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Action Plan Review:
Cabo Verde 2023–2025

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Introduction

In January 2021, the Independent Reporting Mechanism (IRM) rolled out the new products that resulted from the IRM Refresh process.[1] The new approach builds on the lessons learned after more than 350 robust, independent, evidence-based assessments conducted by the IRM and inputs from the OGP community. The IRM seeks to put forth simple, timely, fit for purpose, and results-oriented products that contribute to learning and accountability in key moments of the OGP action plan cycle.

IRM products are:
- **Co-Creation Brief:** Brings in lessons from previous action plans, serves a learning purpose, and informs co-creation planning and design.
- **Action Plan Review:** A quick, independent technical review of the characteristics of the action plan and the strengths and challenges IRM identifies to inform a stronger implementation process.
- **Results Report:** An overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning. This product was rolled out in a transition phase in 2022, beginning with action plans ending implementation on 31 August 2022. Results Reports are delivered up to four months after the end of the implementation cycle.

This product consists of an IRM review of the Cabo Verde 2023–2025 action plan. The action plan comprises 8 commitments that the IRM has filtered and clustered into 2 clusters and 4 individual commitments. This review emphasizes its analysis on the strength of the action plan to contribute to implementation and results. For the commitment-by-commitment data, see Annex 1. For details regarding the methodology and indicators used by the IRM for this Action Plan Review, see Section III.

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[1] "IRM Refresh," Open Government Partnership, https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/.

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Section I: Overview of the 2023–2025 Action Plan

Cabo Verde's OGP process continues to strengthen through the establishment of a multistakeholder forum. The second action plan contains more commitments and has a stronger open government lens than the first. There remains room to deepen civil society participation in action plan design and implementation. Reformers are also encouraged to identify how government transparency efforts can build towards greater public accountability and civic participation in the longer term.

Cabo Verde's second action plan comprises 8 commitments that primarily aim to increase government transparency. Commitments relating to open data, budget transparency, and public service delivery build on the first action plan. Commitments to strengthen transparency in the fisheries industry and justice sector represent new policy areas and participating government bodies. Implementers are encouraged to consider how transparency reforms foreseen in the action plan can build towards strengthening civic participation and public accountability in the longer term.

The action plan includes more commitments than the previous one. All 8 commitments have an open government lens and are evaluated to have a modest potential for results.

Two policy areas are identified as most promising to open government. Commitments 1 and 2 have the potential to increase access to data and statistics through the introduction of an open data policy and portal. Commitments 7 and 8 promise to bring justice closer to citizens through online, regional, and mobile justice resources. The centers will provide crime prevention activities, referrals for justice services, and legal guidance and information.

The action plan aligns with government agendas, such as the Digital Governance Strategy (Commitment 1) and the Justice+ Program (Commitment 7) as well as internationally supported projects under the World Bank (Commitment 1), the International Monetary Fund (commitment 5), and the Fisheries Transparency Initiative (Commitment 4). Implementers can use the OGP process to add value to these ongoing reforms, especially by engaging civil society in implementation.

AT A GLANCE

Participating since 2015
Action plan under review: 2023–2025
IRM product: Action Plan Review
Number of commitments: 8

Overview of commitments:
Commitments with an open government lens: 8 (100%)
Commitments with substantial potential for results: 0 (0%)
Promising commitments: 4

Policy areas:
Carried over from previous action plans:
- Open data
- Budget transparency
- Co-creation of public services

Emerging in this action plan:
- Open justice
- Fisheries transparency

Compliance with OGP minimum requirements for co-creation: Yes

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The Government of Cabo Verde strengthened OGP institutions and processes leading up to the second action plan. Prime Minister José Ulisses Correia e Silva formally launched the co-creation process at a public event in May 2022.[1] Responsibility for OGP moved to the Ministry of State Modernization and Public Administration, with Minister Edna Oliviera appointed as OGP Ministerial Point of Contact. The National Multistakeholder Forum (FNM) was established in November 2022 with 22 government, 1 private sector, 1 academia, and 3 civil society representatives.[2] The FNM is thus heavily weighted in favor of government representation. The government also created a public OGP repository and Facebook page to provide the public with information on Cabo Verde's OGP progress.[3] Consequently, Cabo Verde met all the minimum requirements under OGP Participation and Co-Creation Standards during the co-creation period.

Civil society members shared that commitment themes and priorities were defined by the government, thus leaving limited room for civil society's voice. A civil society representative interviewed by the IRM expressed hope for civil society to be engaged earlier and more broadly in the co-creation process to help define the priority areas to be addressed in the action plan.[4] Moving forward, Cabo Verde is encouraged to continue strengthening civil society's role in developing and implementing open government reforms.

