## The Summit for Democracy and the Open Government Partnership

Aligning Open Government Commitments

In December 2021, more than 50 governments – including 43 member countries of the Open Government Partnership (OGP) – made nearly 900 commitments at the first Summit for Democracy (S4D) to strengthen democracy, fight corruption, and promote human rights. <u>Many of</u> <u>these commitments</u> incorporated open government approaches of transparency, participation, and accountability. A second summit in March 2023 showcased progress made.

The recent <u>announcement</u> of a third summit marks an important opportunity to understand the challenges and successes of the first two summits. In particular, this analysis reviews S4D commitments—namely those made by OGP countries at the first summit—to draw lessons that may inform future S4D programming.

This analysis shows that the OGP process can address significant shortcomings in the design and monitoring of existing S4D commitments. Specifically, embedding S4D commitments in OGP action plans—which this analysis shows that several countries have already done—can drive implementation and ensure that civil society has a voice in advancing reforms. Incorporating OGP elements of co-creation and monitoring in future S4D processes will also help to drive impact.

## **Key Findings**

- Few S4D commitments were developed with civil society. Even among OGP countries, only 18 S4D commitments were openly co-created with civil society.
- Few countries have reported progress on S4D commitments. OGP countries published verifiable evidence of implementation for only one in six S4D commitments.
- The OGP process can address the shortcomings of S4D commitments. All OGP commitments must be co-created with civil society and are independently monitored.
- OGP countries are already embedding S4D commitments in OGP. Ten of the 18 countries with recent OGP action plans included at least one S4D commitment in their OGP plan, including promising commitments in Romania and the Slovak Republic.



### **Recommendations**

For reformers in OGP countries:

- **Review your country's S4D commitments.** As regular spaces for multi-stakeholder dialogue, OGP <u>multi-stakeholder forums</u> (MSFs) are best placed to determine which S4D commitments would benefit from the transparency, participation, and accountability built into the OGP process.
- Engage in the <u>OGP Global Summit</u>. This year's OGP Global Summit in Tallinn, Estonia, (September 6–7) represents a practical opportunity to align OGP and S4D processes. Country actors should consider attending a high-level session dedicated to integrating S4D commitments in OGP action plans and maximizing the impact of the S4D process.

For reformers in all countries, including non-OGP countries:

- Involve civil society in commitment design and monitoring. For non-OGP countries, this means replicating aspects of the OGP model such as regular multi-stakeholder dialogue, commitment co-creation, public monitoring, and independent accountability. S4D organizers may consider incorporating these elements into the S4D process.
- **Report on the implementation of S4D commitments.** Publishing information on the status and results of S4D commitments enables public monitoring, which is essential to <u>drive implementation and achieve impact</u>.

### **Commitment Co-Creation**

Few S4D commitments were openly developed with civil society. Even among OGP members, few commitments were co-created following OGP's <u>Participation and Co-Creation Standards</u>.

**Few S4D commitments were publicly developed with civil society.** No S4D commitment submission provided evidence of a rigorous or public co-creation process. Specifically, submissions did not acknowledge civil society participation, publish public comments, or provide explanations for why certain commitments were included, following <u>international standards for co-creation</u>.

**Even among OGP countries, few commitments were co-created.** OGP countries submitted over 700 written commitments as part of the first Summit for Democracy. Eighteen of these (two percent) were aligned with an active OGP commitment, meaning their content was co-created with civil society following the <u>OGP Participation and Co-Creation Standards</u>. The Standards require providing inclusive and informed opportunities for participation, such as a space for



regular dialogue and written feedback to stakeholders on how their inputs were considered. Aside from these 18 commitments, there is no evidence that the rest were co-created.

**Nonetheless, S4D commitments co-created through OGP demonstrate the natural alignment between OGP and S4D.** Twenty-nine countries with written S4D commitments had an active OGP action plan at the time of the first Summit for Democracy. Of these, 12 countries (41 percent) based at least one S4D commitment on an active OGP commitment.<sup>1</sup> Most of these countries only had one S4D commitment based on an active OGP commitment, but four countries had multiple, illustrating the potential for alignment between the two initiatives.<sup>2</sup>

## **Commitment Monitoring**

OGP countries have reported progress on few S4D commitments through either written self-assessment reports or oral statements at the second Summit.

**Governments reported progress on few S4D commitments.** As of May 2023, OGP countries had reported verifiable<sup>3</sup> evidence of implementation for one in six of their written S4D commitments (117/713, or 16 percent). Fewer than half of OGP countries with written S4D commitments (18/43) have reported verifiable progress for *any* of their commitments.

