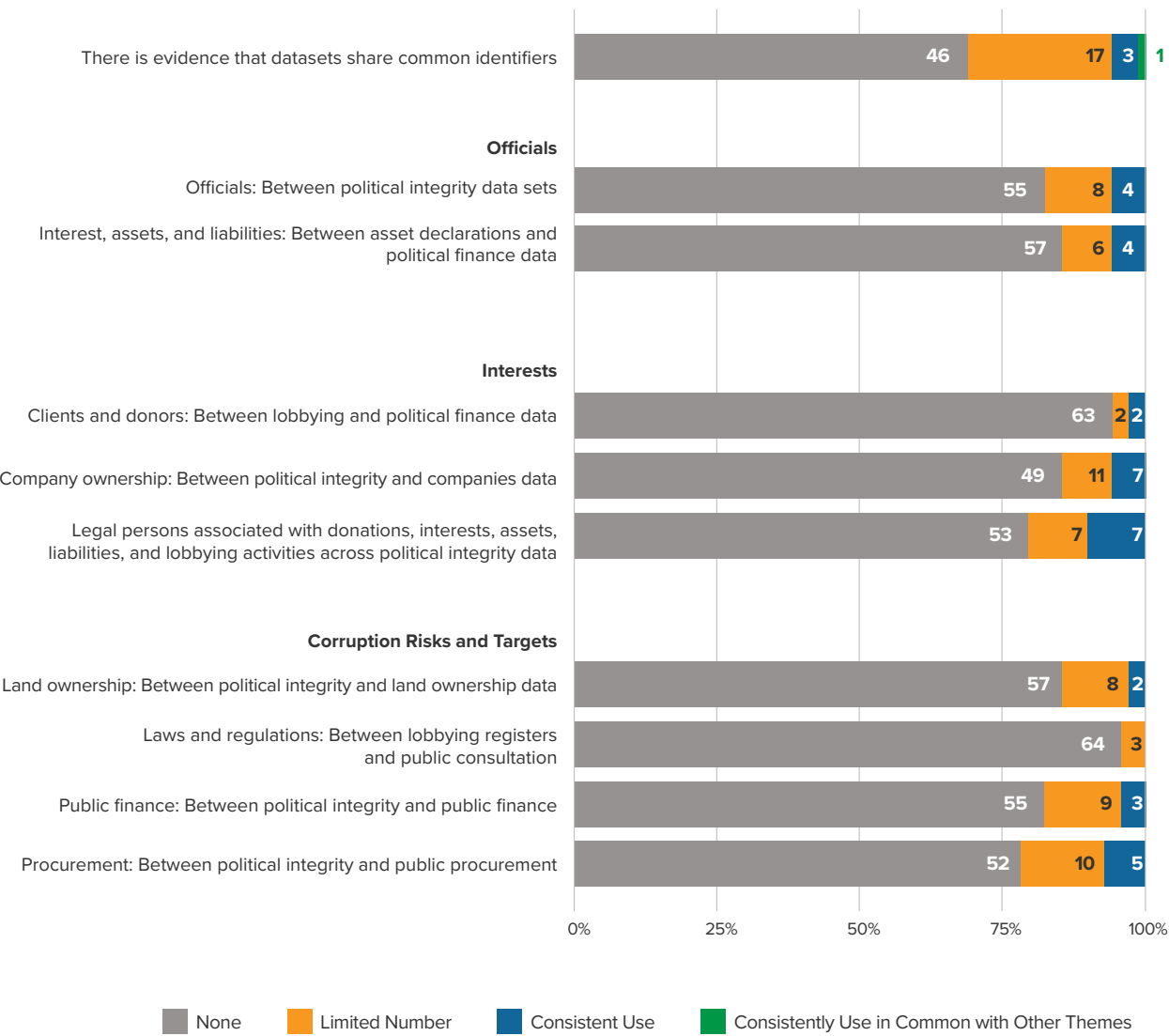
Highlights from the GDB data research and assessment include:

- **Absence of data is the main problem:** Most countries surveyed do not have common identifiers for the simple reason that they do not publish all of the relevant datasets. This cannot be stressed enough. It does, however, mean that as countries move to develop data entry, validation, and publication systems, they can do so knowing that it will save time and make data more useful to collect certain data in separate, reusable databases, rather than multiple times, in multiple ways.

- **Where data is available, there is some interoperability:** Where data is available, there is evidence that such sets do employ useful common indicators in at least some of the datasets (see Figure 1).
- **Companies’ data is harmonized between datasets most frequently:** Perhaps because it is one of the newest areas, company identifying data is frequently used across multiple datasets and policy areas. (see Figure 1).
- **Lobbying disclosure has low amounts of interoperability:** Disclosing lobbying data, in general, is rarely required and rarely disclosed. It thus follows that lobbying data is rarely disclosed in a way that allows for linking up data.

FIGURE 1. Prevalence of common identifiers across datasets

This figure shows the percentage of OGP countries with essential common identifiers. The sample includes all 67 OGP countries assessed by the GDB.





## Recommendations

The following recommendations illustrate a number of ways for governments to improve interoperability of data to counter political corruption, including through their OGP action plans. In addition, *Lessons from Reformers: Building Systems for High-Quality, Interoperable Data* offers strategies from professionals beyond policy change.

### Building Systems for Interoperability

- Ensure that fields in datasets reuse common identifiers for key pieces of information.
- Build data-entry systems to validate upon entry.
- Whole-of-government approaches may be needed to ensure that unique identifiers can be used across different datasets. (For example, ensure that company tax identification numbers are the same used for employment, permits, and addresses.)
- Some governments may have significant amounts of identifiers under legacy systems. Where legacy identifiers that should be common overlap but are not coterminous, consider phasing out legacy identifiers or creating “keys” for equivalence and interoperability. (See *Lessons from Reformers: Dealing With Legacy Common Identifiers in the United States*,” for example, on how the United States government has phased out Dun & Bradstreet numbers for Unique Entity Identifiers, which are public and relate directly to ownership, tax, and employment records.)
- Where data collection and publication systems are centralized, national governments can work with other countries to develop, adopt, and implement common standards.
- National governments can spur interoperability by convening data users and producers. This is especially important in federal systems where their national-level governments lack the ability to compel subnational governments but where subnational governments may benefit from information sharing, comparison, and learning across jurisdictions.

- Similarly, even between ministries and agencies, there may be more need to use common identifiers and reporting standards. This may require more explicit mandates for coordinating agencies as well as investment in software and data systems that make interoperability easier than inventing new systems.

### Toward Standard Common Identifiers

Because corruption, political influence, and organized crime are often cross borders, moving toward common identifiers will allow transboundary comparison. This is essential in tracking political finance flows. But it may also be useful in other, unexpected fields such as tracking transboundary pollutant transfers or fisheries usages.

- International standard-setting bodies can work together to ensure that they are working toward common identifiers and standardized systems of data. This could apply to regular OGP partners and affiliates such as the Open Ownership, Open Contracting Partnership, ISO standards bodies, and the various financial reporting organizations.
- Individual governments may convene stakeholders inside and outside of government to understand how well common identifiers do and do not work to solve particular, applied problems (such as tracking contract abuse).

### Human Interoperability

In the absence of open data and common identifiers, governments, donors, and watchdogs can take steps to promote the linking up of core data. Notable examples include:

- Convene potential users to prioritize common indicators.
- Build data structures with input from end users in a way that ensures that fields are consistent and useful in applied settings.
- Ensure adequate protection for whistleblowers acting in the public interest, especially where there is overwhelming interest (as in the Kenya case study above).

#### LESSONS FROM REFORMERS:

### Dealing With Legacy Common Identifiers in the United States

In the United States, a single factory or facility may have dozens of different identifiers when filing compliance data with the federal government. The system has been built up over decades, one law at a time. As a result, activists, journalists, or regulators looking into the operations of a single facility will need to know a variety of identifying numbers or codes.

Depending on the specific question at hand, this may include:

- Employer tax identification numbers when dealing with tax, employment, and worker safety issues
- Unique permit identification numbers for safety and environmental compliance data
- Data Universal Numbering System (DUNS) numbers when dealing with federal contracts
- Geospatial data
- Ownership data through Securities and Exchange Commission or state corporate registries

As part of its 2013 OGP national action plan ([Milestone 32.2](#)), the United States (n.d.) committed to moving toward a more interoperable and public data system. The US government proposed a rule in November 2015 to replace proprietary identification of entities with a generic terminology. This rule is part of an effort to move away from the DUNS, a standard developed by the private company Dun & Bradstreet that keeps track of entities receiving government funds. Given that the DUNS is a proprietary standard, much of the data on contractors is not public or reusable. For this reason, both the Government Accountability Office and leading open data groups have advocated for a move away from the DUNS. The [IRM found](#) this commitment to be noteworthy, both in design and implementation (OGP, n.d.).

As of April 22, 2022, the United States government has [officially retired DUNS numbers](#) and moved all contracting entities to a Unique Entity Identifier created in SAM.gov (US GSA, 2022). This allows for a single, publicly owned, nonproprietary common identifier for companies. While there is still room for further integration with other data systems, this takes a significant step toward retiring siloed, non-interoperable identifiers.

#### LESSONS FROM REFORMERS

## Building Systems for High-Quality, Interoperable Data

Open government reformers can draw from decades of work linking up data to counter political corruption. Replicable lessons cover issues related to lobbying, beneficial ownership transparency, open contracting, or asset disclosure, among others—and offer a more informed and useful understanding of who shapes policy and spending. A number of partners were interviewed in preparing this report. Common themes from these discussions include:

- Common identifiers are a core part of the structure of a dataset and are, ideally, used across multiple datasets. But the end goal is to achieve structured data. This means creating content fields that resonate with or are useful to data users. This requires regular communication with end users.
- Validation is essential to timely, high-quality data. And a centralized or standardized approach can ensure that data is validated. Examples cited include:
  - Public validation: Data is published, and stakeholders (regulators, regulated entities, and members of the public) can identify outliers, mistakes, etc.
  - Automated validation: A business, employer, or other official number is submitted, and it is validated through a central database.
  - Spot validation: Forms are written in a way that it may be impossible to register without validation, for example, requiring entry of beneficial owners' identification, which can be verified with another database.
- Dates are essential in determining when activities took place.
  - One form of fraud involves moving companies to other owners while applying for a bid, allowing a company to bid multiple times or for blacklisted firms to apply for a contract. Therefore, dates are essential to detect transfer of ownership to conceal personal interests.

- Quality assurance is also important. However, some means have proven more effective than others.
  - Publishing before a full audit is essential. Assigning an official to identify outliers and misreporting is important. However, holding back on publication *before* outliers are identified and resolved is not ideal, as it can result in undue delays in the release of data.
  - Early release of data should be combined with a *public* flagging system to encourage identification of suspicious activity and allow regulated entities to determine mis-entered data.
  - Consider releasing data that may be viewed as incomplete or imperfect. In some cases, especially with lobbying and asset disclosure, flawed data or concerns about privacy (sometimes made in good faith) need to be acknowledged and dealt with on a systematic and case-by-case basis.

List of Resources

Africa Uncensored, “Captured: Stella’s Web,” You-  
Tube Video, 17:45, September 27, 2019, <https://www.youtube.com/watch?v=ruh5QUzdWjo&list=PL8SSOlb-3zzK8xILT2JD5Glj4Zzt1SWork&index=4>.

Public Procurement Regulatory Authority, “Executive  
Order 2 of 2018,” 2019, <https://ppra.go.ke/download/executive-order-2-of-2018/>.

Public Procurement Regulatory Authority, “Big Infra-  
structure Projects,” n.d., <https://ppra.go.ke>.

Open Government Partnership, IRM staff, *Indepen-  
dent Reporting Mechanism (IRM): United States  
Progress Report 2015–2016*, n.d., [https://www.opengovpartnership.org/wp-content/uploads/2018/01/United-States\\_Mid-Term\\_2015-2017.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/01/United-States_Mid-Term_2015-2017.pdf).

United States, “Increase Transparency in Spending  
(US0039),” n.d., <https://www.opengovpartnership.org/members/united-states/commitments/US0039/>.

US General Services Administration, “Unique Entity  
Identifier Update,” 2022, <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update#:~:text=On%20April%204%2C%202022%2C%20the,website%20to%20obtain%20their%20identifier>.

REGIONS



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# AFRICA AND THE MIDDLE EAST

Political corruption has tremendous consequences worldwide. Transparency in political finance, political influence, and state administration can help reduce corruption and make democratic processes more legitimate, more pluralistic, and more representative. Open data on decision-making and decision makers can be a powerful tool to identify whose interests shape how governance decisions are made and implemented.

New data from 67 OGP countries, including 13 countries from Africa and the Middle East, shows that there are significant gaps in data frameworks and data availability across a variety of areas related to countering political corruption. This module is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report<sup>1</sup> which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the [Global Data Barometer \(GDB\)](#).<sup>2</sup> The goal of the report is to identify areas for improvement and generate recommendations for future OGP commitments.

This module focuses specifically on the state of data frameworks and availability in the 13 OGP countries assessed by the GDB across Africa and the Middle East (see *Countries in this Analysis*). This regional analysis includes:

- A summary of GDB’s assessment of the state of anti-corruption data in the region
- An overview of OGP commitments across policy areas assessed
- Highlights in featured policy areas with data from both GDB and OGP
- Examples of regional innovations

## Countries in this Analysis

### OGP Countries Assessed by GDB and Included in this Analysis

- Burkina Faso
- Côte d’Ivoire
- Ghana
- Jordan
- Kenya
- Liberia
- Malawi
- Morocco
- Nigeria
- Senegal
- Sierra Leone
- South Africa
- Tunisia

### OGP Countries Not Assessed by GDB<sup>3</sup>

- Cabo Verde
- Seychelles

<sup>1</sup> You can find the report *Broken Links Open Data to Advance Accountability and Combat Corruption* here: <https://www.opengovpartnership.org/broken-links/>.

