FROM INFORMING TO EMPOWERING:

BEST PRACTICES AND RECOMMENDATIONS FOR IMPROVING GOVERNMENT-CIVIL SOCIETY INTERACTIONS WITHIN OGP

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EXECUTIVE SUMMARY

Civic engagement is at the heart of OGP. However given the nascence of the initiative, we are still learning about the extent and the way governments and the civil society interact within the framework of OGP. This report contributes to this knowledge and examines the critical factors for the success or failure of government-civil society interaction. The key purpose of the research was to inform the OGP Support Unit and Steering Committee members of possible areas for improvement when it comes to guidelines and support to government and civil society.

Results of our research show that the OGP process represents both challenges and opportunities. A structured approach to government-civil society interaction has proved to be a key opportunity. This includes the existence of a permanent dialogue mechanism that oversees the development and implementation of a country's National Action Plan (NAP); united civil society actors that pursue OGP related issues; and the OGP format and guidelines that provide a solid framework for discussion between government and civil society. All of these mechanisms foster transparency. They also help to empower civil society and have the potential to enhance its voice, as well as to facilitate interaction with governments.

At the same time, a significant challenge turns out to be the complexity and the technical nature of OGP commitments. Only a narrow circle of Civil Society Organizations (CSOs) are usually involved in the OGP process, while citizens and smaller NGOs far from the national capitals often lack the capacity to engage in consultations or simply remain excluded. On the government side, there is a clear need to build capacity among civil servants to carry out effective and responsive consultations.

On the basis of our research, we recommend that:

1. *OGP should require its members to establish regular and institutionalized structures for civic engagement and dialogue*
2. *OGP should strengthen its monitoring mechanisms for the engagement of civil society*
3. *OGP should develop guidelines to ensure that suggestions from CSOs are considered in the OGP processes*
4. *OGP should develop basic guidelines for OGP-related record keeping for governments*

5. *OGP should provide support to encourage the translation of its guidelines into the official national languages in its member countries*
6. *OGP should continue to grow its network of international partners as a means of enhancing awareness about OGP, and to continue to help building capacity in OGP countries*
7. *OGP should strengthen connections between working groups and civil society in its member countries*
8. *OGP should work to develop additional awareness raising material that can be used by governments and civil society actors to enhance participation in OGP within member countries*
9. *OGP should maintain, or increase its regional and international forums for government and CSOs*
10. *OGP should expand its website, particularly in the areas of 'Resources' and 'How to Get Involved'*

To come to these conclusions, the research team employed both quantitative and qualitative methods in three phases. Phase one drew on existing data and indices to provide a quantitative overview of the state of government-civil society interactions across all 65 OGP member countries. Phase two consisted of case studies in nine OGP member countries that added more depth to the quantitate analysis in phase one. In phase three, the research team conducted interviews with a number of government, civil society, and OGP actors within each of the nine countries identified in phase two. These interviews helped to further flesh out information uncovered in the first two phases. Further detail on each of the recommendations can be found in section six of this report.

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1.0 INTRODUCTION

The Open Government Partnership (OGP) was founded in 2011 with the goal to secure commitments from the national governments of its member countries to improve openness. The logic is that such commitments will improve access, transparency, accountability, and will make governments more responsive to their citizens. At its inception 8 countries became members. Four years later, this number has swelled to 65.[1]

OGP members are required to develop national action plans (NAPs) that articulate clear and measurable commitments to be implemented over a two-year time frame. In signing the Open Government Declaration, they commit to engaging citizens through the lifecycle of the plan: in its development, during implementation, and in assessing progress or completion.

Civic participation is at the heart of OGP and the contemporary open government movement. It is embedded in the Open Government Declaration which states:

We value public participation of all people, equally and without discrimination, in decision-making and policy formulation. Public engagement, including the full participation of women, increases the effectiveness of governments, which benefit from people's knowledge, ideas and ability to provide oversight. We commit to making policy formulation and decision making more transparent, creating and using channels to solicit public feedback, and deepening public participation in developing, monitoring and evaluating government activities. We commit to protecting the ability of not-for-profit and civil society organizations to operate in ways consistent with our commitment to freedom of expression, association, and opinion. We commit to creating mechanisms to enable greater collaboration between governments and civil society organizations and businesses.[2]

It is this far-reaching commitment to civic engagement that renders OGP's conception of 'open government' unique from historical understandings of the term which focused primarily on freedom of information legislation.

