

The Open Gov Guide

2024

Open
Government
Partnership





Open Government Foundations

The Philippines has made notable progress in expanding access to the right to information, especially at the local level. The country [tripled](#) the number of local government units that passed “freedom of information” ordinances or executive orders in two years. Pictured: A neighborhood in Manila, the capital of the Philippines.

Mainstreaming Participation

Giving the public opportunities to provide input into government decision-making leads to more effective governance, improved public service delivery, and more equitable outcomes. In the context of open government, these deliberations allow the public to provide feedback on the actions of governments through organized discussions. Deliberative democratic processes have seen considerable innovation in the past few decades, ranging in formality, size, and permanence.

Open Gov Challenge

Public Participation

With OGP's [2023-2028 Strategy](#), OGP members are set to work toward a number of aspirational thematic reforms through the [Open Gov Challenge](#). This section of the *Open Gov Guide* addresses Public Participation.

Challenge prompt: Mainstream or embed fit-for-purpose, high-quality and inclusive public participation practices across key government sectors, processes, and institutions.

Actions and reforms to ensure that people are involved in policy-making could include:

- Passing and implementing laws and policies that create the expectation of a higher level of public participation within the policy-making process, or establishing new mechanisms for participation.
- Creating participation teams or centers of best practice that are responsible for improving public participation.
- Institutionalizing platforms or mechanisms to promote participation within specific sectoral reforms.

Key Terms

- **Civic participation:** Civic participation occurs when governments seek to mobilize members of the public to engage in public debate, provide input, and make contributions that lead to more responsive, innovative, and effective governance.
- **Deliberative democracy:** Deliberative democracy is a democratic approach that emphasizes the importance of inclusive and reasoned deliberation among the public in shaping public decisions and policies. It is based on the belief that a well-functioning democracy requires active civic engagement, open dialogue, and rational deliberation to reach collectively just and informed outcomes.

The Evidence

A growing body of evidence [suggests](#) that deliberative approaches can enhance decisions in a democracy.

- Achieving greater consensus on an issue can increase the legitimacy of decisions.
- Broad-based consultations can improve solutions by increasing their relevance and creativity.
- Creating a space for people with different interests and backgrounds can depolarize difficult or politicized decisions by allowing participants to discuss issues more fully and to see new perspectives.

Reform Guidance

Recommended Reforms

The recommendations below represent reforms that national and local governments, representatives of civil society organizations, and others can consider for their action plans and the [Open Gov Challenge](#). The reforms are categorized according to OGP’s principal values: transparency, civic participation, and public accountability. Reforms should be adapted to fit the domestic context, and involve and coordinate with other levels and branches of government.

Reforms across policy areas are also tagged by the estimated degree of difficulty in implementation. Though progress is often not linear, the recommendations have been categorized using these labels to give the reader a sense of how different reforms can work together to raise the ambition of open government approaches.

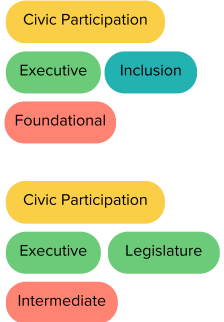
- **Foundational:** This tag is used for reforms that are the essential building blocks of a policy area. “Foundational” does not mean low ambition or low impact. These recommendations often establish basic legal and institutional structures.
- **Intermediate:** This tag is used for reforms that are more complex and often involve more coordination and outreach, such as with the public, between branches, agencies, and levels of government, or between countries.
- **Advanced:** This tag is used for reforms that close important loopholes to make existing work more effective and impactful. They are often about linking multiple databases or ensuring that oversight authorities can receive complaints from members of the public.