<sup>2</sup> View more details about the Global Data Barometer here: <https://globaldatabarometer.org/>.

<sup>3</sup> Due to inability to find researchers, 10 of the 77 OGP countries were not included in the Global Data Barometer’s assessment.



# Key Takeaways

- **Making data available in any form is the region’s main area for improvement.** Public procurement is the only area assessed where most countries in the region publish data. Less than one-quarter of countries have available data across all other policy areas.
- **Requirements for data collection and publication are lacking across many policy areas.** While most countries in Africa and the Middle East require collection of asset disclosure and political finance data, few countries require the data to be published. Like in other regions, few requirements exist for lobbying data collection and publication.
- **Countries have undertaken reforms in certain policy areas in their OGP action plans.** Many countries in Africa and the Middle East have committed to public procurement and asset disclosure reforms, but more commitments are needed, particularly around lobbying and political finance.

Zuki Kota, from the Public Service Accountability Monitor, is one of the creators of Vulekamali, which is a budget data portal created by the South African National Treasury in partnership with civil society organizations. The online platform allows people to track how money is spent and it has useful resources for learning about the budget and the budget process. Photo by OGP.

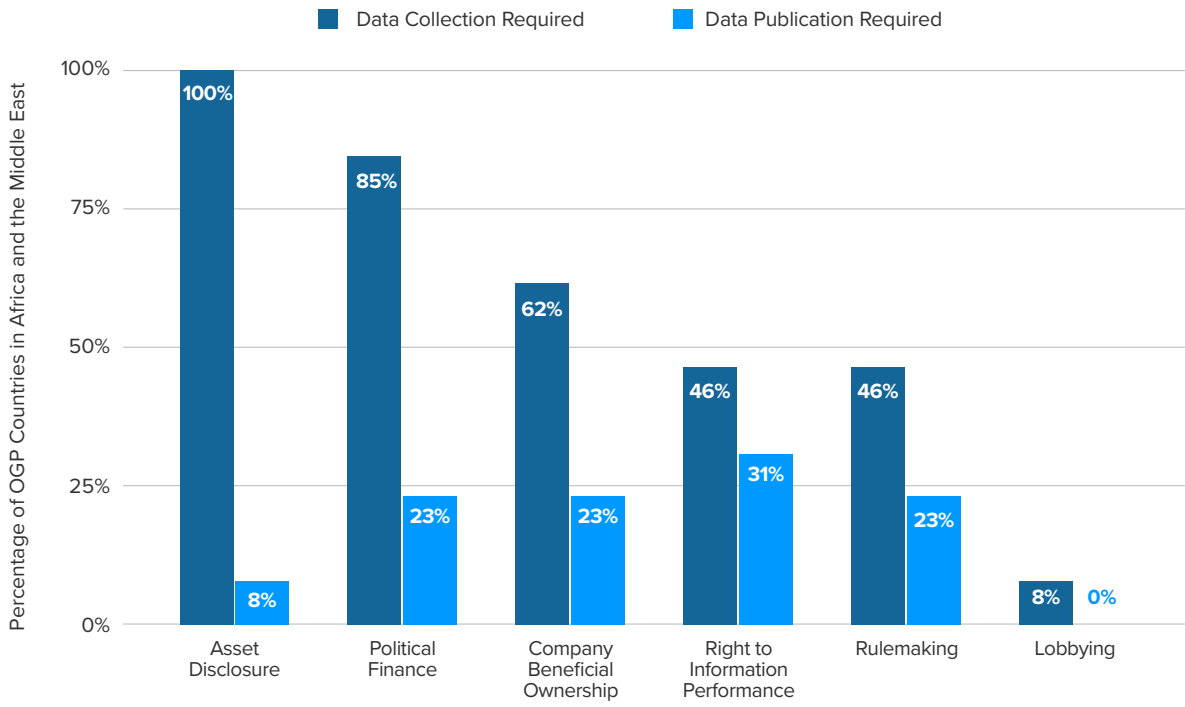


# Overall State of Data to Combat Corruption

## Legal Frameworks

Across all policy areas, a gap exists between the percentage of countries requiring data collection and the percentage requiring data publication (see Figure 1).<sup>4</sup> While most countries require collection of asset disclosure and political finance data, only a small number of countries require publication of data in these areas. Requirements for both data collection and publication are especially low for right to information performance, rulemaking, and lobbying data.

**FIGURE 1: Gaps between required data collection and publication**  
This figure shows the number of OGP countries in Africa and the Middle East with data collection and disclosure requirements across policy areas. The sample includes the 13 OGP countries in the region assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational.<sup>5</sup>

<sup>4</sup> The Global Data Barometer assesses whether countries have set requirements to publish data through binding policy, regulations, or law. Legal frameworks governing public procurement and land tenure data have not been assessed by the GDB. However, information on the availability of procurement and land tenure data was collected (see *Data Availability and Usability*).  
<sup>5</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

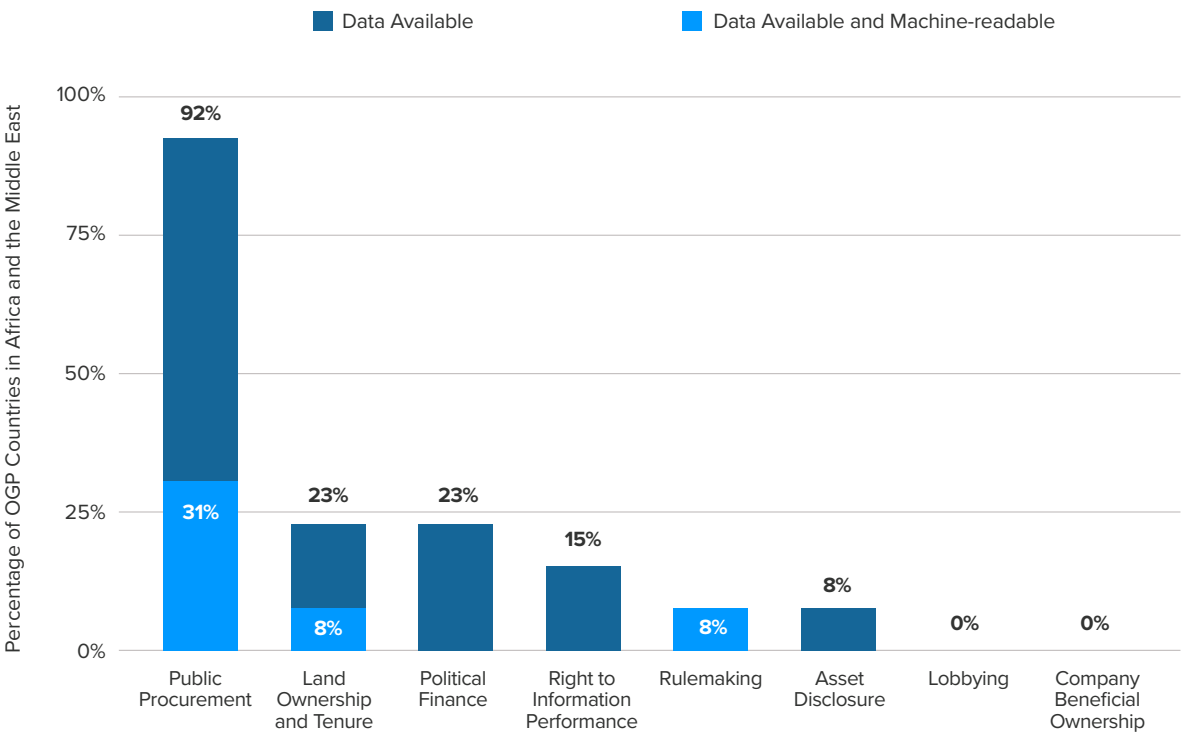


## Data Availability and Usability

Few countries in the region publish key anti-corruption data as assessed in this report. Where data is available, it is only rarely in an open format when published (see Figure 2). Public procurement is the main exception, where nearly all countries in Africa and the Middle East publish data, and over a quarter of countries publish data that is machine-readable.

**FIGURE 2: Gaps between data availability and usability**

This figure shows the percentage of OGP countries in Africa and the Middle East with available data and the percentage with machine-readable data. The sample includes the 13 OGP countries in the region assessed by the GDB.



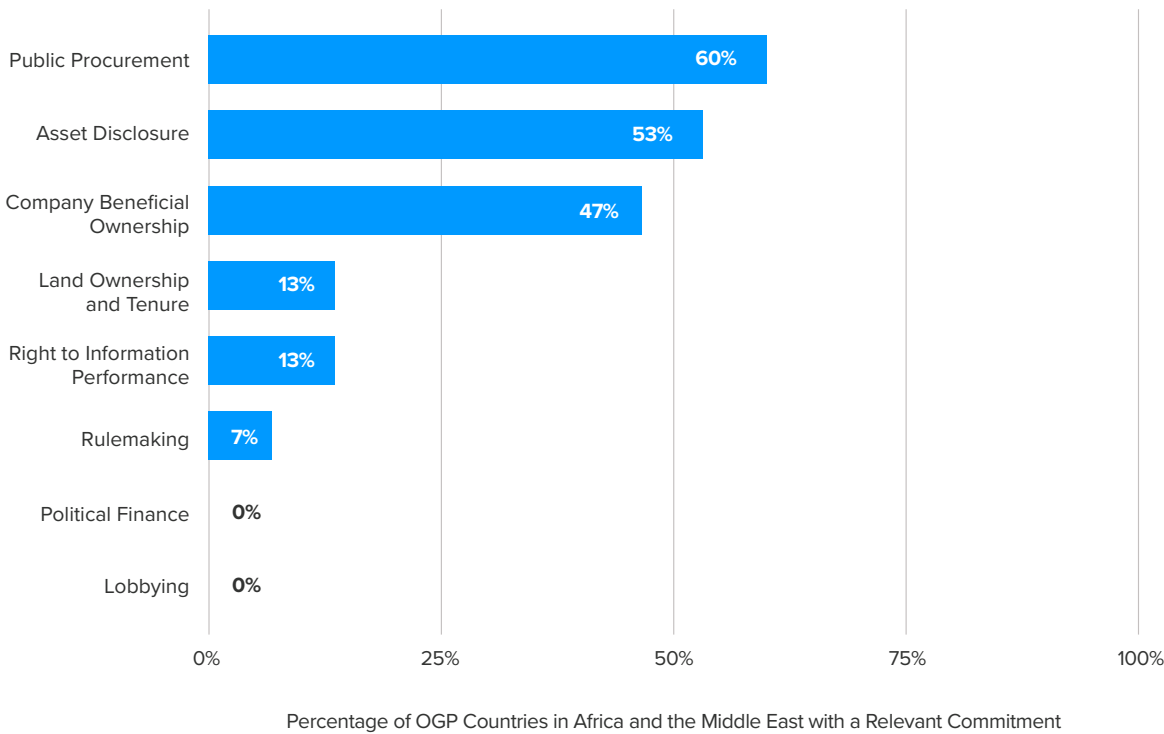
Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure.<sup>6</sup>

## State of Progress Through OGP

OGP countries in Africa and the Middle East have advanced reforms in certain policy areas, such as beneficial ownership transparency, while lacking commitments in others, like lobbying (see Figure 3). Over half of the countries in the region have made a commitment related to asset disclosure, but none have addressed lobbying or political finance.

**FIGURE 3: Progress made through OGP commitments**

This figure shows the percentage of OGP countries in Africa and the Middle East that have made at least one relevant OGP commitment across each policy area assessed in this report. The sample includes all 15 OGP countries in the region.



<sup>6</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.



## Featured Policy Areas

The following policy areas were selected for a more detailed analysis based on a variety of factors, including regional priorities, areas of momentum, and areas for growth.

### Company Beneficial Ownership

Publishing digital registers with beneficial ownership information helps shine a light on secretive legal structures that can be exploited to launder the proceeds of corruption and other corrupt activities.

#### Key Findings from the Global Data Barometer

- **A significant number of countries have beneficial ownership laws.** Eight OGP countries in the region have an operational law that requires the collection of beneficial ownership data. Three countries (Côte d’Ivoire, Ghana, and Nigeria) have operational laws requiring the publication of beneficial ownership information and data.
- **Data is not publicly available throughout most of the region.** While many countries have laws mandating the collection and/or publication of beneficial ownership information, Nigeria is the only country that has beneficial ownership data freely available online.

#### State of Progress Through OGP

- **Beneficial ownership transparency is a growing area of reform.** Seven countries in the region have made a total of 19 commitments on beneficial ownership transparency.<sup>7</sup> Five of these countries are currently implementing a commitment through their 2020 or 2021 action plans.
- **Many beneficial ownership commitments in the region involve open data.** Eleven of the nineteen commitments reference publishing beneficial ownership information according to open data principles. Many countries in Africa and the Middle East, such as Ghana and Nigeria, have committed to publishing data according to the [Extractive Industries Transparency Initiative](#)’s (EITI) standards.<sup>8</sup>

Regional Innovations	
Nigeria	Beneficial ownership information for the extractive industry <a href="#">is available</a> according to EITI standards. <sup>9</sup>

<sup>7</sup> As of June 2022, 15 national and 12 local OGP members from Africa and the Middle East had submitted at least one action plan. See an updated list of OGP national and local members <https://www.opengovpartnership.org/our-members/>.

<sup>8</sup> Extractive Industries Transparency Initiative, “A Year in Review,” 2022, <https://eiti.org>.

<sup>9</sup> Nigeria Extractive Industries Transparency Initiative, “Beneficial Ownership Portal,” n.d., [https://bo.neiti.gov.ng/og\\_search](https://bo.neiti.gov.ng/og_search).