Given the importance of civic engagement, civil society has been carefully built into the architecture of OGP itself. A number of diverse civil society actors, equal to the number of government representatives, sit on the OGP Steering Committee, and the OGP's Support Unit "serves as a neutral, third-party between governments and civil society organizations, ensuring that OGP

maintains the productive balance between the two constituencies."[3] In addition, the OGP's Support Unit has a dedicated Civil Society Engagement (CSE) team to support civil society actors within OGP countries and at the international level. The CSE helps civil society determine how to use the OGP process to fulfill their goals and objectives. It is hosted by Hivos, an international development organization, which has commissioned this study.[4]

The purpose of the study is threefold: 1) To document and analyze government-civil society interactions within OGP member countries, 2) To better understand what defines good government-civil society interactions, and 3) To inform the OGP Support Unit and Steering Committee members of possible areas for improvement when it comes to guidelines and support to government and civil society.

The central research questions guiding this project which the above objectives are built on is: *How have governments in OGP participating countries interacted with civil society on matters related to OGP? And, what factors have been critical for success or failure?*

2.0 METHODOLOGY

This project employed both quantitative and qualitative methods to achieve its objectives. The project was undertaken in three phases. The findings from the three phases, described below, were used to identify challenges and opportunities for engagement as well as suggestions to OGP on improving guidelines and support to governments and to CSOs.

2.1. PHASE ONE: DOCUMENTING GOVERNMENT-CIVIL SOCIETY INTERACTIONS

In the first phase of the study, the researchers drew on existing indices to create a database that provides a quantitative overview of the state of government-civil society interactions across all 65 OGP member countries. The database speaks to the question: How are OGP participating countries performing when it comes to the engagement of civil society?

Ultimately, the database was populated using existing datasets including: OGP Independent Reporting Mechanism datasets, OGP Eligibility Criteria dataset, data from the OGP Civil Society Hub, the CIVICUS Civil Society Enabling Environment Index, and the United Nations e-Participation Index. The researchers considered a range of additional indices, however, the limited scope, nature, and temporal specificity of many international indices render them difficult to apply across OGP Members. As such they were consulted for phase two of the study, but were not incorporated into the database constructed for phase one.

The indices selected to be included in the database provide insight into three categories of engagement: 1) OGP related participation processes, commitments and CSO engagement, 2) Preconditions for engagement within OGP member countries, and 3) Use of technology for the purposes of civic engagement. A number of indicators were used to measure these categories, including:

- *The percentage of NAP commitments that involved participation;*
- *Presence of online and offline consultations in the development of the NAPs;*
- *Presence of a consultation forum during the implementation of an NAP;*
- *Presence of at least one civil society monitoring report[5];*
- *Number of civil society members with a presence on the OGP Hub;*
- *OGP eligibility criteria citizen engagement score;*

- *United Nations e-participation scores including e-information, e-consultation, and e-decision making;*
- *CIVICUS policy dialogue indicator from its Enabling Environment Index which includes: civil society advocacy ability, budget transparency, networking, and civil society participation in policy; and*
- *CIVICUS NGO legal context indicator from its Enabling Environment Index.*

Combining existing datasets was a challenge. Data was recoded from its original values and weighted according to importance. Half of the weight was allotted to indicators related to OGP related participation processes, commitments and CSO engagement given the focus of the research question driving the study. Within this category relatively more weight was given to the percentage of NAP commitments that involved participation and OGP eligibility engagement scores. These two particular indicators were highly valued as they were among the most complete data with values for many of the OGP countries. In addition, the indicators were seen as quality indicators that got at the heart of the issue of CSO engagement.

Not all indices had data related to all 65 OGP Member countries. As a result, we know more about some countries than we do about others. It also renders explicit rankings and comparative analysis difficult. This will be discussed at greater length in the Section Three: 'Engagement of Civil Society Across OGP Members.'

More detail regarding the coding and weighting of indicators can be found in Appendix 'A'.

2.2 PHASE TWO: CASE STUDIES OF 9 OGP COUNTRIES

In the second phase of the project, the researchers reviewed the database constructed in phase one and used it to select nine OGP member countries to examine in greater depth. The selection was based on three criteria:

1. Region. The researchers wanted to sample countries representing three regions within OGP: the Americas, Africa, and Eurasia. Together, countries in these regions comprise the majority of OGP countries and were considered a priority for Hivos and the IDRC which emphasized focus on developing countries;

2. The weighted ranking of countries determined through the database constructed in phase one. The researchers identified countries that scored relatively well across a range of indicators and those which did not score as well;
3. Consultation with staff from the OGP IRM and Support Unit.

Ultimately, the countries selected for in depth study were: Peru, Honduras, Chile, South Africa, Tanzania, Ghana, Croatia, Romania, and Armenia.