STANDARDS AND PROCESSES

- Establish a basic framework for participation:** Establish a legal right to participation and access to information through common mechanisms, such as notice-and-comment periods in regulations.
- Improve access to decision-making processes:** Establish that the public has a right to observe and inform public decisions through open meeting laws, [right to information](#), and [lobbying rules](#).
- Develop minimum standards on deliberative practice:** Develop government standards that govern participation practice, either to elaborate on existing laws or to provide guidance for innovations in deliberative processes already being implemented by administrations or legislatures.
- Create oversight bodies:** Establish multi-stakeholder bodies at the agency or whole-of-government level that design, mainstream, and monitor inclusion and participation practices in agency decision-making. These may also be housed in legislative oversight committees.
 - These multi-stakeholder bodies should also be diverse, inclusive, and appointed using transparent, well-publicized processes.

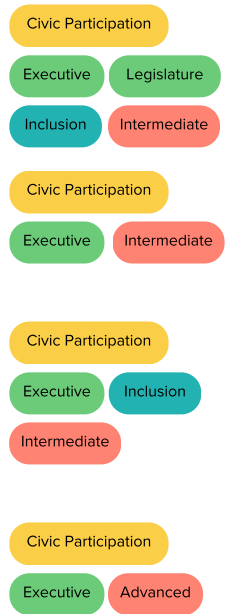
NEW MODELS

- Design pilots:** Carry out pilots of deliberative processes on key issues with the general public, paying special attention to ensure diversity across and within groups of the selected sample. Examples such as citizen assemblies have found success particularly at the local level, as [research](#) on public participation suggests.
- Establish rules for how deliberative processes interact with policy-making:** Explicitly explain how deliberative processes will interact with constitutional, legislative, and regulatory processes, such as clarifying when they will occur and how they will inform final decisions. For example, establish processes for deliberative polling and discussion around politically difficult issues.



CAPACITY BUILDING

- Conduct targeted outreach to identify new actors:** Conduct targeted outreach for new actors who will join participation initiatives to ensure that groups are as inclusive and representative as possible.
- Train public officials:** Carry out training and capacity building for public officials on public participation to ensure that high-quality, meaningful dialogue takes place.
- Train members of the public:** Carry out training and capacity building for members of the public who join participation initiatives. This is especially important to build capacity for representatives from groups that are not as likely to be involved in decision-making, such as young people, indigenous people, and women, to ensure they have the tools to participate fully.
- Create institutional knowledge teams:** Establish participation teams or centers of best practice to maintain institutional knowledge and increase the quality of participation mechanisms.



Examples of Reforms from OGP and Beyond

The following examples are commitments previously made within or beyond OGP that demonstrate elements of the recommendations made above. Commitments in this area have become increasingly popular, with almost all OGP members undertaking some kind of reform to improve or expand public dialogue.

- **Argentina Public Participation in Environmental Decision-Making:** [Committed](#) to creating the conditions for broad, inclusive, informed, and accessible public participation in [environmental decision-making](#) in line with the Escazú Agreement. This can build on the success of its [Federal Program of Open Government](#), which engaged diverse groups at the national and local levels to implement open government policies.
- **Australia New Framework to Increase Participation in Policy-Making:** [Created](#) a framework to increase public participation in policy-making based on a review of current engagement practices and workshops with members of the public to identify new strategies, with strong early results.
- **Estonia Online Platform for Policy Co-Creation:** [Committed](#) to developing a centralized platform to promote a [legislative and regulatory co-creation](#) process, where the public can access the edit history, meeting records, and reasoned government responses to feedback related to policies.
- **Latvia Commitment to Promote Multi-Stakeholder Collaboration:** [Committed](#) to strengthening multi-stakeholder decision-making by requiring ministries to identify and maintain regular dialogue with CSOs, experts, industry representatives, and others, in addition to its [council](#) promoting collaboration between CSOs and the Cabinet.
- **New Zealand Community Engagement Tool for Policy-Making:** [Committed](#) to requiring the use of the Policy Community Engagement Tool, with the goal of increasing public participation in designing policies, particularly for those most affected by an issue, such as Māori communities.
- **Republic of Korea Public Engagement Platform for Policy-Making:** Launched a [platform](#) to create opportunities for public engagement on policy-making that was then [expanded](#). Also [committed](#) to improving the platform to increase public engagement.
- **Scotland, United Kingdom Framework for Public Participation in Policy-Making:** [Created](#) a [participation framework](#) to guide policy makers on which kinds of participatory methods to use to involve the public in decision-making.
- **Sweden Consultation Model to Engage CSOs:** [Developed](#) a dialogue model (sokråd) to engage with CSOs on issue-specific consultations, which is now used [regularly](#) to reach consensus on difficult topics.