Garmondeh Banwon is a member of the Jogbahn community in Grand Bassa County, Liberia. The community continues to fight to understand their land rights and protect their community land. As part of its Open Government Partnership (OGP) commitments, Liberia’s government agreed to publish concessions information online, as well as to pass a formal Land Rights Act. This information shows what land belongs to whom—and flags where concessions and villages overlap. By showing that competing information, communities can use it to show that their land is theirs—and that they have the rights to the resources.

### Land Ownership and Tenure

Knowing who owns land and under what system of land ownership is essential, as land is both a major target of corruption and a commonly used vehicle for money laundering. Politicians may also pass policies that are favorable to particular landholders, such as direct subsidies.

#### Key Findings from the Global Data Barometer

- **Few countries in the region publish land tenure data in any form.** No countries make the data available in a machine-readable format, for bulk download, or licensed for reuse.
- **The scope of land tenure data is very limited.** In general, countries do not publish information about the type of tenure held over particular pieces of land, including state land, open access land, and communally held land. No country in the region publishes information on indigenous peoples’ land tenure or the gender of tenure holders.

#### State of Progress Through OGP

- **Most members have made a commitment related to land rights.** In Africa and the Middle East, eight national and three local OGP members have made a total of 23 commitments related to land rights. Two countries are currently implementing a land rights commitment through their 2020 or 2021 action plans.
- **Many commitments involve opening data.** Ten land rights commitments reference open data principles. Seven of these were assessed as having high potential impact by OGP’s Independent Reporting Mechanism (IRM).<sup>10</sup>

<sup>10</sup> Learn more about how the Independent Reporting Mechanism assesses commitments <https://www.opengovpartnership.org/irm-guidance-overview/>.

# Public Procurement

Opaque contracting processes show higher levels of corruption and inefficiency, decreased competition, and reduced opportunities for smaller companies. Alternatively, [open procurement processes](#), otherwise known as open contracting, produce greater competition, improved public service delivery, and significant cost savings for governments.<sup>11</sup>

## Key Findings from the Global Data Barometer

- **Nearly all OGP countries in the region publish data on public procurement.** All OGP countries evaluated by the GDB in Africa and the Middle East, except for Burkina Faso, publish procurement data online. Two countries, however, do not publish the data free of charge (Ghana and Malawi).
- **The scope of published information is limited.** Most countries publish data with significant gaps in coverage. Countries tend to publish the most information on the award and tender stages, with only two countries also publishing data on contract implementation. A majority of countries do not publish critical information, such as the value of awards, names of companies awarded contracts, or contract start and end dates.
- **Data usability is an area for improvement across the region.** No country publishes procurement data that meets all five elements of open data (freely accessible, up to date, openly licensed, machine-readable, and bulk downloadable). Few countries publish data that is timely and updated. Three countries have openly licensed procurement data, and four countries publish machine-readable data, both essential elements for public monitoring and oversight.

## State of Progress Through OGP

- **Many OGP members have committed to public procurement and open contracting reforms.** Eight countries and three localities in Africa and the Middle East have made a total of 28 commitments related to public procurement and open contracting. Sector-specific reforms have been common, such as open contracting in the extractives sector.
- **However, few commitments have led to strong results.** Only 2 of the 17 commitments assessed by the IRM have achieved strong early results in opening government, possibly because most of the commitments have not been fully implemented.

Regional Innovations	
Jordan	Although not published until awards are finalized, Jordan <a href="#">publishes</a> procurement data annually with contract values and supplier names. <sup>12</sup>
Sierra Leone	Sierra Leone’s National Public Procurement Authority <a href="#">publishes</a> data on government-awarded contracts that includes the names of suppliers, contract values, and expected contract completion dates. <sup>13</sup>

<sup>11</sup> Open Government Partnership, *The Skeptic’s Guide to Open Government*, 2022, [https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc\\_7](https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc_7).

<sup>12</sup> The Hashemite Kingdom of Jordan, n.d., <https://portal.jordan.gov.jo/wps/portal/OpenData?&lang=en&isFromLangChange=yes#/viewDataSet/633>.

<sup>13</sup> National Public Procurement Authority, “Contract Awards,” n.d., <https://nppa.gov.sl/contract-awards>.

# AMERICAS

Political corruption has tremendous consequences worldwide. Transparency in political finance, political influence, and state administration can help reduce corruption and make democratic processes more legitimate, more pluralistic, and more representative. Open data on decision-making and decision makers can be a powerful tool to identify whose interests shape how governance decisions are made and implemented.

New data from 67 OGP countries, including 18 countries from the Americas, shows that there are significant gaps in data frameworks and data availability across a variety of areas related to countering political corruption. This module is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report<sup>1</sup> which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the [Global Data Barometer \(GDB\)](#).<sup>2</sup> The goal of the report is to identify areas for improvement and generate recommendations for future OGP commitments.

This module focuses specifically on the state of data frameworks and availability in the 18 OGP countries assessed by the GDB across the Americas (see *Countries in this Analysis*). This regional analysis includes:

- A summary of GDB’s assessment of the state of anti-corruption data in the region
- An overview of OGP commitments across policy areas assessed
- Highlights in featured policy areas with data from both GDB and OGP
- Examples of regional innovations

## Countries in this Analysis

### OGP Countries Assessed by GDB and Included in this Analysis

- Argentina
- Brazil
- Canada
- Chile
- Colombia
- Costa Rica
- Dominican Republic
- Ecuador
- El Salvador
- Guatemala
- Honduras
- Jamaica
- Mexico
- Panama
- Paraguay
- Peru
- United States of America
- Uruguay

<sup>1</sup> You can find the report *Broken Links Open Data to Advance Accountability and Combat Corruption* here: <https://www.opengovpartnership.org/broken-links/>.

<sup>2</sup> View more details about the Global Data Barometer here: <https://globaldatabarometer.org/>.



# Key Takeaways

- **Across most policy areas, a majority of countries publish data online in some form.** However, like in other regions, few countries in the Americas publish beneficial ownership or lobbying data in any form.
- **Data quality remains an area for improvement.** Datasets often lack high-value elements, such as common identifiers that enable monitoring and oversight across datasets. Most data is also not published in open data formats, making it hard to use.
- **Using data to counter corruption has not been a major focus area of OGP action plans in the Americas.** With the exception of public procurement, few countries in the region have made commitments in key areas such as lobbying and asset disclosure.

Jimmy Molina, a Colombian student and citizen auditor, reviewed government-issued data on investment projects and contractor information and found that only half of government resources had been allocated in a timely manner. His request for accountability around these projects resulted in government response and action to resolve the delays.

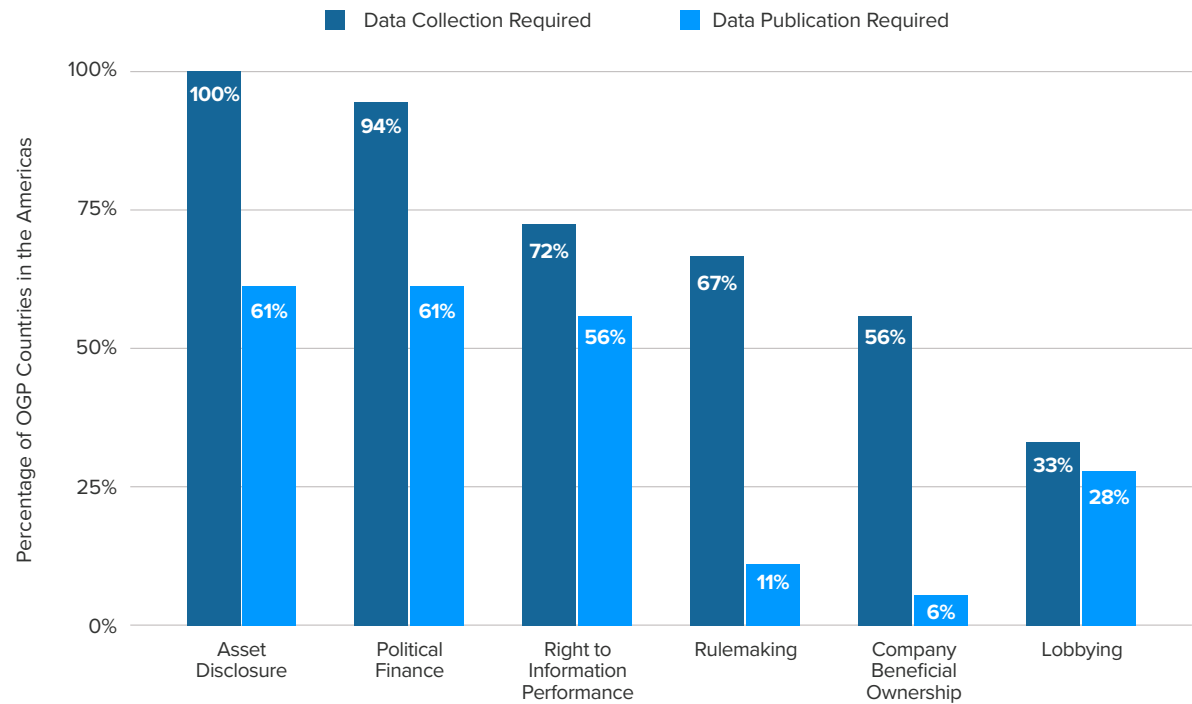


# Overall State of Data to Combat Political Corruption

## Legal Frameworks

A majority of countries in the Americas have laws requiring the collection of data across these policy areas, except for lobbying (see Figure 1).<sup>3</sup> However, most countries do not legally require that data be made publicly available. For example, while about two-thirds of countries in the Americas have laws or regulations in place requiring the publication of asset disclosure and political finance data, only a handful of countries legally require publication of rulemaking and beneficial ownership data.

**FIGURE 1: Gaps between required data collection and publication**  
This figure shows the percentage of OGP countries in the Americas with data collection and disclosure requirements across policy areas. The sample includes the 18 OGP countries in the region assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational.<sup>4</sup>

<sup>3</sup> The Global Data Barometer assesses whether countries have set requirements to publish data through binding policy, regulations, or law. Legal frameworks governing public procurement and land tenure data have not been assessed by the GDB. However, information on the availability of procurement and land tenure data was collected (see *Data Availability and Usability*).

<sup>4</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

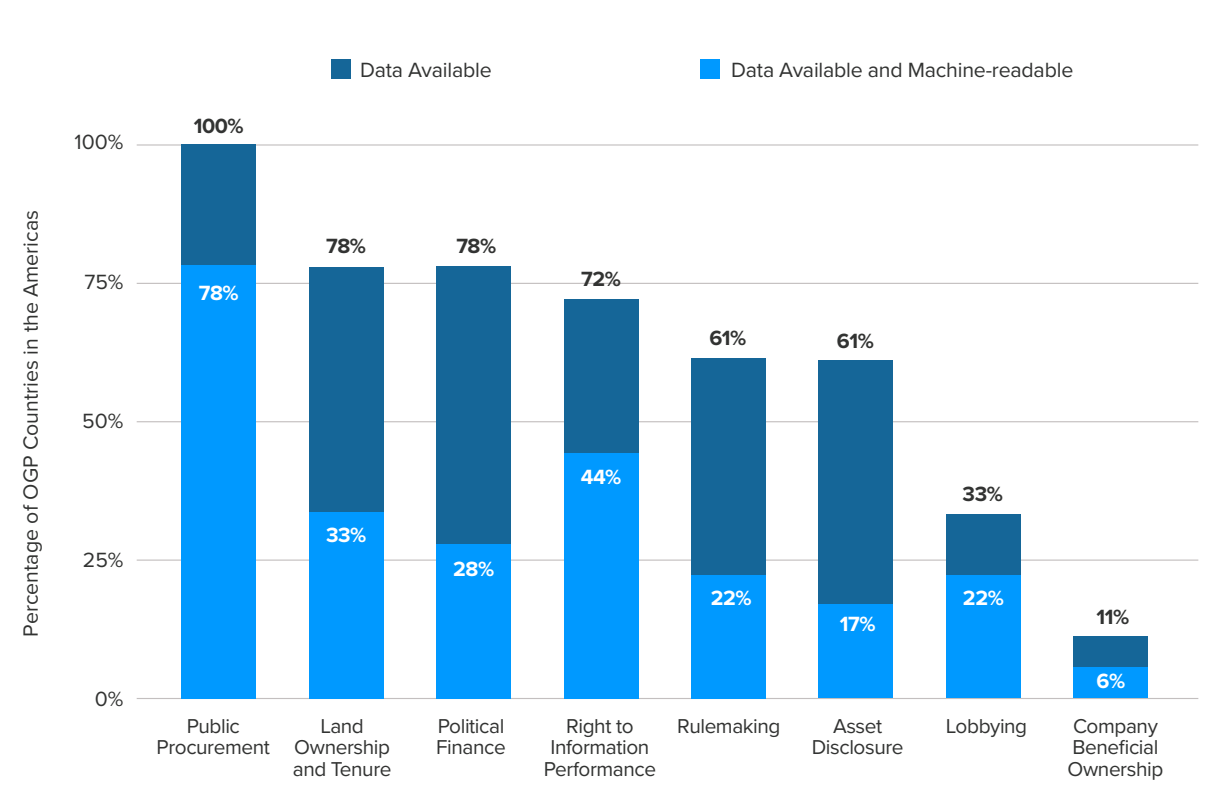


## Data Availability and Usability

A majority of countries in the region publish data in each of the policy areas covered in this module, except for beneficial ownership and lobbying data (see Figure 2). Publishing this data in an open format remains an area for growth. In all areas except public procurement, less than half of countries publish data in a machine-readable format, which prevents users from being able to analyze the data for monitoring and accountability purposes.