The IRM recommends that the FNM establish working groups with equal non-government and government members. Working groups could be organized around thematic policy areas, such as open justice (Commitments 7 and 8) and open data and statistics (Commitments 1 and 2). These working groups could develop implementation roadmaps that clarify specific activities and progress indicators that build towards commitment objectives as well as identify how the implementation of each commitment will add value to existing projects or strategies on which they are based. They could also outline opportunities for civil society to participate in implementing open government reforms. The FNM is encouraged to raise awareness of OGP process among civil society and leverage it in advancing policy priorities.[5]

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[1] "Construction of the roadmap elaboration of the OGP Plan: Cabo Verde 2022–2024," Ministry of State Modernization and Public Administration, 18 May 2022, https://www.dropbox.com/sh/z9gy4vmf435yl3w/AACkMV1s8vXNKN1p_qbZFk5na/03-Activities%26Events_Atividades%26Eventos/Open%20Gov%20Week%20Co-creation%20Workshop%20OGP%2018.05.2022/Report_Relat%C3%B3rio?dl=0&preview=OGP+WORKSHOP+REPORT+III+18.05.22.pdf.
[2] "Estatutos do Fórum Nacional Multissetorial para a Parceria de Governação Abert a em Cabo Verde," [Cabo Verde's OGP National Multistakeholder Forum Statute], Government of Cabo Verde, 12 December 2022, https://www.dropbox.com/sh/z9gy4vmf435yl3w/AACeiL-dc3HVm287S2W5fzsUa/02-Steering%20Commitee_F%C3%B3rum%20Multissetorial?dl=0&preview=ESTATUTOS-DO-FOR%C3%9AM-NACIONAL-MULTILATERAL-PARA-A-OGP_15_11_2022_APROVADO.pdf.
[3] See Cabo Verde's OGP member page, repository, and Facebook page: "Parceria de Governação Aberta (OGP) Cabo Verde," [Cabo Verde OGP], Government of Cabo Verde, https://linktr.ee/ogpcv.
[4] Gerson Pereira (Rede de Associações Comunitárias e Movimentos Sociais), interview by IRM researcher, 2 March 2023.
[5] See: "The skeptic's guide to open government – 2022 edition," Open Government Partnership, https://www.opengovpartnership.org/skeptics-guide-to-open-government-2022-edition.

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Section II: Promising Commitments in Cabo Verde 2023–2025 Action Plan

The following review looks at the two clusters (comprising 4 individual commitments) that the IRM identified as having the potential to realize the most promising results. Promising commitments address a policy area that is important to stakeholders or the national context. They must be verifiable, have a relevant open government lens, and have modest or substantial potential for results. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

Table 1. Promising commitments

Promising Commitments
Commitments 1 and 2: Open data and statistics: This cluster promises to increase public access to government-held data and statistics through the establishment of an open data policy and portal.
Commitments 7 and 8: Open justice: This reform promises to bring justice information and services closer to citizens through in-person and online resources. It also aims to increase access to information on court decisions.

Commitments 1 and 2: Open data and statistics
Implementing agencies: Ministry of State Modernization and Public Administration, Organizational Nucleus for the Information Society (NOSi), National Institute of Statistics (INE), National Statistics Council, National Committee for Personal Data Protection, Multisector Regulatory Agency for the Economy, Ministry of Education, National Association of Municipalities of Cabo Verde

For a complete description of the commitments included in this cluster, see Commitments 1 and 2 in Cabo Verde's 2023–2025 action plan: https://www.opengovpartnership.org/wp-content/uploads/2022/12/Cabo-Verde_Action-Plan_2023–2025_EN.pdf.

Context and objectives:
Commitment 1 continues efforts in the first action plan to establish an open data portal and open data policy. With support from the World Bank, Commitment 2 introduces the aim to expand collection and publication of statistical information. These commitments are assessed together as a cluster due to their similar objectives to open data across policy areas in support of economic innovation, informed public policymaking, and increased access to information. According to the State Modernization Department, there is strong interest from the private sector[1] because greater access to data and statistics could promote the digital economy and foster the creation of new applications.

Potential for results: **Modest**
In recent years, the Government of Cabo Verde has initiated reforms to strengthen access to information and advance public sector transparency. The Digital Governance Strategy,[2] aimed at modernizing the state and public services as well as strengthen the economy, calls for the development of an open data policy. Currently, open data is available but dispersed across government websites and not frequently updated. An exception is the availability of budget

information from the Ministry of Finance who gathers updated data of budget execution and expenses on their website.[3]

Commitment 1 builds on the open data portal launch in the previous action plan cycle which was delayed by the COVID-19 pandemic. The IT public company NOSi made some technical advances, but their priorities were diverted during the pandemic before the portal was made public.[4] The Ministry of State Modernization and Public Administration has taken on the lead responsibility for this commitment from NOSi as it is best placed to develop an open data policy and relevant legislation to govern data publication.[5]

The commitment foresees launching the open data platform, passing an open data policy, and carrying out activities to encourage the use of open data, such as through an annual hackathon. According to the National Director of State Modernization, the open data policy draft was discussed with government agencies and will be shared and discussed with civil society during the implementation period.[6] Under the Digital Governance Plan, the government aims to publish at least one set of data from each government entity by 2025.[7] The commitment also aims to ensure that data will be continuously updated and more easily located—reflecting a common demand from civil society.[8]

Commitment 2 builds on a World Bank project running from 2020 to 2025 to strengthen Cabo Verde's capacity to collect, analyze, and publish statistical information. The government aims to increase the geographic coverage of statistical data, starting with the use of administrative records and provision of more disaggregated data.[9] The commitment lacks concrete details, such as when and how preliminary outcomes will be published. However, the World Bank's project indicators include to what extent Cabo Verde publishes (1) core economic and social statistics indicators; (2) at least two analytical reports using survey, macro, or administrative data; (3) core economic and social statistics datasets; and (4) statistical products produced and published by the INE in line with international standards and a predetermined release calendar.[10]

It is not clear whether the statistical data published under Commitment 2 will be housed in the open data portal under Commitment 1. Implementers are encouraged to use the inclusion of this project in the OGP action plan to expand on the open government elements of this reform. For example, the INE could use the OGP platform to bring civil society into the process through consultations on what statistics and analysis to prioritize for publication and in what formats. The INE can also collaborate with civil society to bring findings into the public discourse, particularly to inform public participation in government decision making.