Self-assessment reports<sup>4</sup>

**Few OGP countries submitted self-assessment reports.** Ten of 43 OGP countries submitted written self-assessment reports (Canada, Finland, Germany, Lithuania, Moldova, Peru, Portugal, Spain, Sweden, and the United States).<sup>5</sup>

• Self-assessments cover a small minority of commitments. The ten self-assessments cover 97 of 713—or about 14 percent—of all S4D commitments made by OGP countries. Thirty-five of those 97 commitments are from Canada alone.



<sup>&</sup>lt;sup>1</sup> The 12 countries that embedded active OGP commitments into their written S4D commitments are Albania, Chile, Costa Rica, Czech Republic, Finland, Italy, Liberia, Peru, Republic of Korea, Slovak Republic, Ukraine, and the United Kingdom. Note that two of these (Albania and the United Kingdom) were found to have acted contrary to the OGP process. See details on their respective OGP member pages.

<sup>&</sup>lt;sup>2</sup> The four countries that made multiple S4D commitments based on an OGP commitment are Liberia, Slovak Republic, Ukraine, and the United Kingdom.

<sup>&</sup>lt;sup>3</sup> Many national statements did not include verifiable evidence of implementation. See *Annex: Method* for details.

<sup>&</sup>lt;sup>4</sup> Countries that produced a self-assessment in 2023 are Canada, Finland, Lithuania, and Moldova. The other five self-assessments (from Germany, Peru, Spain, Sweden, and the United States) were produced in 2022.

<sup>&</sup>lt;sup>5</sup> Armenia submitted a self-assessment but did not submit any written commitments. They are therefore not included in this tally. Four non-OGP governments also submitted self-assessments (Austria, Kosovo, Switzerland, and Taiwan).

- No self-reporting of outcomes. None of the self-assessments go beyond outputs and deliverables to measure or present evidence of outcomes (e.g. evidence of changes to government practices or how the public has benefited from commitment implementation).
- Few self-assessments are online. Although International IDEA has published self-assessments on its <u>S4D Commitment Dashboard</u>, few self-assessments are published online by their respective governments. Only three of the ten OGP self-assessments are published on an easily accessible government website (Canada, Finland, and the United States).
- Most self-assessments are in non-structured formats. Sweden is the only country that reported progress in a structured, machine-readable format. Canada published their self-assessment in HTML format with easy-to-use filters and navigation. Finland and the United States also published their self-assessments online. The rest (i.e. the majority) of the self-assessments are text documents that require download.

#### National statements<sup>6</sup>

**Fewer than half of OGP countries reported commitment progress during oral statements at the second Summit.** Many countries that participated in the second Summit delivered a national statement. This was a concrete opportunity to report progress on commitments made at the first Summit. However, these statements referenced few commitments and half of the commitment references lacked verifiable evidence of implementation.

- Fewer than half of OGP leaders reported progress on past S4D commitments. Forty-three leaders of OGP governments submitted written S4D commitments and made national statements.<sup>7</sup> Of these, just under half (20/43) reported progress on at least some of their commitments. This means that most OGP leaders did not report any commitment progress.
- The national statements reported progress on few S4D commitments. The statements reported progress on 53 S4D commitments, or about 7 percent of all S4D commitments made by OGP countries. Even the 20 OGP leaders that mentioned past commitments reported progress on only about one in five of their commitments (53/249).
- Many of the statements lacked verifiable evidence of progress. As opposed to the written self-assessment reports, only about half of the commitment references in the



<sup>&</sup>lt;sup>6</sup> The national statements were live-streamed on 29 March 2023. The video recording is <u>here</u>. The transcript of the statements is <u>here</u>.

<sup>&</sup>lt;sup>7</sup> This includes the Dominican Republic, which shared their written S4D commitments directly with the OGP Support Unit via email.

national statements included verifiable evidence of implementation, such as concrete initiatives, events, or new funding for civil society.<sup>8</sup>

## **Integrating S4D Commitments into the OGP Process**

Embedding S4D commitments in OGP action plans can ensure that civil society has a voice in advancing reforms. It can also improve implementation by ensuring accountability and learning.

#### The OGP process addresses many of the shortcomings of the current S4D process.

Collaboration between government and civil society is at the heart of OGP. The OGP process <u>requires</u> a role for civil society in co-creating priorities for reform, and OGP members are required to convene a multi-stakeholder forum of government and civil society for this purpose. In addition, OGP's IRM publishes expert assessments of all OGP commitments, enabling public monitoring and learning.

**OGP can therefore be an effective mechanism for advancing S4D commitments.** OGP already has a <u>track record</u> of advancing the domestic implementation of global commitments. Indeed, the issues of the S4D process are not unique – global summits often lack frameworks for domestic follow-through, which is why the OGP domestic action plan model can be so effective.