**FIGURE 2: Gaps between data availability and usability**

This figure shows the percentage of OGP countries in the Americas with available data and the percentage with machine-readable data. The sample includes the 18 OGP countries in the region assessed by the GDB.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure.<sup>5</sup>

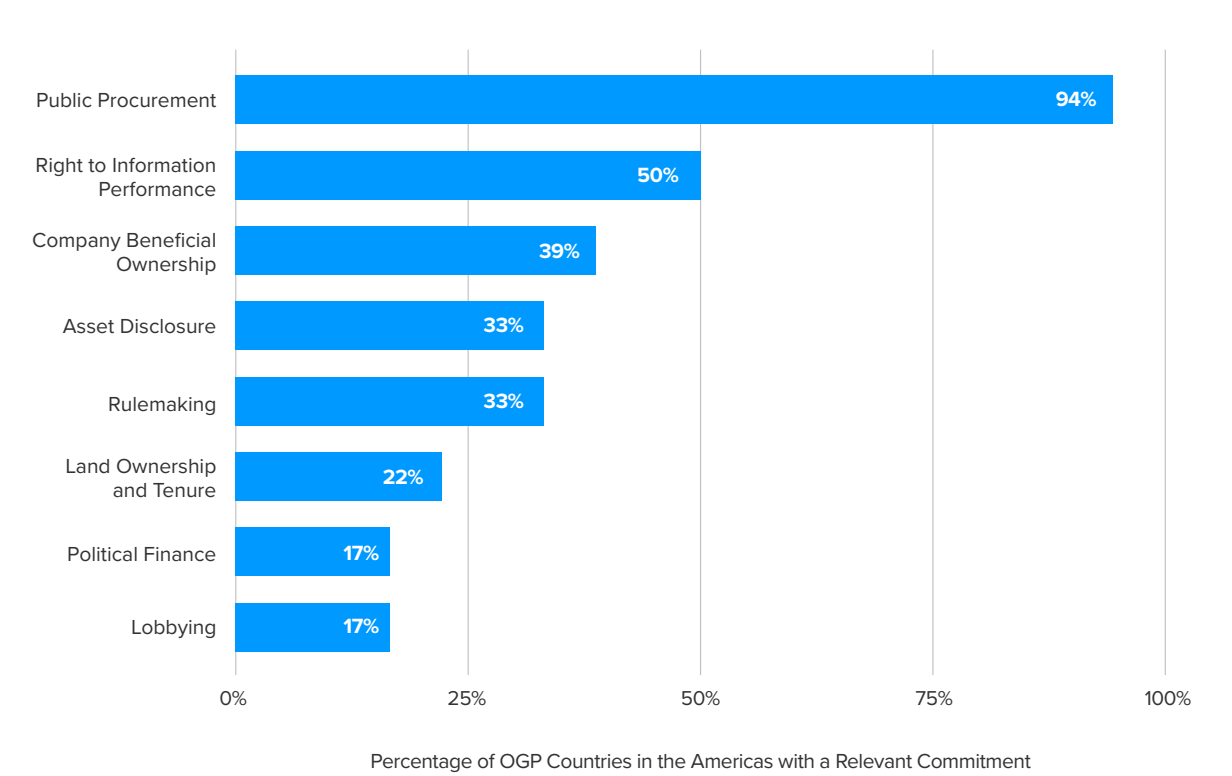
<sup>5</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

## State of Progress Through OGP

Aside from many commitments related to public procurement, using data to counter political corruption has not historically been a major focus of OGP action plans in the Americas (see Figure 3). Few countries in the Americas have made commitments related to key areas such as asset disclosure, political finance, or lobbying.

**FIGURE 3: Progress made through OGP commitments**

This figure shows the percentage of OGP countries in the Americas that have made at least one relevant OGP commitment across each policy area assessed. The sample includes all 18 OGP countries in the region.



## Featured Policy Areas

The following policy areas were selected for a more detailed analysis based on a variety of factors, including regional priorities, areas of momentum, and areas for growth.

### Asset Disclosure

Asset disclosure requirements are an essential safeguard to prevent and detect cases of favoritism, conflicts of interest, and illicit enrichment of public officials. Opening data on asset disclosure allows the public to work alongside oversight institutions in monitoring those they have entrusted to serve in their interest.

#### Key Findings from the Global Data Barometer

- **Most, but not all, countries require publication of asset disclosure data.** Given that it is part of OGP’s eligibility requirements, all OGP countries in the Americas have an operational law requiring the collection of asset disclosures. However, seven countries do not legally require that asset disclosure information be published.
- **Interoperability remains an area of improvement for all countries.** Three countries in the Americas publish data that contains unique identifiers for each individual who is required to disclose. However, these identifiers are not used across datasets. For example, no country in the region uses common identifiers across asset disclosure and political finance datasets.
- **Asset disclosure data lacks usability across the region.** No country in the Americas publishes asset disclosure information that meets all five elements of open data. While most countries have freely available data, few countries have data that is timely and updated, openly licensed, machine-readable, or bulk downloadable.

#### State of Progress Through OGP

- **The Americas has seen few OGP commitments on asset disclosure.** Six OGP members in the Americas, including those at both the national and local levels, have made only 11 total commitments related to asset disclosure.<sup>6</sup> No members in the region are currently implementing an asset disclosure commitment.
- **Commitments have typically focused on data collection.** Two commitments made in the Americas have focused on making asset disclosure data publicly available; the majority have aimed to improve or expand data collection processes.

Regional Innovations	
Chile	Chile’s <a href="#">asset disclosure portal</a> contains over 90,000 declarations from public officials that can be exported by users. <sup>7</sup>
Mexico	Mexico’s <a href="#">platform</a> features bulk downloadable asset disclosure data from public servants at both the national and local levels. <sup>8</sup>

<sup>6</sup> As of June 2022, 18 national and 20 local OGP members from the Americas had submitted at least one action plan. See an updated list of OGP national and local members [here](#).

<sup>7</sup> InfoProbidad, n.d., <https://www.infoprobidad.cl/#/inicio>.

<sup>8</sup> Plataforma Digital Nacional, n.d., <https://www.plataformadigitalnacional.org/terminos>.



Members of a citizen council in Paraguay discuss community priorities and status on various investment projects. Public validation of government data is an important step to ensure data accuracy.

### Company Beneficial Ownership

Publishing digital registers with beneficial ownership information helps shine a light on secretive legal structures that can be exploited to launder the proceeds of corruption and other corrupt activities.

#### Key Findings from the Global Data Barometer

- **Most countries do not publish beneficial ownership data.** Two countries (Brazil and Ecuador) have government-published data available online.
- **Half of the countries require the collection of beneficial ownership information.** Ten countries in the Americas have an operational law requiring data collection. Ecuador is the only country with an operational law that requires beneficial ownership data to be made publicly available.
- **Beneficial ownership frameworks have key gaps.** In addition to not requiring the publication of beneficial ownership data, most frameworks do not require the collection of data in a central register, which is critical for enabling widespread use.

#### State of Progress Through OGP

- **Countries in the Americas have made relatively few OGP commitments on beneficial ownership transparency.** Seven OGP countries in the Americas have made a total of eight beneficial ownership commitments. No country in the region is currently implementing a beneficial ownership commitment in their 2020 or 2021 action plans.
- **Commitments focus on data collection but not publication.** Most commitments from the Americas have focused on collecting beneficial ownership information, with few commitments to establish public registries. Three commitments have mentioned publishing data according to open data principles.

Regional Innovations	
Ecuador	Ecuador’s <a href="#">portal</a> <sup>9</sup> allows users to search by name to see if a natural or legal person is related to any companies.

<sup>9</sup> Superintendencia de Compañías, n.d., <https://www.google.com/search?client=safari&rls=en&q=Superintendencia+de+Companias&ie=UTF-8&oe=UTF-8>.

## Public Procurement

Opaque contracting processes show higher levels of corruption and inefficiency, decreased competition, and reduced opportunities for smaller companies. Alternatively, [open procurement processes](#), otherwise known as open contracting, produce greater competition, improved public service delivery, and significant cost savings for governments.<sup>10</sup>

### Key Findings from the Global Data Barometer

- **All countries in the Americas publish procurement data in some form.** All 18 countries in the region publish procurement data online that is free of charge and up to date.
- **High-value information and interoperability remain areas for improvement.** While most countries publish data on contract tender and award stages, only a small minority of countries in the Americas publish data on the planning and implementation stages of procurement. Only two countries (Chile and Panama) use common identifiers that can link procurement data with other anti-corruption datasets.
- **Most countries are publishing procurement data according to open data principles.** Procurement data in six countries (Argentina, Canada, Colombia, Dominican Republic, Honduras, and Paraguay) meets all five elements of open data (freely accessible, up to date, openly licensed, machine-readable, and bulk downloadable). Six other countries publish data that meets all but one element.

### State of Progress Through OGP

- **Public procurement and open contracting have been popular areas of reform among OGP members in the Americas.** Twenty-three OGP members in the region, including those at both the national and local levels, have made over 80 commitments related to making procurement processes more open. At least 30 of these commitments have specifically mentioned open contracting principles.
- **Procurement reforms have shown strong early results.** Over one-third of procurement commitments in the Americas have achieved strong early results in opening governments, according to OGP’s Independent Reporting Mechanism (IRM).<sup>11</sup>

Regional Innovations	
Canada	Public Services and Procurement Canada has <a href="#">available data</a> <sup>12</sup> that dates back to 2009 and adheres to the <a href="#">Open Contracting Data Standard</a> . <sup>13</sup>
Colombia	Colombia’s <a href="#">SECOP platform</a> <sup>14</sup> adheres to the Open Contracting Data Standard and also features a <a href="#">user-friendly dashboard</a> that allows for further data exploration. <sup>15</sup>

<sup>10</sup> Open Government Partnership, “The Skeptic’s Guide to Open Government,” 2022, [https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc\\_3](https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc_3).

<sup>11</sup> Learn more about how the Independent Reporting Mechanism assesses commitments [here](#).

<sup>12</sup> Government of Canada, “Contract History,” n.d., <https://open.canada.ca/data/en/dataset/53753f06-8b28-42d7-89f7-04cd014323b0>.

<sup>13</sup> Open Contracting Partnership, “Open Contracting Data Standard,” n.d., <https://standard.open-contracting.org/latest/en/>.

<sup>14</sup> Colombia Compra Eficiente, “SECOP,” n.d., <https://www.colombiacompra.gov.co/secop/secop>.

<sup>15</sup> Colombia Compra Eficiente, “Tablero de Contrataciones Abiertas,” n.d., <https://colombiacompra.gov.co/indicadores/resultados-del-sistema-de-indicadores>.

# ASIA AND THE PACIFIC

Political corruption has tremendous consequences worldwide. Transparency in political finance, political influence, and state administration can help reduce corruption and make democratic processes more legitimate, more pluralistic, and more representative. Open data on decision-making and decision makers can be a powerful tool to identify whose interests shape how governance decisions are made and implemented.

New data from 67 OGP countries, including eight countries from Asia and the Pacific, shows that there are significant gaps in data frameworks and data availability across a variety of areas related to countering political corruption. This module is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report<sup>1</sup> which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the [Global Data Barometer \(GDB\)](#).<sup>2</sup> The goal of the report is to identify areas for improvement and generate recommendations for future OGP commitments.

This module focuses specifically on the state of data frameworks and availability in the eight OGP countries assessed by the GDB in Asia and the Pacific (see *Countries in this Analysis*). This regional analysis includes:

- A summary of GDB’s assessment of the state of anti-corruption data in the region
- An overview of OGP commitments across policy areas assessed
- Highlights in featured policy areas with data from both GDB and OGP
- Examples of regional innovations

## Countries in this Analysis

### OGP Countries Assessed by GDB and Included in this Analysis

- Australia
- Indonesia
- Kyrgyz Republic
- Mongolia
- New Zealand
- Philippines
- Republic of Korea
- Sri Lanka

### OGP Countries Not Assessed by GDB<sup>3</sup>

- Afghanistan
- Papua New Guinea

<sup>1</sup> You can find the report *Broken Links Open Data to Advance Accountability and Combat Corruption* here: <https://www.opengovpartnership.org/broken-links/>.

<sup>2</sup> View more details about the Global Data Barometer here: <https://globaldatabarometer.org/>.

<sup>3</sup> Due to inability to find researchers, 10 of the 77 OGP countries were not included in the Global Data Barometer’s assessment.



# Key Takeaways

- **Data availability varies by policy area.** Most countries in Asia and the Pacific publish public procurement, asset disclosure, land ownership and tenure, and rulemaking data. Few countries in the region publish any data on beneficial ownership or lobbying.
- **Published data typically lacks high-value information and usability.** Datasets generally do not include important details, such as common identifiers to link multiple datasets. In addition, few countries publish data that is easily used. For example, public procurement is the only area where a majority of countries in the region publish machine-readable data.
- **Countries in Asia and the Pacific have advanced reforms through OGP in certain areas of anti-corruption policy.** Many countries in the region have made political finance commitments, but far fewer have addressed lobbying in their OGP action plans.

Aida Kasymalieva is the first female Deputy Speaker of Parliament at the Jogorku Kenesh (Supreme Council) of the Kyrgyz Republic. The first Kyrgyz national action plan sought to enhance consultation on regulations with a new “single electronic portal” which provides access to the legal drafts with advanced search possibilities. OGP’s Independent Reporting Mechanism assessed the platform as contributing to significantly improved civic participation. Photo by OGP.