In 2022, the Government of Cabo Verde passed the Law on System of Access and Reuse of Documents and Administrative Information, which establishes the procedures and form for requesting access to documents, as well as the documents that can be accessed.[11] Thus, the country now has an established procedure, with deadlines, on citizen requests for government-held information. The new law is expected to be a steppingstone for the open data policy framework[12] and the open data portal, which will enhance proactive transparency. Making data proactively available in open format can reduce the need for information requests, which usually require lengthy procedure.

Positively, the financial resources for the development of the portals are secured. The open data portal is foreseen in the current budget[13] and the statistical data repository is financed by the

World Bank under the Master Data project.[14] The Ministry of State Modernization and Public Administration is currently considering options for the long-term maintenance of the open data portal and weighing between government funding or a public-private partnership format.[15]

This cluster is evaluated to have a modest potential to increase public access to data and statistics. The development of an open data policy and portal promise to increase accessibility and scope of data available to the public. Increased public access to statistical information can also strengthen informed public participation in policy discussions. As written, this reform is of modest ambition as the establishment of the open data portal and policy were started prior to implementation. Moreover, it is not clear from the current action plan text how Commitment 2 adds value to the existing World Bank project. This reform could prove to have greater open government results in the longer term if implementation establishes channels for public participation in data governance. Opportunities for public participation range from enabling citizens to request datasets through an online platform to establishing mechanisms for multistakeholder data governance.

Opportunities, challenges, and recommendations during implementation
The two implementing bodies—the Ministry of State Modernization and Public Administration and the National Institute of Statistics—are encouraged to seek opportunities to collaborate. **Implementers could convene a working group that includes an equal number of government and civil society partners to monitor implementation progress and address obstacles as they arise**. The working group could develop an implementation roadmap that identifies intermediary steps and opportunities to engage civil society in implementation. In the longer term, implementers could undertake activities to encourage public use of the data and statistics. For example, dissemination of fisheries or justice sector data could support informed public participation in other reforms foreseen in the action plan.

In addition, the IRM recommends that implementers consider the following:
- Civil society organization Lantuna Association recommends the **creation of spaces that allow quick communication between government and civil society to facilitate information requests**. Breaking down complex data and information into an accessible format for the public could also be useful.[16] Morocco, for example, developed a citizens' guide on submitting access to information requests and an online portal where requests are submitted, referred to the relevant government body, and publicly tracked.[17]
- **Increase state capacity on open data**. Following validation of the open data policy, implementers could develop a manual and train civil servants on collecting, processing, disseminating, and updating data.[18] For example, Kenya's School of Government has introduced an Access to Information course that has informed public servants on their obligations under the Access to Information Act.[19]
- Greater public participation in open data reforms presents an opportunity to expand on existing open data projects. **Open data champions can use the OGP platform to bring civil society and the private sector into implementation**. This can be achieved through several ways, for example:
  - Consult and publicly respond to civil society feedback on the open data policy, relevant legislation, and guidelines. In Ireland, the OGP process convened representatives from government bodies, private sector, civil society, and researchers before drafting an open data policy.[20] The government shared the

                    draft for public comments and publicly responded and incorporated suggestions into the draft.[21]

    o   Consult civil society and the private sector on the content, scope, and format of data that most meet their needs. In the Basque Country, the government consulted and mapped data demands from civil society to determine which datasets to prioritize for publication.[22]

    o   Partner with civil society to test the usability of the portal and conduct public outreach to increase public awareness and use of the portal.

    o   Consider permanent bodies for multistakeholder data governance. Tunisia established a consultative committee with civil society and private sector members to oversee implementation of open data action plans.[23] Morocco created and Open Data Steering Committee to manage open data efforts through a multistakeholder approach.[24]

Commitments 7 and 8: Open justice
Implementing agencies: Ministry of Justice, Public Prosecutor's Office, Ministry of State Modernization and Public Administration, Superior Council of the Judiciary, Superior Council of Judiciary of the Public Prosecutor's Office, Ombudsman, Operational Nucleolus for Information Society (NOSi), National Association of Municipalities of Cabo Verde (ANMC), Praia Network of Community Associations and Social Movements

For a complete description of the commitments included in this cluster, see Commitments 7 and 8 in Cabo Verde's 2023–2025 action plan: https://www.opengovpartnership.org/wp-content/uploads/2022/12/Cabo-Verde_Action-Plan_2023–2025_EN.pdf.