# **Many countries have already embedded S4D commitments in their OGP action plans.** Eighteen countries with written S4D commitments have submitted an OGP action plan since the first Summit. Of these, ten countries (55 percent) embedded at least one S4D commitment in their OGP action plan.<sup>9</sup>

- S4D commitments embedded into OGP action plans are co-created with civil society. As of April 2023, OGP's IRM has published action plan assessments for two action plans (Romania and Slovak Republic) that included at least one S4D commitment. According to these assessments, both Romania and the Slovak Republic fully met the OGP minimum requirements for co-creating with civil society during action plan development.
- S4D commitments in OGP action plans include promising reforms. The IRM has already identified two promising OGP commitments that are aligned with an S4D commitment: 1) a Romanian commitment related to access to justice for domestic and gender-based violence victims, and 2) a Slovak commitment to improve the quality of data on beneficial ownership.



<sup>&</sup>lt;sup>8</sup> For example, consider the difference between Albania reporting that it has "continued judiciary reform" versus Australia reporting that it has "joined the Global Network for Securing Electoral Integrity".

<sup>&</sup>lt;sup>9</sup> Albania, Bulgaria, Canada, Croatia, Czech Republic, Dominican Republic, Estonia, Greece, Malawi, Montenegro, New Zealand, Paraguay, Peru, Romania, Slovak Republic, Sweden, Uruguay, and the United States are the eighteen countries with written S4D commitments who have submitted a 2022 or 2023 OGP action plan as of May 2023. Countries who included at least one S4D commitment in their OGP action plan are bolded.

- The level of embedding varies by country. For example, the Czech Republic embedded only one of their 18 S4D commitments (six percent) in their 2022 OGP action plan, while Canada included 11 of 35 S4D commitments (31 percent), and the Dominican Republic included two of three S4D commitments (66 percent). However, it is important to note that not all S4D-relevant commitments are OGP-relevant and thus suited for OGP action plans.
- **Popular areas of alignment include anti-corruption and inclusion.** Of the 40 S4D commitments that have been embedded into 2022 or 2023 OGP action plans, 11 are related to anti-corruption and 8 are related to inclusion. Although civil liberties was a popular theme across S4D commitments, only two S4D commitments in this area have been integrated into OGP action plans so far.

**Overall, too few S4D commitments have been embedded into OGP action plans.** The eighteen countries who have submitted an OGP action plan since the first Summit for Democracy made a combined total of 333 written S4D commitments. Of these 410 commitments, only 40 were embedded into subsequent OGP action plans (9 percent). Going forward, more high-impact S4D commitments could be embedded in OGP action plans.

**Non-OGP countries can replicate aspects of the OGP model.** Even countries that do not participate in the OGP process can incorporate elements of OGP into their S4D process. This includes establishing regular spaces for multi-stakeholder dialogue, co-creating commitments, enabling monitoring of commitment progress, and setting up channels for public accountability.

**Non-OGP countries could also consider working to become an OGP member.** Countries must meet a series of <u>eligibility criteria</u> to join OGP, such as having a right to information law and publishing the executive budget. Many countries already meet these criteria; others can work to meet them. For example, Tanzania recently made a <u>commitment</u> to rejoin OGP while <u>Zambia</u> is also working to join.



### **Annex: Method**

#### Identifying OGP-S4D-aligned commitments

This analysis looks at how many active OGP commitments were submitted as S4D commitments, and how many S4D commitments were embedded in subsequent OGP action plans. S4D and OGP commitments were considered aligned if they referred to the same milestone(s), as opposed to vague references to the same thematic goal.

For example, Liberia's OGP commitment to "establish a fast-track/specialized anti-corruption court" and their S4D commitment to "propose legislation for the establishment of a dedicated criminal court for the prosecution and convictions of public officials, individuals, or institutions engaged in corrupt practices and financial offenses" are considered aligned commitments.

An example of what is *not* considered aligned is a vague S4D commitment to "implement judicial reforms" where the same country also has an OGP commitment to increase availability of legal aid to promote greater access to justice. Since the former lacks specificity, this would not be considered a case of aligned OGP and S4D commitments. See the full dataset <u>here</u>.

#### Identifying S4D commitments that received progress reports

The method above was also used to identify S4D commitments that received public progress reports. Identifying these commitments was simple in the case of written self-assessment reports, which covered all S4D commitments made by the respective government.<sup>10</sup> The national statements, on the other hand, were more vague. For these, S4D commitments were identified by references to specific milestones (e.g. "beneficial ownership register"), rather than broad thematic goals (e.g. "stronger anti-corruption framework").

Similarly, verifiable progress reports mentioned specific activities that could be reasonably determined to be completed. For example, consider the difference between Albania reporting that it has "continued judiciary reform" versus Australia reporting that it has "joined the Global Network for Securing Electoral Integrity". The full dataset of commitments that received progress reports is <u>here</u>.



<sup>&</sup>lt;sup>10</sup> The United States is an exception. Its self-assessment does not cover all S4D commitments, disproportionately covering its international-facing rather than domestic-facing commitments.