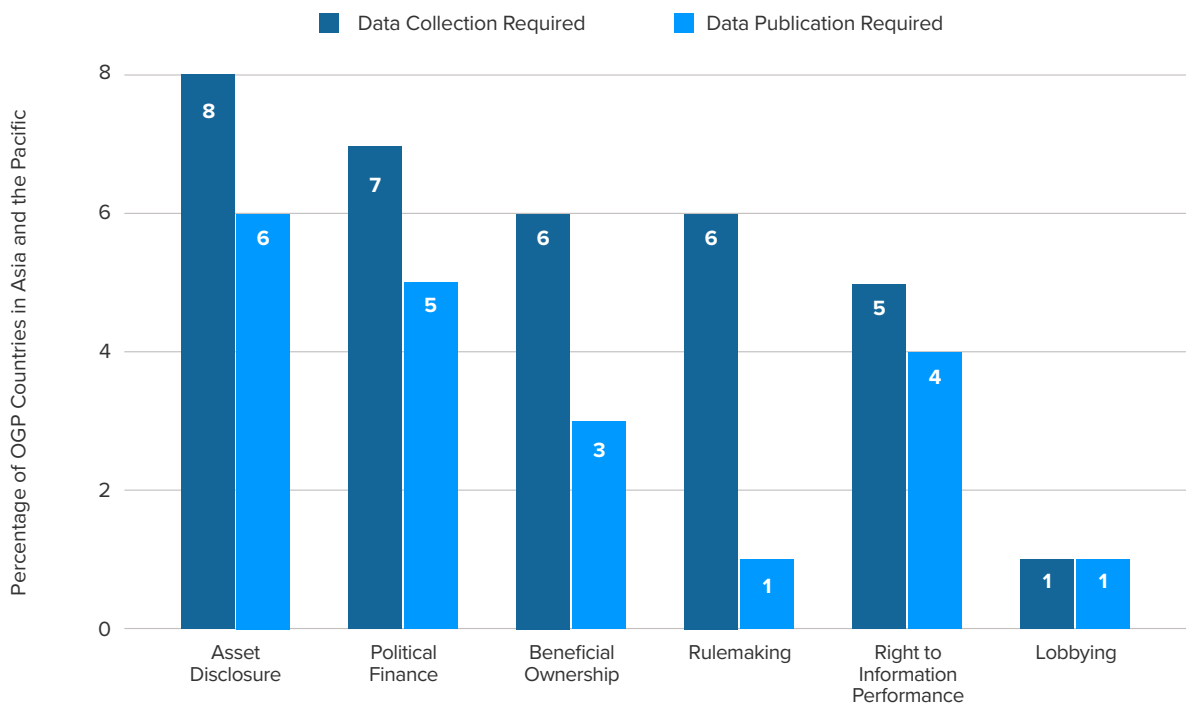


# Overall State of Data to Combat Corruption

## Legal Frameworks

Across nearly all policy areas, a gap exists between the number of countries with legal frameworks requiring data collection and the number requiring data publication (see Figure 1).<sup>4</sup> Rulemaking and beneficial ownership data, in particular, show the two largest gaps. Only one country in the region (Australia) has a legal framework governing lobbying data.

**FIGURE 1: Gaps between required data collection and publication**  
This figure shows the number of OGP countries in Asia and the Pacific with data collection and disclosure requirements across policy areas. The sample includes the eight OGP countries in the region assessed by the GDB.



Note: This analysis only considers binding laws and policies that exist and are operational.<sup>5</sup>

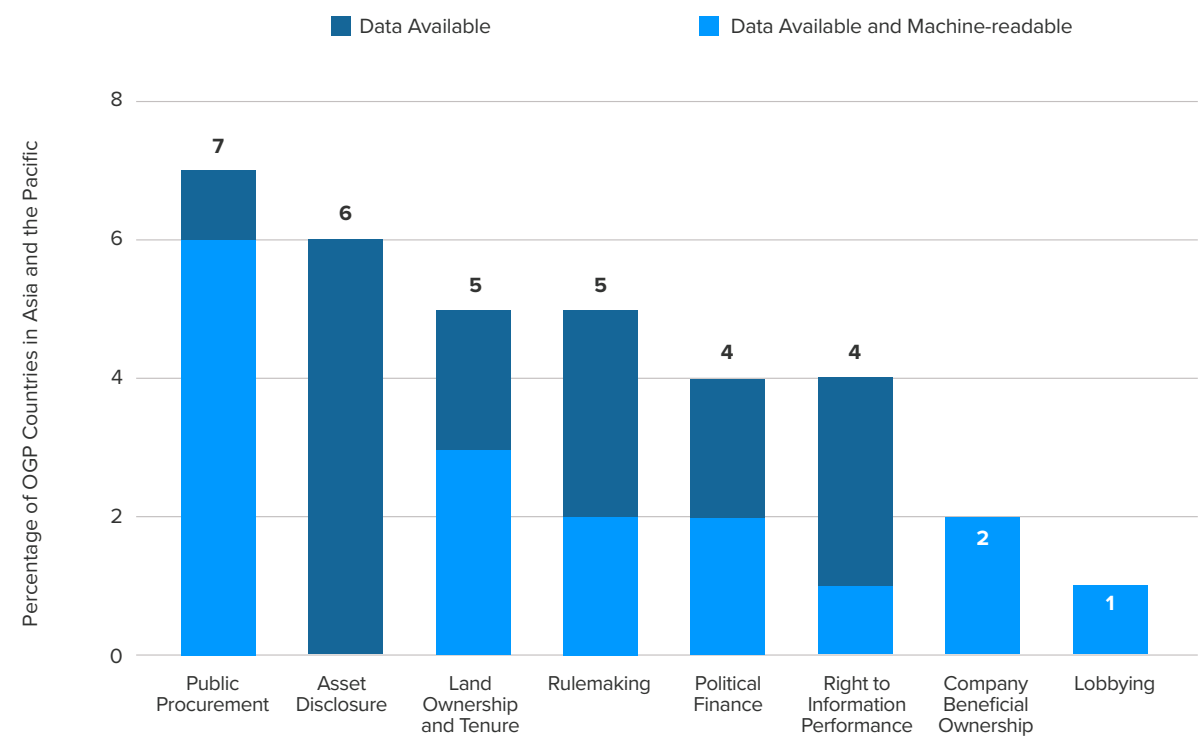
<sup>4</sup> The Global Data Barometer assesses whether countries have set requirements to publish data through binding policy, regulations, or law. Legal frameworks governing public procurement and land tenure data have not been assessed by the GDB. However, information on the availability of procurement and land tenure data was collected (see “Data Availability and Usability”).  
<sup>5</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

## Data Availability and Usability

Many countries in Asia and the Pacific lack publicly available data on key areas to counter political corruption. Where countries do publish data, making this data available to the public in an open format remains a challenge. In most areas, a small minority of countries publish data in a machine-readable format, which prevents users from being able to analyze the data for monitoring and accountability purposes (see Figure 2).

**FIGURE 2: Gaps between data availability and usability**

This figure shows the number of OGP countries in Asia and the Pacific with available data and the number with machine-readable data. The sample includes the eight OGP countries in the region assessed by the GDB.



Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure.<sup>6</sup>

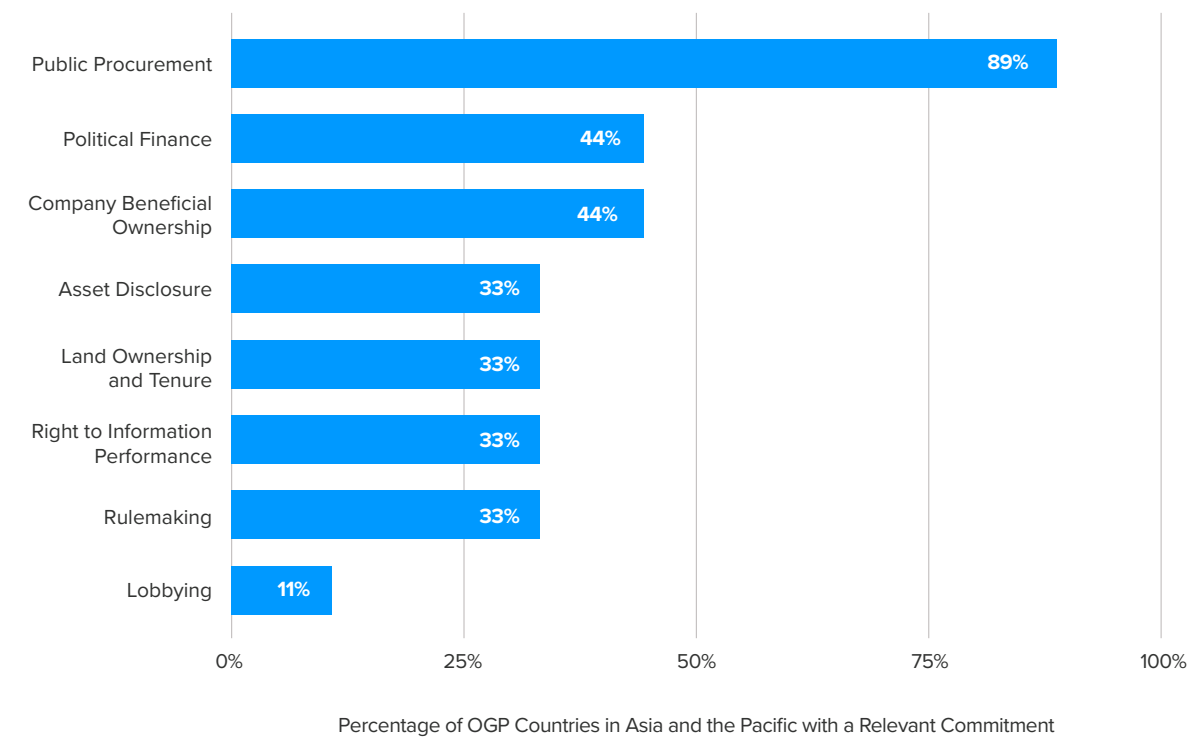
<sup>6</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

## State of Progress Through OGP

Countries in Asia and the Pacific have addressed certain anti-corruption areas in their OGP action plans, such as public procurement, while lacking commitments in others, like lobbying (see Figure 3). Almost all countries in the region have made a commitment related to public procurement. Nearly half of countries in the region have made commitments that address political finance and company beneficial ownership.

**FIGURE 3: Progress made through OGP commitments**

This figure shows the percentage of OGP countries in Asia and the Pacific that have made at least one relevant OGP commitment across each policy area assessed. The sample includes all OGP countries in the region (excluding Afghanistan).





## Featured Policy Areas

The following policy areas were selected for a more detailed analysis based on a variety of factors, including regional priorities, areas of momentum, and areas for growth.

### Asset Disclosure

Asset declaration requirements are an essential safeguard to prevent and detect cases of favoritism, conflicts of interest, and illicit enrichment of public officials. Opening data on asset disclosure allows the public to work alongside oversight institutions in monitoring those they have entrusted to serve in their interest.

#### Key Findings from the Global Data Barometer

- **Most countries publish asset disclosure data.** Six of the eight OGP countries assessed in the region have asset disclosure data available online. Sri Lanka and the Philippines are the two countries that lack government-published data on asset disclosure.
- **Legal frameworks exist in all countries but have key gaps.** All eight of the evaluated countries in Asia and the Pacific have a legal framework that requires collection of asset disclosure data in some form. However, three countries (Australia, New Zealand, and Sri Lanka) do not legally require the publication of data. Only two countries (Kyrgyz Republic and Mongolia) require the collection of structured data, which is necessary to publish high-quality, usable data.
- **Data usability remains a problem throughout the region.** While a majority of countries publish freely accessible and up-to-date data, the data itself is hard to use. Only three countries (Australia, New Zealand, and the Republic of Korea) have openly licensed data. No countries in the region publish asset disclosure data that is machine-readable or bulk downloadable, making it difficult for journalists and civil society, among others, to use data for monitoring purposes.

#### State of Progress Through OGP

- **OGP members in Asia and the Pacific have made few commitments on asset disclosure in recent years.** Since OGP was established in 2011, five members in the region (Bojonegoro Regency [Indonesia], Kyrgyz Republic, Mongolia, Republic of Korea, and Sri Lanka) have made ten total asset disclosure commitments, mostly focused on improving transparency.<sup>7</sup> Only one member (Sri Lanka) has made a commitment in this area since 2019.
- **Most asset disclosure commitments have lacked effective implementation.** While most member commitments on asset disclosure have had high potential impact, none have achieved strong early results in opening government, according to OGP’s Independent Reporting Mechanism (IRM).<sup>8</sup>

Regional Innovations	
Kyrgyz Republic	Although asset declarations are only published in PDF format, the Kyrgyz Republic also <a href="#">publishes information</a> on individuals who failed to submit asset declarations by the required deadline. <sup>9</sup>

<sup>7</sup> As of June 2022, eight national and eight local OGP members from Asia and the Pacific had submitted at least one action plan. See an updated list of OGP national and local members <https://www.opengovpartnership.org/our-members/>.

<sup>8</sup> Learn more about how the Independent Reporting Mechanism assesses commitments <https://www.opengovpartnership.org/irm-guidance-overview/>.

<sup>9</sup> State Tax Service of the Kyrgyz Republic (Государственная налоговая служба Кыргызской Республики), n.d., [https://sti.gov.kg/decl\\_dolj](https://sti.gov.kg/decl_dolj).

#### Mongolia

Mongolia’s [database](#) allows users to filter and view asset declarations by categories like name, agency, and position. However, the data is not downloadable.<sup>10</sup>

### Land Ownership and Tenure

Knowing who owns land and under what system of land ownership is essential, as land is both a major target of corruption and a commonly used vehicle for money laundering. Politicians may also pass policies that are favorable to particular landholders, such as direct subsidies.

#### Key Findings from the Global Data Barometer

- **Some countries lack publicly available land ownership and tenure data.** Five of the eight evaluated countries in the region have land ownership or tenure data available online. The three countries that do not publish data in this area are the Kyrgyz Republic, the Philippines, and Sri Lanka.
- **No countries publish data on natural persons benefiting from land tenure.** While two countries (New Zealand and Indonesia) publish information on the legal owners of land, no OGP countries in the region include information on natural persons—individuals who benefit from land ownership or tenure, either directly or through their companies.
- **Data usability remains a problem for many countries that publish data.** New Zealand is the only country that meets all five criteria for open data (freely accessible, up to date, openly licensed, machine-readable, and bulk downloadable), while the Republic of Korea’s land ownership data meets all criteria except bulk downloadable. The other three countries (Australia, Indonesia, and Mongolia) that publish land ownership or tenure data, however, do not have openly licensed or machine-readable data.