This second phase consisted of desk research into each of the 9 countries. It provided researchers with an opportunity to look beyond the numbers comprising the dataset in phase one and to put them into greater and more nuanced context.

The desk research focused on two main categories: 1) A foundation for civic engagement looking at national context and performance, and 2) Civic engagement in the OGP Process. Within the first category, the research looked at the state and health of: freedom of information regimes and public participation in each country. Within the latter category, researchers looked at the involvement of civil society in the development, implementation, and assessment of NAPs.

As was the case for phase one of the project, phase two relied solely on existing data and studies. While the sources used varied from country to country, they included documents such as NAPs[6], IRM reports[7], Civil Society Monitoring Reports[8], Government Self-Assessment reports[9], OGP Eligibility Criteria[10], Access Info Europe's Right to Information Index (RTI rating[11], CIVICUS EEI Index[12] and country reports, Freedom House studies[13], the IDEA Direct Democracy Database[14], and ITU data[15] related to the state of information communication technology adoption.

2.3 PHASE THREE: COUNTRY INTERVIEWS

In the third, and final, phase of the project, the researchers conducted interviews with a number of government, civil society, and OGP actors within each of the 9 countries identified in phase 2. The purpose of the interviews was to further flesh out information and data uncovered in the first two phases.

Interviewees were identified through the IRM researchers in each of the 9 countries, through consultation with Hivos and the OGP Support Unit, through snowball sampling and through personal contact network of the authors. The

interviews were semi-structured and focused on identifying mechanisms for government/ CSO interaction, challenges and barriers to CSO engagement, as well as the identification of best practices.

Interviews took place over the telephone, and Skype during March and April 2015. In some cases questions were responded to by email. Questions that guided the interviews included:

- What regular, or ongoing, mechanisms are available at the national level for interaction between government and CSOs and for citizen engagement? What channels do they use (for example, online/ offline/ mobile)?
- Have there been targeted, or time limited engagement activities over the past two to five years?
- What mechanisms and channels have worked particularly well and what did not work? Why? Give examples.
- What do you think are the main barriers or challenges to improved civil society and civic engagement?
- Does civic engagement align with OGP guidelines for engagement?
- What are the possible areas for improvement of OGP guidelines and support to governments and to civil society?
- Has the dialogue between the civil society and government improved in the framework of OGP?

A full list of interviewees can be found in Appendix 'B'.

Using the desk research and information gleaned from interviews, researchers aimed to classify the engagement in each country according to the IAP2 Spectrum of engagement which includes five levels or categories of engagement: inform, consult, involve, collaborate, and empower. The spectrum moves from little to no engagement to maximum engagement in the form of collective decision-making. A more fulsome discussion of the IAP2 spectrum can be found in section five of this report.
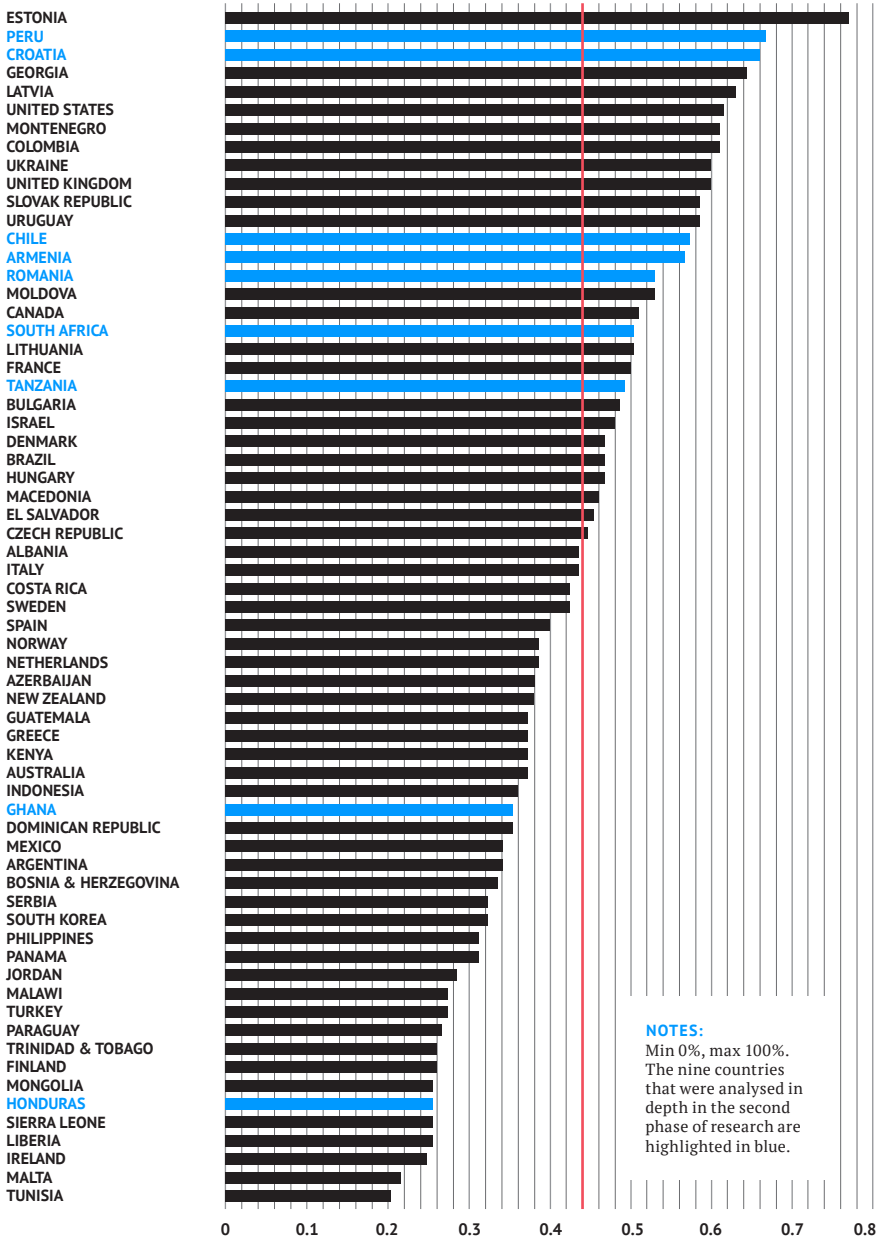
3.0 ENGAGEMENT OF CIVIL SOCIETY ACROSS OGP MEMBERS