Context and objectives:
The Ministry of Justice, the Superior Council of the Judiciary, the Public Prosecutor's Office, and the Cabo Verdean Bar Association proposed to include open justice reforms in the second action plan. This cluster, comprising Commitments 7 and 8, expands on the Justice+ Plan, which was developed concurrently with the action plan and launched in July 2022.[25]

The two commitments aim to increase judicial transparency and improve the effectiveness, access to, and speed of justice in Cabo Verde. Notably, this cluster brings the judicial branch into Cabo Verde's open government efforts. Commitment 7 aims to establish in-person and online channels to refer citizens to appropriate legal services such as mediation and small claim courts.[26] It also aims to provide accessible legal information through defined legal terms, information on judicial institutions, and court decisions. Commitment 8 aims to increase the number of judicial decisions available on the jurisprudencia.cv website, particularly first instance decisions. Reforms in this policy area are important, but the absence of concrete details for both commitments and lack of public access to the Justice+ Plan present a challenge for deeper analysis and assessment.

Potential for results: **Modest**
A 2015 Afrobarometer survey found that 34% of Cabo Verdeans experienced challenges accessing justice.[27] The commitments and Justice+ Plan aim to address the fact that citizens often do not know where to seek legal redress or access the outcomes of court cases. Citizens are not aware of alternative justice mechanisms, such as small claim courts or arbitration. Consequently, the courts struggle under a large backlog of cases.[28] Cabo Verde's judicial system also suffers

from a lack of budget and staff, further contributing to delayed judicial processes.[29] A 2017 study on Cabo Verde's justice sector also noted a lack of proactive communication by judicial bodies to the public.[30] The government previously aimed to bring justice services closer to citizens through an initiative called 'Casas do Direito' (Law Houses), but high cost made it difficult to expand the initiative to remote populations. The Ministry of Justice hopes to reach more citizens through a more cost-effective approach.[31]

Milestone 1 under Commitment 7 aims to establish physical spaces in city halls across Cabo Verdean municipalities. The spaces will facilitate access to information on justice services as outlined in the Justice+ Plan. Qualified individuals will provide guidance and referrals to non-court services such as mediation when appropriate. This will be complemented by a mobile service to share information on justice services with rural communities and neighborhoods. The initiative particularly aims to reach vulnerable communities and share information on gender-based violence, human trafficking, and child sex abuse, among other topics identified as priorities. The objective includes crime prevention activities such as consultations, awareness raising, and sharing information on alternative justice services such as mediation and small claims courts. As of May 2023, the Ministry of Justice was collecting information from existing justice service centers on the type of services that citizens were seeking the most. The ministry intends to use this information to design the initiative and broader justice policies.[32]

Milestones 2 and 3 aim to increase access to online information on justice services. These milestones expand on the Justice+ Plan by providing communications and information around justice services to be introduced under the plan. Under milestone 2, more information will be made publicly available on government justice institution websites such as www.tribunais.cv. The Ministry of Justice website currently includes basic information on judicial institutions, laws, and services, and links to a portal for online services such as marriage and birth certificates.[33] Its Facebook page publishes information on high-level activities and statements.[34] The ministry will disseminate frequently asked questions (FAQ), manuals, legal information, and guides that can be easily understood by the public.[35] These information may be provided through the justice portal currently being rolled out by the ministry or another space.

Beyond the scope of the commitment, the Ministry of Justice aimed to introduce an online justice portal in June 2023 with information on the ministry and channels for citizens to access government services. The ministry intends to roll out the portal in phases, through which citizens will be able to renew identification documents and request marriage, criminal, and other certificates. The ministry aims to introduce land and company registration by the end of 2023, as well as wedding and public deeds in 2024.[36] Stakeholders interviewed by the IRM clarified that the justice portal in development is not the 'online space' noted in milestone 2, although the 'online space' may be located within the justice portal.[37]

Under milestone 3, the Ministry of Justice will use social media to disseminate information of justice services, including those established in city halls under milestone 1.[38] The social media campaign may use Facebook and Instagram as these are the most used platforms in Cabo Verde.[39] This would add to the existing partnership between the ministry and television and radio stations to widen the dissemination of legal information.[40]

Commitment 8 has a modest scope for the Superior Council of the Judiciary to publish first instance decisions online. Currently, the government publishes higher court decisions on

jurisprudencia.cv. With the implementation of the commitment, first instance decisions will also be included in the list of published information.[41] This will grant citizens more clarity of their duties and rights, as well as become a valuable source for paralegals, public defenders, and lawyers to have an accessible source for jurisprudence that guides their work.[42]

Opportunities, challenges, and recommendations during implementation
This reform is grounded in the Justice+ Plan and responds to pressing public concerns.[43] The Ministry of Justice noted that there is political will to implement open justice reforms. However, financial resources are likely to be the greatest constraint.[44] Some government funding and staffing is allocated to legal service centers under the national budget, although the specific amount was unclear.[45] Access to the internet has also hampered previous digital justice efforts. Under the Digital Governance Plan, the government seeks to expand digital literacy, internet access, and access to computers to enable greater access to online services.[46]

Implementation of Commitments 7 and 8 are led by separate institutions. **The IRM recommends that the Ministry of Justice, the Superior Council of the Judiciary, partner government institutions, and non-government associations form a working group** that meet regularly to discuss progress, obstacles, and opportunities to collaboratively advance open justice. Likewise, the Ministry of Justice could also collaborate with Commitment 1 implementers to include judicial data in the open data platform.

The lack of clarity regarding the planned activities and how the commitments add to existing efforts under the Justice+ Plan pose challenges to their potential for results. **The IRM recommends that the justice working group define a concrete implementation roadmap** that clarifies what information will be published and how. The working group can outline measurable activities and indicators for implementation as well as identify how the commitments add value to existing reforms, for example by strengthening public participation channels in open data reform.