#### State of Progress Through OGP

- **OGP action plans in the region have largely not addressed land ownership or tenure.** Four countries have made a total of eight commitments to increase transparency of land ownership and use. Mongolia and Indonesia have each made multiple commitments in this area.
- **Commitments do not focus on open data.** None of the land ownership or tenure commitments made in the region reference an open data approach. Many commitments aim to publish land tenure information electronically, but not specifically in open, machine-readable format(s).

Regional Innovations	
New Zealand	Bulk downloadable data on property ownership is <a href="#">published</a> by Land Information New Zealand, a government agency. <sup>11</sup>
Republic of Korea	Land ownership data is available for download through the <a href="#">Korea National Spatial Data Infrastructure Portal</a> and is provided along with correlating spatial information. <sup>12</sup>

<sup>10</sup> Justice and Development (Шударга Ёс, Хөгжил Дэвшилд), n.d., <http://www.xacxom.iaac.mn>.

<sup>11</sup> LINZ Data Service, n.d., <https://data.linz.govt.nz>.

<sup>12</sup> Korea National Spatial Data Infrastructure Portal OpenAPI, n.d., <http://openapi.nsdi.go.kr/nsdi/index.do>.



## Public Procurement

Opaque contracting processes show higher levels of corruption and inefficiency, decreased competition, and reduced opportunities for smaller companies. Alternatively, [open procurement processes](#), otherwise known as open contracting, produce greater competition, improved public service delivery, and significant cost savings for governments.<sup>13</sup>

### Key Findings from the Global Data Barometer

- **Most countries publish procurement data.** Seven of the eight APAC countries evaluated by the GDB have procurement data available online. Sri Lanka is the only country without publicly available data.
- **Procurement data is published as open data in most countries.** Three countries (Indonesia, New Zealand, and the Republic of Korea) meet all five criteria for open data. Australia, the Philippines, and the Kyrgyz Republic follow closely behind, each meeting four of the five criteria.
- **Interoperability is an area for improvement for the region.** Australia is the only country working to link procurement data with other key anti-corruption datasets using common identifiers. Countries should focus on making procurement data interoperable with datasets such as beneficial ownership registries and government spending data.

### State of Progress Through OGP

- Opening the procurement process has been a common goal among OGP members in the region. Since 2011, ten national and local members in the region have made 28 total commitments related to making public procurement processes more transparent and participatory. Sixteen of these commitments specifically reference open contracting principles. The Republic of Korea is the only country in the region that has not made a commitment related to public procurement.
- However, procurement commitments in the region have lacked effective implementation. While over two-thirds of commitments on procurement have had high potential impact, only two commitments (from [Indonesia](#)<sup>14</sup> and [Mongolia](#)<sup>15</sup> [have achieved strong results in opening government, according to the IRM.](#)

Regional Innovations	
Indonesia	Indonesia’s <a href="#">procurement data</a> <sup>16</sup> is updated monthly and published according to the <a href="#">Open Contracting Data Standard</a> . <sup>17</sup>
Philippines	The <a href="#">Philippine Government Electronic Procurement System (PhilGEPS)</a> contains quarterly procurement data in a machine-readable format going back to 2000. <sup>18</sup>

<sup>13</sup> Open Government Partnership, “The Skeptic’s Guide to Open Government,” 2022, [https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc\\_3](https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc_3).

<sup>14</sup> Indonesia, “Accelerate Open and Good Governance Practices in Goods and Services Procurement (ID0034),” n.d., <https://www.opengovpartnership.org/members/indonesia/commitments/id0034/>.

<sup>15</sup> Mongolia, “Launch—Transparent Account System in Order to Enable Consistent, Transparent Reporting to the Public and to Provide Comprehensive Information on Budget Revenue Collection, Income and Expenditure Details, as Well as Public Procurement and Investments (MN0003),” n.d., <https://www.opengovpartnership.org/members/mongolia/commitments/mn0003/>.

<sup>16</sup> SPSE ICB, LPSE, n.d., <https://lpse.pu.go.id/eproc4/lelang>.

<sup>17</sup> Open Contracting Partnership, “The Open Contracting Data Standard,” n.d., <https://www.open-contracting.org/data-standard>.

<sup>18</sup> Philippine Government electronic Procurement System, “Open Data,” n.d., <https://notices.philgeps.gov.ph/opendataSRD.html>.

# EUROPE

Political corruption has tremendous consequences worldwide. Transparency in political finance, political influence, and state administration can help reduce corruption and make democratic processes more legitimate, more pluralistic, and more representative. Open data on decision-making and decision makers can be a powerful tool to identify whose interests shape how governance decisions are made and implemented.

New data from 67 OGP countries, including 28 countries from Europe, shows that there are significant gaps in data frameworks and data availability across a variety of areas related to countering political corruption. This module is part of the [Broken Links: Open Data to Advance Accountability and Combat Corruption](#) report<sup>1</sup> which offers an overview of data frameworks and data availability in OGP countries across eight policy topics using data from the [Global Data Barometer \(GDB\)](#).<sup>2</sup> The goal of the report is to identify areas for improvement and generate recommendations for future OGP commitments.

This module focuses specifically on the state of data frameworks and availability in the 28 OGP countries assessed by the GDB across Europe (see *Countries in this Analysis*). This regional analysis includes:

- A summary of GDB’s assessment of the state of anti-corruption data in the region
- An overview of OGP commitments across policy areas assessed
- Highlights in featured policy areas with data from both GDB and OGP
- Examples of regional innovations

## Countries in this Analysis

### OGP Countries Assessed by GDB and Included in this Analysis

- |                  |                       |
|------------------|-----------------------|
| • Albania        | • Israel              |
| • Armenia        | • Italy               |
| • Azerbaijan     | • Latvia              |
| • Bulgaria       | • Lithuania           |
| • Croatia        | • Malta               |
| • Czech Republic | • Republic of Moldova |
| • Denmark        | • Netherlands         |
| • Estonia        | • Portugal            |
| • Finland        | • Romania             |
| • France         | • Slovak Republic     |
| • Georgia        | • Spain               |
| • Germany        | • Sweden              |
| • Greece         | • Ukraine             |
| • Ireland        | • United Kingdom      |

### OGP Countries Not Assessed by GDB<sup>3</sup>

- |                          |                   |
|--------------------------|-------------------|
| • Bosnia and Herzegovina | • North Macedonia |
| • Luxembourg             | • Norway          |
| • Montenegro             | • Serbia          |

<sup>1</sup> You can find the report *Broken Links Open Data to Advance Accountability and Combat Corruption* here: <https://www.opengovpartnership.org/broken-links/>.

<sup>2</sup> View more details about the Global Data Barometer here: <https://globaldatabarometer.org/>.

<sup>3</sup> Due to inability to find researchers, 10 of the 77 OGP countries were not included in the Global Data Barometer’s assessment.

# Key Takeaways

- **While Europe has generally high rates of data availability, some countries still lack publicly available data on key anti-corruption priorities.** For example, many countries do not publish data on right to information (RTI) performance or lobbying.
- **Data quality is an area for improvement.** Across policy areas, European countries typically do not publish high-value information, such as data on money spent by lobbyists. Most datasets lack usability, such as machine-readability, and are not interoperable with other key anti-corruption data.
- **While OGP action plans in Europe have led to several transformative reforms, most countries have yet to make commitments in many key policy areas.** For example, just one-fifth of countries in the region have made a commitment on political finance transparency.

Alessandra Costarella, a nineteen-year-old girl from Calabria, Italy, is one of many student volunteers who help track government spending via Italy's OpenCoesione platform. Corruption is the most serious problem in Calabria and by using this online tool, Alessandra was able to identify missing government expenditures that were supposed to help clean up the environment and fight organized crime. Photo by OGP.

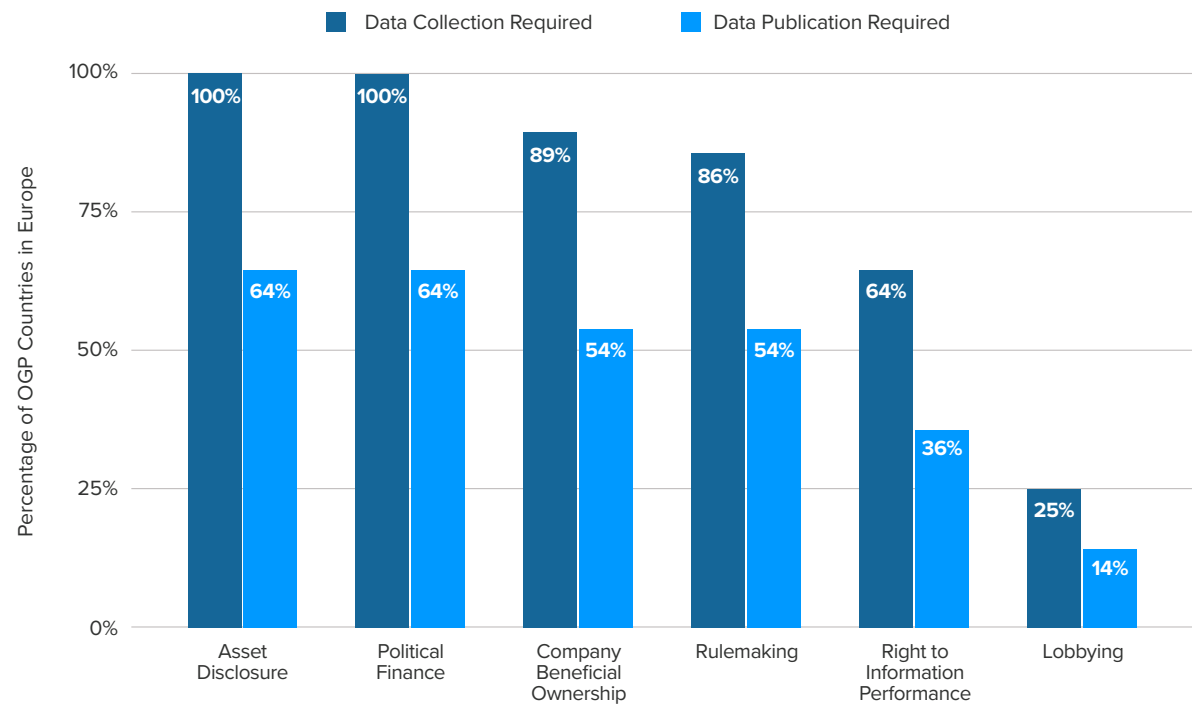


# Overall State of Data to Combat Political Corruption

## Legal Frameworks

While a majority of countries have laws requiring the collection of data across these policy areas, many countries do not legally require that data be made publicly available (see Figure 1).<sup>4</sup> On one end of the spectrum, about two-thirds of European countries have laws or regulations requiring the publication of asset disclosure and political finance data. At the other end, only four countries legally require collecting and publishing lobbying data.

**FIGURE 1: Gaps between required data collection and publication**  
This figure shows the percentage of OGP countries in Europe with data collection and disclosure requirements across policy areas. The sample includes the 28 OGP countries in the region assessed by the Global Data Barometer.



Note: This analysis only considers binding laws and policies that exist and are operational.<sup>5</sup>

<sup>4</sup> The Global Data Barometer assesses whether countries have set requirements to publish data through binding policy, regulations, or law. Legal frameworks governing public procurement and land tenure data have not been assessed by the GDB. However, information on the availability of procurement and land tenure data was collected (see *Data Availability and Usability*).

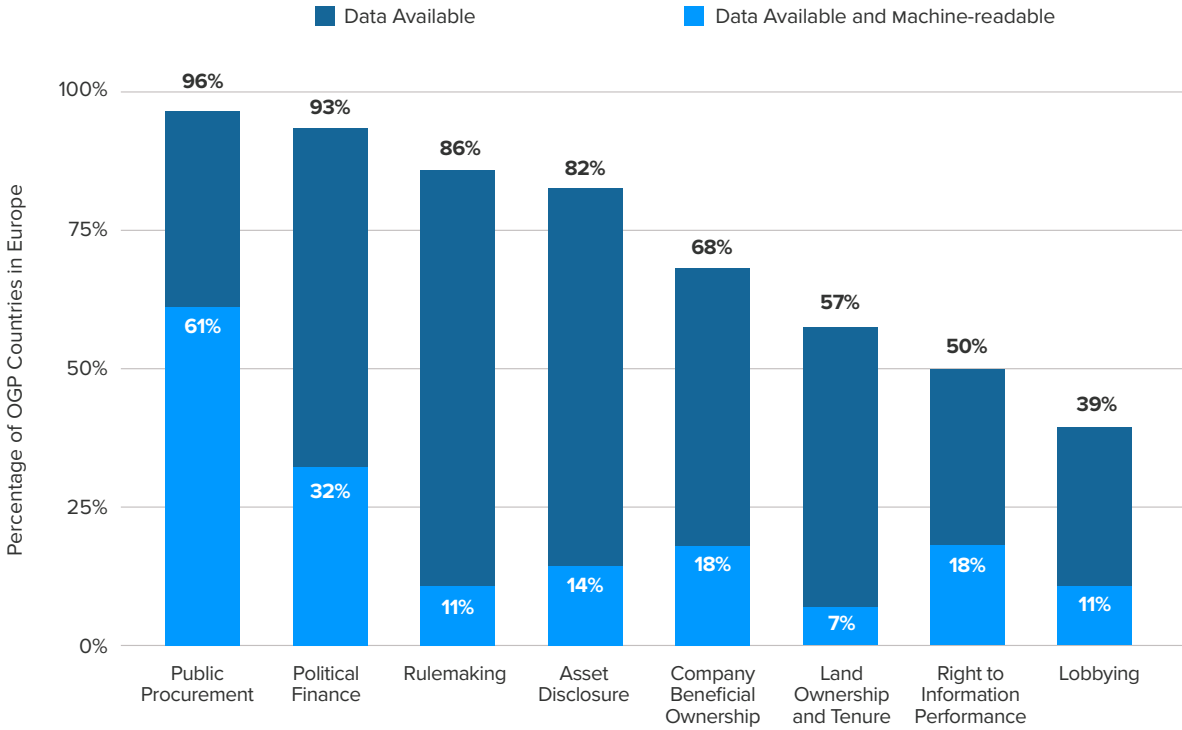
<sup>5</sup> For more details see the *About Broken Links* section of the report: <https://www.opengovpartnership.org/broken-links/>.