It is difficult to get an accurate and reliable reading of engagement across all 65 OGP member countries using existing data. Few studies are comprehensive enough to cover all 65 countries leaving gaps in the data. Different studies cover different time periods, some more current than others, rendering it a challenge to know whether data is an accurate portrayal of the current day. Different studies quantify findings in diverse ways making it difficult to combine them into one comprehensive dataset. Finally, it must be recognized that countries are at different stages in the OGP process. Some are just in the process of developing their first NAPs while others are in the process of implementing and assessing their second. They have had a longer period to work through the challenges of open government, and civil society has had a longer time to learn about and involve itself in the OGP process. In light of these challenges and limitations, any rankings and comparative exercises should be accompanied with more explicit country research. This will help to ensure that the raw data is actually indicative of the reality of CSOs in OGP countries.

In an effort to navigate some of the limitations mentioned above, data drawn from the studies outlined in the methodology were recoded to facilitate comparative analysis. The issue of missing data was addressed by establishing a weighted ranking system which took into consideration the amount of data available for a given country. Further detail regarding the coding and weighting of indicators can be found in 'Appendix A.'

Graph 1 below provides an overview of the scores across all OGP countries for all of the indicators used in this study. As can be seen in Graph 1, the average weighted success score for engagement in OGP countries is approximately 43%. Engagement is happening to varying degrees and in varying forms, but, as will be seen throughout the report, there is certainly room for improvement.

GRAPH 1: PERCENTAGE OF CIVIC ENGAGEMENT SUCCESS WITHIN OGP

Country	
ESTONIA	
PERU	
CROATIA	
GEORGIA	
LATVIA	
UNITED STATES	
MONTENEGRO	
COLOMBIA	
UKRAINE	
UNITED KINGDOM	
SLOVAK REPUBLIC	
URUGUAY	
CHILE	
ARMENIA	
ROMANIA	
MOLDOVA	
CANADA	
SOUTH AFRICA	
LITHUANIA	
FRANCE	
TANZANIA	
BULGARIA	
ISRAEL	
DENMARK	
BRAZIL	
HUNGARY	
MACEDONIA	
EL SALVADOR	
CZECH REPUBLIC	
ALBANIA	
ITALY	
COSTA RICA	
SWEDEN	
SPAIN	
NORWAY	
NETHERLANDS	
AZERBAIJAN	
NEW ZEALAND	
GUATEMALA	
GREECE	
KENYA	
AUSTRALIA	
INDONESIA	
GHANA	
DOMINICAN REPUBLIC	
MEXICO	
ARGENTINA	
BOSNIA & HERZEGOVINA	
SERBIA	
SOUTH KOREA	
PHILIPPINES	
PANAMA	
JORDAN	
MALAWI	
TURKEY	
PARAGUAY	
TRINIDAD & TOBAGO	
FINLAND	
MONGOLIA	
HONDURAS	
SIERRA LEONE	
LIBERIA	
IRELAND	
MALTA	
TUNISIA	

x-axis: 0   0.1   0.2   0.3   0.4   0.5   0.6   0.7   0.8

NOTES:
Min 0%, max 100%.
The nine countries
that were analysed in
depth in the second
phase of research are
highlighted in blue.