Engaging civil society in implementation is key to amplifying justice sector reform efforts. A civil society representative noted that the government could invest in capacity building on justice services and resources for civil society organizations,[47] who could then support government efforts to bring justice services closer to citizens. To this end, the IRM recommends the government to:

- **Collaborate with civil society to simplify legal information**. The city of Buenos Aires in Argentina held an online 'hackathon' where civil society organizations and judges worked together to simplify commonly used legal texts.[48] Argentina has also launched a mobile application that connect citizens to information on judicial institutions, public officials, legal terms, appointments, estimated costs, and legal document templates.[49]
- **Consult civil society on the design of physical and online spaces and create materials for specific vulnerable groups**. In Mongolia, the Ministry of Justice and civil society collaborated to identify legal needs for vulnerable communities and provide legal guides for these specific groups.[50] In Indonesia, regulations were implemented to ensure that persons with disabilities were accommodated at all stages of the judicial process.[51]

This cluster aligns with the five-year OGP Strategy launched in 2023 which included legal empowerment and access to justice as one of the four priority areas for collective action.[52] Consequently, there is opportunity for Cabo Verde to set an example for other members through

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ambitious implementation. Implementers could also benefit from focused coalitions and resources around open justice over the next five years. Opportunities for peer learning include:

- **Learning and exchange with members undertaking similar reforms**. For example, North Macedonia established justice centers with trained paralegals to provide information and services to marginalized groups. The centers also provide a hotline for free legal assistance.[53] Namati in Sierra Leone[54] and the Community Advice Offices South Africa[55] have expanded access to justice through community paralegals.[56]
- **Join the OGP Coalition on Justice**, where OGP members, civil society organizations, and other national and international partners share and learn about the ways that the OGP community advances justice through action plans.[57]

Other commitments

Other commitments that the IRM did not identify as promising commitments are discussed below. This review provides recommendations to contribute to the learning and implementation of these commitments.

Commitment 3 provides for the creation of a website to centralize information on government services. The repository will include a description of all offline and online public services available to resident and non-resident citizens, companies, government entities, and others. The Ministry of State Modernization and Public Administration notes that beyond activities listed in the commitment, the reform will also aim to simplify digital public services. The ministry stated that the public will be consulted in this process through consultations, questionnaires, hearings, and discussion groups to ensure that online public services meet the need of the users.[58] This commitment is assessed to have a modest potential for early results as it primarily aims to make information that is already public more readily accessible. The commitment text mentions that the repository will also enable the public to submit complaints and recommendations regarding public services.[59] If implementation of this commitment creates new channels for the public to participate in improving public services or holding the government to account, then this reform could have more significant open government results.

Commitment 4 aims to make the fishing sector, which contributes significant value to Cabo Verde's economy and food security, more transparent and inclusive.[60] Commendably, Cabo Verde achieved candidate country status under the Fisheries Transparency Initiative (FiTI),[61] formed a FiTI Multi-Stakeholder Group,[62] developed a 2023 workplan,[63] and started the first FiTI report that will be published by December 2023.[64] However, this commitment is not assessed as promising given that 2 of its 3 milestones were completed before the implementation period had commenced. However, this commitment could result in significant open government results if the implementation goes beyond the milestones stated in the action plan and makes notable advancement towards open fisheries.

Specifically, implementers can use the OGP platform to ensure that FiTI report findings contribute to informed public participation in fisheries governance. Examples of such activities include:

- Partnering with academia and civil society on strategies to address public information gaps identified in the FiTI report. The Ministry of the Sea could work with civil society and academia to ensure the forthcoming 'Portal do Mar' meets the needs of its users by holding detailed data such as catches by species, fleets, exports, the state of resources, licenses, and legislation.[65] The ministry could, for example, hold a 'hackathon' where university students test using the portal to create new findings and tools.

- Collaborating with civil society and fisheries associations to disseminate and discuss report findings in existing forums such as the National Fisheries Council, all-party parliamentary debate on fisheries, and Cabo Verde Ocean Week. In particular, consider providing the report findings in accessible formats for fisheries workers.
- Collaborating with civil society and fisheries associations to hold public townhalls or consultations on FiTI report findings, where the government collects and responds to public input on challenges in the sector.

Commitments 5 and 6 aim to increase public access to budget and fiscal information. The Ministry of Finance notes that these commitments aim to implement the fiscal transparency requirements under Law 55/IX/2019 which includes the provision of a public budget portal.[66] Commitment 5 on establishing a fiscal transparency portal reflects a project funded by the International Monetary Fund (IMF) started in 2022. While a positive initiative, it is not clear how inclusion of Commitment 5 in the action plan builds on the existing project. Commitment 6 lacks details on the format and frequency of information to be published. However, the ministry states that the portal will bring together information from the PALOP-TL Civil Society Online Budget Platform,[67] state owned enterprise manager, e-procurement, National Director of State Revenue, and General Directorate of the Treasury. The ministry also stated that budget transparency legislation has been drafted with technical assistance from the IMF.[68] Implementers can use the OGP platform to expand existing efforts and identify activities that ensure published information directly contributes to informed public participation in budget processes

[1] João Cruz (Ministry of State Modernization and Public Administration), interview by IRM researcher, 20 March 2023.