## Data Availability and Usability

Many countries in Europe lack publicly available data on key anti-corruption priorities. Where countries do publish data, making this data available to the public in an open format remains a challenge. In most areas, a small minority of countries publish data in a machine-readable format, which makes it difficult for users to analyze the data for monitoring and accountability purposes (see Figure 2).

**FIGURE 2: Gaps between data availability and usability**

This figure shows the percentage of OGP countries in Europe with available data and the percentage with machine-readable data. The sample includes the 28 OGP countries in the region assessed by the Global Data Barometer.



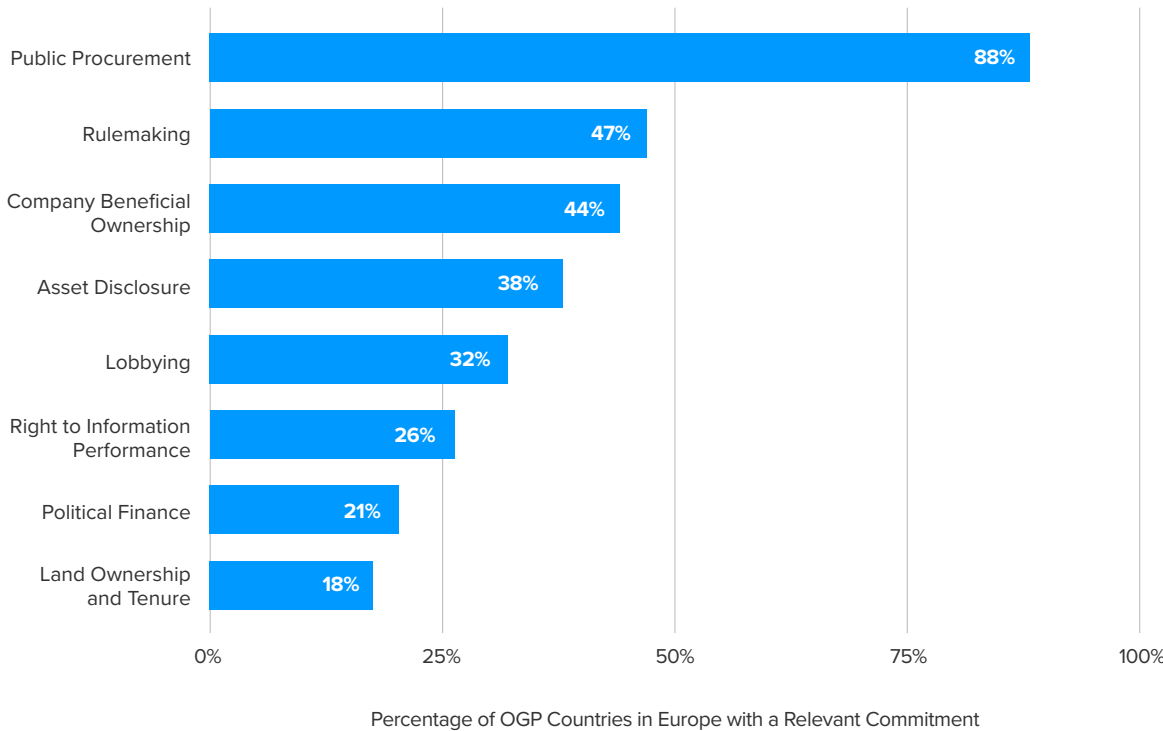
Note: For this analysis, countries with “partial” disclosure are considered cases of “no” disclosure.<sup>6</sup>

## State of Progress Through OGP

While many OGP countries in Europe have advanced open government reforms to counter corruption, many countries have not used OGP action plans to advance commitments in this area (see Figure 3). For example, most countries in the region have not made at least one commitment related to key areas like lobbying or political finance. And similar to other regions, few countries in Europe have committed to publish better RTI performance or rulemaking data.

**FIGURE 3: Progress made through OGP commitments**

This figure shows the percentage of OGP countries in Europe that have made at least one relevant OGP commitment across each area assessed in this report. The sample includes all 34 OGP countries in the region.



<sup>6</sup> For more details see the About Broken Links section of the report: <https://www.opengovpartnership.org/broken-links/>.



## Featured Policy Areas

The following policy areas were selected for a more detailed analysis based on a variety of factors, including regional priorities, areas of momentum, and areas for growth.

### Company Beneficial Ownership

Publishing digital registers with beneficial ownership information helps shine a light on secretive legal structures that can be exploited to launder the proceeds of corruption and other corrupt activities.

#### Key Findings from the Global Data Barometer

- **Most countries have a law on beneficial ownership transparency.** Nearly all countries in the region have rules or guidance requiring beneficial ownership data to be collected in a central register. Fifteen countries legally require the data to be published. Many of these countries’ laws can be attributed to the [European Union directive](#) that requires member countries to collect and publish beneficial ownership data.<sup>7</sup>
- **In most countries, data is either not available or not usable.** Two-thirds of countries in the region have publicly available beneficial ownership data, but most do not publish according to open data principles. Only four countries publish data that is openly licensed, machine-readable, and bulk downloadable (Denmark, Latvia, Ukraine, and the United Kingdom).
- **Interoperability is an area for improvement in the region.** Currently, two European countries (Estonia and Latvia) include unique identifiers in beneficial ownership datasets that are common to other anti-corruption datasets, strengthening opportunities to monitor public officials’ interests and activity.

#### State of Progress Through OGP

- **Beneficial ownership transparency is a growing area of reform in Europe.** Fifteen countries in the region have made 22 total commitments on beneficial ownership transparency.<sup>8</sup> Six countries are currently implementing a commitment through their 2020 or 2021 action plans.
- **Commitments generally do not focus on open data.** Most commitments focus on establishing public beneficial ownership registers but do not specify doing so in open data format. Three countries (Armenia, North Macedonia, and Lithuania) have committed to publishing beneficial ownership information as open data through their OGP action plans.

Regional Innovations	
Latvia	Beneficial ownership information is published on Latvia’s <a href="#">Open Data Portal</a> <sup>9</sup> according to the <a href="#">Beneficial Ownership Data Standard</a> . <sup>10</sup>
United Kingdom	The United Kingdom was one of the first OGP countries to publish a national beneficial ownership <a href="#">database</a> , leading the way for other members. <sup>11</sup>

<sup>7</sup> EUR-Lex, “Document 02015L0849-20210630,” n.d., <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02015L0849-20210630>.

<sup>8</sup> As of June 2022, 34 national and 23 local OGP members from Europe had submitted at least one action plan. See an updated list of OGP national and local members [here](#).

<sup>9</sup> “Patieso Labuma Guvēju Dati Atbilstoši BODS Standartam,” n.d., <https://data.gov.lv/dati/eng/dataset/plg-bods>.

<sup>10</sup> Open Ownership, “Beneficial Ownership Data Standard (v0.2),” n.d., <https://standard.openownership.org/en/0.2.0/>.

<sup>11</sup> Companies House, “People with Significant Control (PSC) Snapshot,” n.d., [http://download.companieshouse.gov.uk/en\\_pscdata.html](http://download.companieshouse.gov.uk/en_pscdata.html).

## Lobbying

Lobbying is an essential part of a democracy. But, often, interest groups with more resources get to influence policy-making more effectively. Knowing who influences the law, who they represent, and how much they spend becomes fundamental to shaping their advocacy strategy and determining how they should engage leaders.

#### Key Findings from the Global Data Barometer

- **Most countries do not have a lobbying law.** Seven countries in the region have an operational law requiring the collection of lobbying data (Estonia, France, Georgia, Ireland, Israel, Lithuania, and the United Kingdom). Four of these countries (Estonia, France, Ireland, and Israel) require the publication of lobbying data.
- **Existing lobbying data lacks high-value information.** Few countries publish data on lobbyists’ goals and the topics of their interactions with public officials, and no countries have available information on money spent by lobbyists. Two countries (Lithuania and Spain) use unique identifiers for lobbyists, which is critical for linking lobbying data to other datasets.
- **Existing lobbying data is often hard to use.** Eleven countries in the region have lobbying data freely available online. However, data is timely and updated in only five countries (Estonia, France, Germany, Ireland, and the United Kingdom). France is the only country in the region with lobbying data that is openly licensed, machine-readable, and bulk downloadable.

#### State of Progress Through OGP

- **Many OGP members in Europe have made commitments to improve lobbying transparency.** Eleven members in the region, including those at both the national and local levels, have made 18 lobbying commitments. Four members (Estonia, France, Ireland, and Spain) are currently implementing a commitment through their 2020 or 2021 action plans.
- **Lobbying commitments generally do not focus on open data.** Only two lobbying commitments made by European members ([Finland](#)<sup>12</sup> and [Madrid](#)<sup>13</sup>) reference open data principles. Other commitments focus on transparency in lobbying more generally and passing legislation to regulate lobbying.
- **Most commitments are fully implemented.** Eleven of the fourteen commitments assessed by OGP’s Independent Reporting Mechanism (IRM) for completion have been substantially or fully implemented. Three commitments have achieved strong early results in opening government.<sup>14</sup>

Regional Innovations	
France	France’s <a href="#">user-friendly directory</a> displays information on over 2,000 lobbyists that can be downloaded in open data format. <sup>15</sup>
Lithuania	Lithuania’s <a href="#">lobbying register</a> contains unique identifiers for each lobbyist and information on lobbyists’ goals. <sup>16</sup>

<sup>12</sup> Finland, “Open Procedures (FI0021),” n.d., <https://www.opengovpartnership.org/members/finland/commitments/fi0021/>.

<sup>13</sup> Madrid, Spain, “Creation of a Mandatory Lobby Registry (MAD0001),” n.d., <https://www.opengovpartnership.org/members/madrid-spain/commitments/mad0001/>.

<sup>14</sup> Learn more about how the Independent Reporting Mechanism assesses commitments [here](#).

<sup>15</sup> Haute Autorité Pour La Transparence De La Vie Publique, n.d., <https://www.hatvp.fr/le-repertoire/>.

<sup>16</sup> Skaidris, n.d., <https://skaidris.vtek.lt/public/home/main>.

## Public Procurement

Opaque contracting processes show higher levels of corruption and inefficiency, decreased competition, and reduced opportunities for smaller companies. Alternatively, [open procurement processes](#), otherwise known as open contracting, produce greater competition, improved public service delivery, and significant cost savings for governments.<sup>17</sup>

### Key Findings from the Global Data Barometer

- **Nearly all European countries publish procurement data online.** Twenty-seven of the twenty-eight European countries evaluated by the GDB publish procurement data online in some form. Sweden is the only country without publicly available data. Except for Romania, all of these countries publish their data free of charge.
- **Procurement data currently lacks essential details.** While most countries publish data on contract tender and award stages, data on contract implementation is only available in six countries (Armenia, Estonia, Georgia, Greece, Israel, and Ukraine). Eleven countries do not use unique identifiers to connect across the stages of a single contract.
- **Data usability remains an area for improvement in many countries.** Only four countries (Estonia, Lithuania, Ukraine, and the United Kingdom) meet all five criteria for open data (freely accessible, up to date, openly licensed, machine-readable, and bulk downloadable). Half of European countries are missing two or more elements of open data. And only three countries link procurement data to other key datasets using common identifiers (Czech Republic, Estonia, and the Republic of Moldova).

### State of Progress Through OGP

- **Public procurement and open contracting have been popular areas for reform among OGP members in Europe.** Thirty-two countries have made over 100 commitments related to public procurement. Half of these commitments specifically reference open contracting principles. Denmark and Estonia are the only two countries in the region that have not made a commitment related to public procurement.
- **According to the IRM, many commitments have achieved strong early results in opening government.** One-third of commitments involving open contracting reforms have achieved strong early results. This is higher than commitments in other areas, which points to the effectiveness of these reforms.

Regional Innovations	
Estonia	Estonia's <a href="#">procurement data</a> is published according to open data standards, includes data on all contracts since 2017, and contains unique identifiers for every procurement. <sup>18</sup>
Ukraine	Ukraine's innovative procurement platform, <a href="#">ProZorro</a> , <sup>19</sup> has won multiple awards and features data published according to the <a href="#">Open Contracting Data Standard</a> . <sup>20</sup>

<sup>17</sup> Open Government Partnership, "The Skeptic's Guide to Open Government," 2022, [https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc\\_3](https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition/#toc_3).

<sup>18</sup> Riigihangete Register, "Tere Tulemast Riigihangete Registrisse," n.d., <https://riigihanked.riik.ee/rhr-web/#/>.

<sup>19</sup> ProZorro, n.d., <https://prozorro.gov.ua/en>.

<sup>20</sup> Open Contracting Partnership, "Open Contracting Data Standard," n.d., <https://standard.open-contracting.org/latest/en/>.