BEYOND OGP ACTION PLANS

- **France Platform to Coordinate Public Participation:** [Established](#) an Interdepartmental Centre for Citizen Participation, which coordinates the [platform](#) used for all public consultations by the State.
- **Philippines Participation in the Cabinet:** [Created](#) a cluster at the Cabinet level for participatory governance, which consults civil society members in its work. The cluster also coordinates with the [OGP multi-stakeholder forum](#).
- **Spain Open Government Forum for Dialogue:** [Established](#) an Open Government Forum, a group meeting once a year that is composed of government representatives from the national and regional level, as well as civil society actors.

The Role of Local Governments

Local governments have spearheaded participatory decision-making in many countries. They are often leaders in deliberative approaches, as they are closer to the people they serve, which allows for more direct participation in government. Local officials also may be the most well-positioned to understand the particular needs and concerns of their constituents.

Critically, local governments serve as laboratories for experimentation and innovation in governance. They have led new approaches, policies, and programs, such as:

- Local referendums,
- Participatory budgeting,
- Rules for open meetings,
- Citizens assemblies and juries, and
- Online platforms, such as complaint mechanisms.

For more examples of how [cities](#) are mainstreaming participation, the Bloomberg Harvard City Leader Initiative published a [guide](#) and [workbook](#) on this topic as part of its City Leader Guides series.

Active OGP Partners

The following organizations have recently worked on this issue in the context of OGP at the national or international level. They may have additional insights on the topic. Please note that this list is not exhaustive. If you are interested in national-level initiatives, please contact research@opengovpartnership.org.

- [International Center for Not-for-Profit Law \(ICNL\)](#)
- [Involve](#)
- [Organisation for Economic Co-operation and Development \(OECD\)](#)
- [People Powered](#)
- [The Democratic Society](#)

Benchmarking Data

The [OGP 2023-2028 Strategy](#) sets out the [Open Gov Challenge](#) and aims to provide clear benchmarks for performance through reliable data. At the current time, it is unclear if there is third party data to match this challenge across OGP membership.

Guidance and Standards

While the list below is not exhaustive, it aims to provide a range of recommendations, standards, and analysis to guide reform in this policy area.

- The **OGP Support Unit** included a chapter on consultation in the 2020 [Regulatory Governance](#) report. The report provides an overview of regulatory openness, including potential commitments and examples from innovators worldwide.
- The **OECD** has produced several resources on this topic. Examples include the [Guidelines for Citizen Participation Processes](#), a [guide](#) on public engagement for better policies and services, [recommendations](#) related to regulatory policy and governance (specifically Principle 8), and [guidance](#) on innovations related to public participation and new democratic institutions.
- **Involve**, a UK-based organization, created a [guide](#) on designing and implementing public participation processes in decision-making.
- The **Council of Europe's** [Code of Good Practice for Civil Participation in the Decision-Making Process](#) defines practices and guidelines to bring CSOs into decision-making at the national and local levels.
- The **Organization for Security and Co-operation for Europe** published [recommendations](#) on enhancing the participation of associations in public decision-making processes.
- **ICNL** published [guidance](#) on how to develop agreements between government and civil society in Central and Eastern Europe.
- The **European Center for Not-for-Profit Law** (ECNL) created an [overview of civil participation](#) in decision-making in Council of Europe member states as well as [research](#) on participation methods to enhance engagement in the European Union. ECNL also published [guidance](#) on how governments can strengthen mechanisms for CSOs to participate in EU-related policy-making, as well as a [brief](#) on the rule of law in the EU and its role in strengthening civic space generally.
- The **Morris J. Wosk Centre for Dialogue**, based at Simon Fraser University in Canada, created a [guide](#) for global practitioners on how to ensure equity in public engagement.