[2] "Estratégia para a Governação Digital de Cabo Verde," [Cabo Verde Digital Governance Strategy], Government of Cabo Verde, https://eparticipa.gov.cv/download/estrategia-para-governacao-digital-de-cabo-verde/?wpdmdl=2663&refresh=644cfffc8c82e1682767868.

[3] "Orçamentos e contas dados abertos," [National directorate of budget and public accounting], Ministry of Finance, https://www.mf.gov.cv/web/dnocp/or%C3%A7amentos-e-contas-dados-abertos.

[4] "IRM Transitional Results Report: Cabo Verde 2018–2021," Open Government Partnership, 14 April 2022, https://www.opengovpartnership.org/documents/cabo-verde-transitional-results-report-2018-2021.

[5] Cruz, interview.

[6] Cruz, interview.

[7] Cruz, interview: This goal is not foreseen in the action plan but is part of the digital governance plan led by the Ministry of State Modernization and Public Administration.

[8] Diego Alhinho (Lantuna Association), interview by IRM researcher, 2 March 2023.

[9] "Harmonizing and improving statistics in West Africa," The World Bank, updated 24 August 2023, https://projects.worldbank.org/en/projects-operations/project-detail/P169265.

[10] "Harmonizing and improving statistics in West Africa," The World Bank.

[11] "Proposta de Lei que estabelece o Regime de Acesso e Reutilização de Documentos e Informações Administrativas aprovada na especialidade," [Proposal for a Law that establishes the Regime for Access and Reuse of Documents and Administrative Information approved in the specialty], Government of Cabo Verde, April 2022, https://www.governo.cv/proposta-de-lei-que-estabelece-o-regime-de-acesso-e-reutilizacao-de-documentos-e-informacoes-administrativas-aprovada-na-especialidade; "Cape Verde," Global Right to Information Rating, 2022, https://www.rti-rating.org/country-data/Cape%20Verde.

[12] "Cabo Verde appraisal report," African Development Bank, 2022, https://projectsportal.afdb.org/dataportal/VProject/show/P-CV-K00-015.

[13] Cruz, interview.

[14] "The Master Data project, INE, will be carried out in co-operation with NOSi," Organizational Nucleus for the Information Society, 20 October 2022, https://nosi.cv/en/web/guest/w/the-master-data-project-ine-will-be-carried-out-in-co-operation-with-nosi.

[15] Cruz, interview.

[16] Alhinho, interview.

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[17] See: "بوابة الحصول على المعلومات," [Information Portal], Government of Morocco, http://www.chafafiya.ma; "IRM Transitional Results Report: Morocco 2018–2020," Open Government Partnership, 12 November 2021, https://www.opengovpartnership.org/wp-content/uploads/2021/11/Morocco_Transitional-Results-Report_2018-2020_EN.pdf.

[18] See: "Morocco – Strengthening open data practices (MO0034)," Open Government Partnership, https://www.opengovpartnership.org/members/morocco/commitments/MO0034.

[19] "IRM Results Report: Kenya 2020–2022," Open Government Partnership, draft for pre-publication review.

[20] See: "Ireland – Develop an open data strategy 2017–2020 (IE0044)," Open Government Partnership, https://www.opengovpartnership.org/members/ireland/commitments/IE0044.

[21] See: "Ireland – Develop an open data strategy 2017–2020 (IE0044)," Open Government Partnership.

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[33] "Serviços de justiça," [Justice Services], Ministry of Justice, https://justica.gov.cv/inicio.

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[35] Paulo Fernandes (Ministry of State Modernization and Public Administration), email correspondence with IRM researcher, 11 May 2023.

[36] Almeida & Pereira, interview.

[37] Fernandes, email correspondence.

[38] Almeida & Pereira, interview.

[39] Delgado, interview.

[40] Almeida & Pereira, interview.

[41] Delgado, interview.

[42] Almeida & Pereira, interview.

[43] The "Justice Modernization" Justice+ programme was launched in July 2022.

[44] Almeida & Pereira, interview.

[45] "OE´2023: Sector da justiça absorve cerca de 10% do bolo orçamental," [OE'2023: Justice sector absorbs around 10% of the budget allocation], Inforpress, 15 November 2022, https://inforpress.cv/oe2023-orcamento-para-o-sector-da-justica-com-aumento-de-cerca-de-10.

[46] Almeida & Pereira, interview.

[47] Gerson Pereira (Rede de Associações Comunitárias e Movimentos Sociais), interview by IRM researcher, 2 March 2023.

[48] Mariano Heller, "Hacking Judicial Language for Open Justice," Open Government Partnership, 26 August 2021, https://www.opengovpartnership.org/stories/hacking-judicial-language-for-open-justice.

[49] "Making justice work for you," Open Government Partnership, 19 September 2021, https://www.ogpstories.org/making-justice-work-for-you.

[50] "Mongolia – Increase public legal knowledge (MN0040)," Open Government Partnership, https://www.opengovpartnership.org/members/mongolia/commitments/MN0040.

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[52] See: "OGP Strategy 2023–2028 Strategic Goal 4: Accelerate collective progress on open government reforms," Open Government Partnership, https://www.opengovpartnership.org/strategy-2023-2028/#toc_7.

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[63] "2023 Work Plan of the National Multisectoral Group of the Fisheries Transparency Initiative (FiTI) of Cape Verde," Fisheries Transparency Initiative, 28 November 2022, https://www.fiti.global/wp-content/uploads/2023/02/FiTI_CV_MSGWorkPlan_2023_Final.pdf.