# ANNEX: FULL GDB ASSESSMENT OF OGP COUNTRIES

Asset Disclosure

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	100%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	54%
The framework requires collecting specific information on assets and liabilities.	76%
The framework requires collecting specific information on in-kind and nonfinancial support.	49%
The framework requires collecting information on significant changes in assets and liabilities.	49%
The framework requires disclosure of income and assets held by a public official's spouse, family members, or other intimates.	49%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	64%
The framework requires a verification process.	42%
The rules/guidance require that data is regularly updated.	64%
The framework requires the publication of income and asset declarations.	52%
The rules/guidance support the collection of structured data.	31%
How comprehensive, in terms of jurisdiction, is the coverage of the laws, regulations, policies, or guidance assessed for this question? (They provide national coverage.)	99%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	61%
How comprehensive is the data assessed for this question? (The data assessed provides national coverage.)	57%
High-Value Elements	
The data contains unique identifiers for each public official and any family members or intimates for whom disclosure is required.	12%
The data contains information on income, assets, and liabilities.	39%
The data contains information on in-kind and nonfinancial interests.	42%
The data contains information on significant changes in assets and liabilities.	24%
The data contains details of the assets and liabilities held by each family member for whom disclosure is required.	21%
Usability	
Dataset is available free of charge.	57%
Data is openly licensed.	22%
Data is timely and updated.	37%
Data is provided in machine-readable format(s).	10%
The machine-readable dataset is available as a whole.	4%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	45%
There are accessible and open official tools available to help users explore data.	12%
Historical data is available that allows users to track change over time.	28%



Political Finance

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	94%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	55%
The framework contains clear and unambiguous definitions of campaigning activities of parties, candidates, and third parties.	45%
The framework requires donors' identities be made public.	46%
The framework requires collecting specific information on financial contributions.	75%
The framework requires collecting specific information on assets and liabilities.	54%
The framework requires collecting specific information on income and spending.	75%
The framework requires collecting specific information on in-kind and nonfinancial support.	52%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	69%
The framework requires a verification process.	46%
The framework requires regular updates, including updates in conjunction with campaigns and defined campaign schedules.	37%
The rules/guidance support the collection of structured data.	21%
How comprehensive, in terms of jurisdiction, is the coverage of the laws, regulations, policies, or guidance assessed for this question? (They provide national coverage.)	94%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	70%
How comprehensive is the data assessed for this question? (The data assessed provides national coverage.)	66%
High-Value Elements	
Data contains details of donations, public funding, and membership dues for each party or candidate.	39%
Data contains details of income for each party or candidate.	46%
Data contains details of assets and liabilities of each party or candidate.	25%
The data contains details of the spending of each party or candidate.	48%
Data contains details of in kind and nonfinancial support donated to each party or candidate.	30%
Data contains details of the timing and amounts of donations linked to donors.	42%
Data contains first and last name for each donor.	37%
Data contains detailed information about each donor, including place of residence, occupation, and employer.	4%
Data includes unique identifiers for each donor.	18%
Usability	
Dataset is available free of charge.	63%
Data is openly licensed.	19%
Data is timely and updated.	46%
Data is provided in machine-readable format(s).	25%
The machine-readable dataset is available as a whole.	15%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	54%
There are accessible and open official tools available to help users explore data.	18%
Historical data is available that allows users to track change over time.	45%

Company Beneficial Ownership

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	73%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	33%
Definitions comprehensively cover ownership.	64%
Definitions cover control.	48%
Rules or processes exist to protect certain natural persons who are beneficial owners from having their data published.	31%
The framework requires a verification process.	37%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	46%
The rules/guidance require beneficial ownership data to be collected in a central register or database.	57%
The rules/guidance require that data is regularly updated.	55%
The rules/guidance support the collection of structured data.	24%
How widely do these laws, regulations, policies, or guidance apply? (They cover the majority of limited companies in the country.)	60%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	36%
How comprehensive is the data assessed for this question? (The data assessed provides national coverage.)	33%
Is the data restricted to a particular sector? Or does it have broad coverage of companies in the country? (The data covers the majority of registered companies in the country.)	21%
High-Value Elements	
The dataset contains unique identifiers for each company.	30%
The dataset contains identifying information for each beneficial owner.	22%
The dataset contains details of the interests held by each beneficial owner.	16%
Data includes information about individuals' sex and/or gender.	4%
The data is published according to one or more relevant data standards.	6%
Usability	
Dataset is available free of charge.	27%
Data is openly licensed.	13%
Data is timely and updated.	25%
Data is provided in machine-readable format(s).	13%
The machine-readable dataset is available as a whole.	10%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	28%
There are accessible and open official tools available to help users explore data.	13%
Historical data is available that allows users to track change over time.	15%

Land Ownership and Tenure

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	57%
Do the datasets available cover the tenure data of the majority of land? (The datasets available cover all forms of land tenure in the country.)	25%
High-Value Elements	
Datasets have information regarding indigenous people or marginalized populations.	7%
The data covers land tenure involving natural persons.	21%
The data covers land tenure involving legal persons.	27%
The data covers land tenure involving state land.	33%
The data covers land tenure involving communal lands.	27%
The data covers land tenure involving open access lands.	18%
The data covers urban and rural tenure, and other relevant forms of tenure.	27%
The data covers and has information on land concessions and/or leases.	18%
Each record has a geospatial reference that allows to assign features to a spatial extent.	28%
The data contains information on land transactions and sale-values.	21%
Each tenure record contains information about the rights held over the land (freehold, lease, etc.).	22%
Data includes information about individuals' sex and/or gender.	4%

Usability	
Dataset is available free of charge.	25%
Data is openly licensed.	12%
Data is timely and updated.	28%
Data is provided in machine-readable format(s).	16%
The machine-readable dataset is available as a whole.	15%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	45%
There are accessible and open official tools available to help users explore data.	19%
Historical data is available that allows users to track change over time.	13%



Public Procurement

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	96%
How comprehensive is the data assessed for this question? (The data assessed covers, or is representative of the data available for, almost all public procurement.)	61%
High-Value Elements	
Procurement related to goods and services is included.	90%
Procurement related to public works is included.	87%
The planning phase is covered.	49%
The tender stage is covered.	76%
The award stage is covered.	78%
The contract implementation stage is covered.	22%
The data contains identifiers or other features that connect together data on each stage of a single procurement process.	66%
The data contains names and unique identifiers for companies awarded contracts.	64%
The data contains start and end dates for tender processes and/or contracts.	70%
The data contains the value (cost) of each tender, award, or contract.	70%
The data contains, or can be linked to, information on spending against the contract.	15%
The data contains a description of the goods, services or works being procured.	76%
The data is published according to one or more relevant data standards.	37%
The data contains links to accessible tender, award, or contract documentation.	48%

Usability	
Dataset is available free of charge.	91%
Data is openly licensed.	49%
Data is timely and updated.	81%
Data is provided in machine-readable format(s).	61%
The machine-readable dataset is available as a whole.	33%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	73%
There are accessible and open official tools available to help users explore data.	40%
Historical data is available that allows users to track change over time.	73%

Lobbying

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	22%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	16%
The framework contains clear and unambiguous definitions of lobbyists, lobbying clients, lobbying activities, and public officials.	10%
The framework requires the collection and publication of the identities of lobbyists, lobbyist clients, and public officials who engage with lobbyists.	9%
The framework requires the collection and publication of information on lobbyists' goals for lobbying activities.	7%
The framework requires the collection and publication of information on timing of lobbying activities.	12%
The framework requires the collection and publication of information on topics of lobbying activities.	10%
The framework requires the collection and publication of information on how much money is spent on lobbying activities.	4%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	13%
The framework requires a verification process.	7%
The rules/guidance require that data is regularly updated.	15%
The rules/guidance support the collection of structured data.	6%
How comprehensive, in terms of jurisdiction, is the lobbying framework assessed for this question? (The framework covers the entire public sector.)	13%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	27%
How comprehensive is the data assessed for this question? (The data assessed provides national coverage.)	21%
High-Value Elements	
The data contains unique identifiers for each lobbyist and public official.	7%
The data contains clear identifying information for each lobbying client.	13%
The data contains participant details for each interaction between a lobbyist and a public official.	6%
The data contains information about lobbyists' goals for lobbying activities.	10%
The data contains dates and time details for each interaction between a lobbyist and a public official.	3%
The data contains information about the topic of each interaction between a lobbyist and a public official.	10%
The data contains information about the money spent on each interaction between a lobbyist and a public official.	1%
Usability	
Dataset is available free of charge.	25%
Data is openly licensed.	10%
Data is timely and updated.	13%
Data is provided in machine-readable format(s).	12%
The machine-readable dataset is available as a whole.	6%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	21%
There are accessible and open official tools available to help users explore data.	3%
Historical data is available that allows users to track change over time.	10%

Right to Information Performance

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	63%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	42%
The framework requires the collection and publication of data regarding the number of requests submitted and processed.	31%
The framework requires the collection and publication of data regarding how long it took the relevant government agency or agencies to fill requests.	16%
The framework requires the collection and publication of data regarding material withheld and the reasons for withholding it.	25%
The framework requires the collection and publication of data regarding appeals to RTI determinations and their results.	13%
The framework requires that information is linked to the relevant agency, department, or other governmental entity.	28%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	31%
The framework requires a verification process.	13%
The rules/guidance require that data is regularly updated.	33%
The rules/guidance support the collection of structured data.	18%
How comprehensive, in terms of jurisdiction, is the framework assessed for this question? (The framework covers the entire public sector.)	58%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	46%
High-Value Elements	
The dataset includes details on the number of requests submitted and processed.	40%
The dataset includes details on how long it took the relevant government agency or agencies to fill requests.	21%
The dataset includes details about material withheld and the reasons for withholding it.	18%
The dataset includes details about appeals to RTI determinations and their results.	16%
Data is linked to the relevant agency, department, or other governmental entity.	31%
Usability	
Dataset is available free of charge.	45%
Data is openly licensed.	18%
Data is timely and updated.	31%
Data is provided in machine-readable format(s).	21%
The machine-readable dataset is available as a whole.	15%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	37%
There are accessible and open official tools available to help users explore data.	9%
Historical data is available that allows users to track change over time.	28%



Rulemaking

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
Law and Policy	
Are there laws, policies, or regulations requiring collection or publication of this information in any form? (They exist and are operational.)	72%
Do relevant laws, policies, regulations, or guidance discuss the publication of open data? (Requirements to publish data are set out in binding policy, regulations, or law.)	31%
The framework requires the publication of notice of intent in advance of public consultation processes.	42%
The framework requires the publication of proposed regulations.	49%
The framework requires the timely publication of a full set of public comments generated through public consultation processes.	36%
The framework requires reasoned responses to be published alongside comments.	36%
The framework requires the publication of final regulations and justification.	40%
The framework requires the publication of challenges to laws and regulations that have undergone public consultation processes, as well as their results.	12%
The rules/guidance empower an agency or official to ensure the accurate and timely collection and publication of required data.	27%
The framework requires a verification process.	7%
The rules/guidance require that data is regularly updated.	16%
The rules/guidance support the collection of structured data.	6%
How comprehensive, in terms of jurisdiction, is the coverage of the laws, regulations, policies, or guidance assessed for this question? (They provide national coverage.)	70%

Availability	
Is this data available online in any form? (Data is available from the government, or because of government actions.)	63%
How comprehensive is the data assessed for this question? (The data assessed provides national coverage.)	48%
High-Value Elements	
The data includes proposed regulations.	42%
The data includes a full set of public comments generated through public consultation processes.	22%
The data includes supporting information, such as notices of intent and reasoned responses.	19%
The data includes final regulations and justifications.	22%
The data includes details of challenges to regulations that have passed through public consultation processes, as well as the results of these challenges.	9%
Usability	
Usability	57%
Data is openly licensed.	22%
Data is timely and updated.	33%
Data is provided in machine-readable format(s).	13%
The machine-readable dataset is available as a whole.	9%
Data is available in all the country's official or national languages. If the country has no official or national languages, data is available in the major languages of the country.	52%
There are accessible and open official tools available to help users explore data.	16%
Historical data is available that allows users to track change over time.	25%

Interoperability

Global Data Barometer Question	Percentage of OGP Countries Assessed by GDB
There is evidence that datasets share common identifiers. (The datasets of this theme consistently use common identifiers.)	6%
The key datasets for this theme share common identifiers that facilitate mapping flows across the data ecosystem.	7%
The different political integrity datasets use common identifiers for public officials.	6%
Lobbying data and political finance data share common identifiers for lobbyist clients and party and campaign donors.	3%
Lobbying registers and public consultation data use common identifiers for regulations.	0%
Asset declarations and political finance disclosures share common identifiers for interests, assets, and liabilities.	6%
The various datasets share common identifiers for legal persons associated with donations, interests, assets, liabilities, and lobbying activities.	10%
The key datasets for the political integrity and company information modules share common identifiers that facilitate mapping flows across the data ecosystem.	10%
The key datasets for the political integrity and land modules share common identifiers that facilitate mapping flows across the data ecosystem.	3%
The key datasets for the political integrity and public finance modules share common identifiers that facilitate mapping flows across the data ecosystem.	4%
The key datasets for the political integrity and public procurement modules share common identifiers that facilitate mapping flows across the data ecosystem.	7%
To what degree do the datasets associated with this theme use consistent identifiers and identification systems for elements that appear in more than one dataset? (There is strong consistency; all of almost all of the element categories that appear in more than one dataset use consistent identifiers and identification systems.)	1%

## About OGP

In 2011, government leaders and civil society advocates came together to create a unique partnership – one that combines these powerful forces to promote transparent, participatory, inclusive, and accountable governance.

The Open Government Partnership (OGP) includes 77 countries and 106 local governments – representing more than two billion people – and thousands of civil society organizations.

OGP is based on the idea that an open government is more accessible, more responsive, and more accountable to citizens, and that improving the relationship between people and their government has long-term, exponential benefits for everyone.

Through the Partnership, governments and civil society work together to co-create action plans with concrete steps – commitments – across a broad range of issues. All OGP governments sign on to the Open Government Declaration and are required to work with civil society organizations to co-create reforms as part of an action plan that can deliver real benefits to citizens.

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