[64] See information on Cabo Verde's candidacy: "Cabo Verde," Fisheries Transparency Initiative, https://www.fiti.global/cabo-verde.

[65] Ministry of the Sea, comment during pre-publication review, 14 August 2023.

[66] Ministry of Finance, comment during pre-publication review, 14 August 2023.

[67] "PALOP-TL Civil Society Online Budget Platform," PALOP-TL ISC, https://www.paloptl-ebudgets.org/cabo-verde/; "Orçamentos e contas dados abertos," [National directorate of budget and public accounting], Ministry of Finance and Business Development.

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Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation. It is intended as a quick, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, a high priority for country stakeholders, a priority in the national open government context, or a combination of these factors.

The IRM follows a filtering and clustering process to identify promising reforms or commitments:

> **Step 1:** Determine what is reviewable based on the <u>verifiability</u> of the commitment as written in the action plan.

> **Step 2:** Determine if the commitment has an <u>open government lens</u>. Is it relevant to OGP values?

> **Step 3:** Review commitments that are verifiable and have an open government lens to identify if certain commitments need to be clustered. Commitments that have a common policy objective or contribute to the same reform or policy issue should be clustered. The potential for results of clustered commitments should be reviewed as a whole. IRM staff follow these steps to cluster commitments:
> a. Determine overarching themes. If the action plan is not already grouped by themes, IRM staff may use OGP's thematic tagging as reference.
> b. Review commitment objectives to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
> c. Organize commitments into clusters as needed. Commitments may already be organized in the action plan under specific policy or government reforms.

> **Step 4:** Assess the <u>potential for results</u> of the clustered or standalone commitment.

Filtering is an internal process. Data for individual commitments is available in Annex 1. In addition, during the internal review process of this product, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM's International Experts Panel (IEP).

As described earlier, IRM relies on **three key indicators** for this review:

I. Verifiability

- **Yes, specific enough to review:** As written in the action plan, the stated objectives and proposed actions are sufficiently clear and include objectively verifiable activities to assess implementation.
- **No, not specific enough to review:** As written in the action plan, the stated objectives and proposed actions lack clarity and do not include explicitly verifiable activities to assess implementation.
- Commitments that are not verifiable will be considered not reviewable, and further assessment will not be carried out.

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II. Open government lens
This indicator determines if the commitment relates to the open government values of transparency, civic participation, or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance by responding to the following guiding questions. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:

- **Yes/No:** Does the commitment set out to make a policy area, institution, or decision-making process more transparent, participatory, or accountable to the public?

The IRM uses the OGP values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:

- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will the government create or improve opportunities, processes, or mechanisms for the public to inform or influence decisions? Will the government create, enable, or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association, and peaceful protest?
- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

III. Potential for results
The IRM adjusted this indicator—formerly known as the "potential impact" indicator—to take into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, the IRM modified this indicator to lay out the expected results and potential that would be verified in the IRM Results Report after implementation. Given the purpose of this Action Plan Review, the assessment of potential for results is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:

- **Unclear:** The commitment is aimed at continuing ongoing practices in line with existing legislation, requirements, or policies without indication of the added value or enhanced open government approach in contrast with existing practice.
- **Modest:** A positive but standalone initiative or change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.
- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

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This review was prepared by the IRM in collaboration with Luciana Tuszel and was externally expert reviewed by Andy McDevitt. The IRM methodology, quality of IRM products, and review process are overseen by IRM's IEP. For more information, see the IRM Overview section of the OGP website.[1]

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[1] "IRM Overview," Open Government Partnership, https://www.opengovpartnership.org/irm-guidance-overview/.

Annex 1. Commitment by Commitment Data[1]

Commitment 1: Open data portal
- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Open data and statistics (Commitments 1 and 2 of the action plan)
- Potential for results: Modest

Commitment 2: Master data statistics project
- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as Open data and statistics (Commitments 1 and 2 of the action plan)
- Potential for results: Modest

Commitment 3: Public services co-creation
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 4: Transparency in fisheries
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 5: Finance transparency portal
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 6: Budget and finance transparency
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 7: Legal information transparency
- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Open justice (Commitments 7 and 8 of the action plan)
- Potential for results: Modest

Commitment 8: Improving access to justice

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- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as Open justice (Commitments 7 and 8 of the action plan)
  Potential for results: Modest

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[1] **Editorial notes:**
1. For commitments that are clustered, the assessment of potential for results is conducted at the cluster level, rather than the individual commitments.
2. Commitment short titles may have been edited for brevity. For the complete text of commitments, see: "Cabo Verde Action Plan 2023–2025," Government of Cabo Verde, https://www.opengovpartnership.org/wp-content/uploads/2022/12/Cabo-Verde_Action-Plan_2023-2025_EN.pdf.

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Annex 2: Action Plan Co-Creation

OGP member countries are encouraged to aim for the full ambition of the updated OGP Participation and Co-Creation Standards that came into force on 1 January 2022.[1] IRM assesses all countries that submitted action plans from 2022 onward under the updated standards. OGP instituted a 24-month grace period to ensure a fair and transparent transition to the updated standards. During this time, IRM will assess countries' alignment with the standards and compliance with their minimum requirements.[2] However, countries will only be found to be acting contrary to the OGP process if they do not meet the minimum requirements, starting with action plans submitted to begin in 2024 and onward. Table 2 outlines the extent to which the countries' participation and co-creation practices meet the minimum requirements that apply during development of the action plan.

Table 2. Compliance with minimum requirements

Minimum requirement	Met during co-creation?	Met during implementation?
1.1 Space for dialogue: The National Multistakeholder Forum (NMF) was formally established 9 November 2022 and includes representatives of 20 government or sovereign bodies, 2 private sector, 3 civil society, and a University of Cabo Verde stakeholders.[3] The NMF meets bimonthly according to its statute, which is available online.[4]	Yes	*To be assessed in the Results Report*
2.1 OGP website: The government published a LinkTree[5] with links to the country page on OGP website, an open access folder including the action plan and previous IRM reports, and an OGP Cabo Verde Facebook page that provides updates to the public.	Yes	*To be assessed in the Results Report*
2.2 Repository: The repository is a public shared folder which does not require a password or registration. Meeting reports and presentations of the three co-creation events are available and downloadable.[6]	Yes	*To be assessed in the Results Report*
3.1 Advanced notice: The roadmap of the co-creation process was published in May 2022 after the OGP Co-Creation Kick-Off.[7] There was no public invitation for the process, but civil society organizations were invited to participate of the first NMF meeting and co-creation workshop on 9 November 2022.	Yes	Not applicable
3.2 Outreach: Two outreach activities were carried out. One was held during the OGP Workshop in May 2022[8] and the other during the first meeting of the NMF on 9 November 2022[9]. These activities were not open to the public but were attended by representatives of non-governmental actors, 9 civil society organizations, 9 organizations linked to the academia sector, and 2 private sector.	Yes	Not applicable
3.3 Feedback mechanism: Inputs were gathered mainly through the workshop on 9 November 2022, in which contributions were made during small group discussion.[10]	Yes	Not applicable
4.1 Reasoned response: According to a CSO representative, contributions were documented and considered during the workshop on 9 November 2022.[11]	Yes	Not applicable

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5.1 Open implementation: *The IRM will assess whether meetings were held with civil society stakeholders to present implementation results and enable civil society to provide comments in the Results Report.*	Not applicable	*To be assessed in the Results Report*

[1] "2021 OGP Participation and Co-Creation Standards," Open Government Partnership, https://www.opengovpartnership.org/ogp-participation-co-creation-standards/.

[2] "IRM Guidelines for the Assessment of Minimum Requirements," Open Government Partnership, https://www.opengovpartnership.org/documents/irm-guidelines-for-the-assessment-of-minimum-requirements/.

[3] "Cabo Verde Action Plan 2023–2025," Open Government Partnership, https://www.opengovpartnership.org/wp-content/uploads/2022/12/Cabo-Verde_Action-Plan_2023-2025_EN.pdf.

[4] "Estatutos do Fórum Nacional Multissetorial para a Parceria de Governação Abert a em Cabo Verde," [Cabo Verde's OGP National Multistakeholder Forum Statute], Government of Cabo Verde, 12 December 2022, https://www.dropbox.com/sh/z9gy4vmf435yl3w/AACeiL-dc3HVm287S2W5fzsUa/02-Steering%20Commitee_F%C3%B3rum%20Multissetorial?dl=0&preview=ESTATUTOS-DO-FOR%C3%9AM-NACIONAL-MULTILATERAL-PARA-A-OGP_15_11_2022_APROVADO.pdf.

[5] See Cabo Verde's OGP member page, repository, and Facebook page: "Parceria de Governação Aberta (OGP) Cabo Verde," [Cabo Verde OGP], Government of Cabo Verde, https://linktr.ee/ogpcv.

[6] See the action plan co-creation documentation: https://www.dropbox.com/sh/z9gy4vmf435yl3w/AADfrymP8_djRzClk5DJFEIVa/03-Activities%26Events_Atividades%26Eventos?dl=0&subfolder_nav_tracking=1.

[7] "Construction of the roadmap elaboration of the OGP Plan: Cabo Verde 2022–2024," Ministry of State Modernization and Public Administration, 18 May 2022, https://www.dropbox.com/sh/z9gy4vmf435yl3w/AACkMV1s8vXNKN1p_qbZFk5na/03-Activities%26Events_Atividades%26Eventos/Open%20Gov%20Week%20Co-creation%20Workshop%20OGP%2018.05.2022/Report_Relat%C3%B3rio?dl=0&preview=OGP+WORKSHOP+REPORT+III+18.05.22.pdf.

[8] See the activity report: https://www.dropbox.com/sh/z9gy4vmf435yl3w/AACkMV1s8vXNKN1p_qbZFk5na/03-Activities%26Events_Atividades%26Eventos/Open%20Gov%20Week%20Co-creation%20Workshop%20OGP%2018.05.2022/Report_Relat%C3%B3rio?dl=0&preview=OGP+WORKSHOP+REPORT+III+18.05.22.pdf&subfolder_nav_tracking=1.

[9] Diego Alhinho (Lantuna Association), interview by IRM researcher, 2 March 2023.

[10] Gerson Pereira (Rede de Associações Comunitárias e Movimentos Sociais), interview by IRM researcher, 2 March 2023.

[11] Pereira, interview.

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