The rankings are reflective of all indicators for which data was available in a given country. The rankings look dramatically different depending on the way that indicators are combined or viewed independently. Estonia, for example, was ranked first among all indicators used for this study. It scored highly across the OGP indicators, across the CIVICUS indicators for policy context and NGO legal context and it also scored highly according to the UN e-information and e-consultation indicators. However, it did not score as well on the UN e-decision making indicator which represents a stronger level of engagement among the UN indicators. Australia and France score much more highly in that particular indicator, but rank 39th and 20th overall.[16]

Given that this study emphasizes participation in OGP countries, OGP related indicators were given a higher total score than the CIVICUS and UN indices (totalling 20 of the overall 40 maximum points). In addition, two OGP indicators were given more weight than the others; percentage of commitments related to participation in a country's National Action Plan, and the presence of a consultation forum during the implementation of NAPs. These two indicators were seen as demonstrating a higher potential for successful engagement in the countries.

A more fulsome overview of the various indices and weighting used can be found in Appendix A.

NOTE: One of the rationales to use the weighted score is to make sure that the top countries are ranked based on a maximum consistency of scores, across different groups of variables. The "overall success-weighted score" is calculated by multiplying the percentage of existing data by the weighted score. In practice, a country with less data has an overall lower rank. Finland for example has little data in our sample (only 40% of the maximum points can be achieved by the country). With weighted success rates, the country rank 57th, while without weighting the country would rank 21st. Estonia however has data for all variables, and score 1st according to our weighted score, and 8th without weighting score.

TABLE 1: INDICES, INDICATORS AND SCORING USED TO CREATE COUNTRY RANKINGS.

INDEX	INDICATOR	MAXIMUM
CIVICUS	Policy dialogue	5
	NGO legal context	5
OGP	Citizen Engagement in Eligibility criteria	5
	Civil society monitoring report	0.5
	CSO email in OGP Hub	0.5
	Percentage of Action Plan Commitments including participation	6
	Online consultation before Action Plan	1
	Offline consultation before Action Plan	1
	Consultation Forum during implementation of Action Plan	6
UN E-Government	e-Information	3
	e- Consultation	3
	e-Decision Making	4
	TOTAL POSSIBLE SCORE	40

4.0 COUNTRY CASE STUDIES
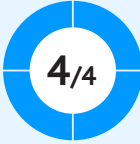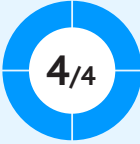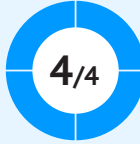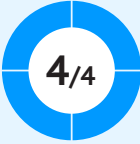
4.1 CROATIA

Croatia signaled its intent to join OGP in August 2011. It is currently in the process of implementing its second action plan for the period 2014-2016.[17] Croatia has top scores on all OGP eligibility criteria (see Table 2).

TABLE 2: CROATIA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	4/4	4/4	4/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Foundation for Civic Engagement: National Context and Performance

Croatia has a strong foundation for civic engagement. It has established a clear right to information framework, has an environment that allows for civic engagement, and has employed a range of methods to engage civil society. The opportunities for engagement at the national level have grown exponentially over the recent years and civil society is responding promptly by providing input. At the local level, however, where government is less open, civil society and civic engagement mechanisms are weaker.

The mechanisms for engagement in Croatia ranged from simple public presentations (13) and conferences (11) to more advanced methods such as public hearings (41), focus groups (4), and expert meetings (28).[18] Most of the engagement initiatives took place both on and offline, and were also promoted in social networks.[19]

One of the most prominent mechanisms for CSO engagement in public affairs is participation in working groups that prepare new legislation or

strategic policy documents. Whenever a working group is established (e.g. a working group at the Ministry of Justice in charge of preparing the anti-corruption strategy) civil society members are voted on by the Council for Civil Society Development (see below) on the basis of their expertise and interests in the relevant topic. According to one of the interviewees, this mechanism ensures civil society participation in important decision-making.

Nationally, civil society tends to be dynamic and well organized in Croatia.[20] A variety of NGOs are able to operate without interference or harassment.[21] The number of civil society organizations has quadrupled over the past 25 years. In 1985, Croatia had approximately 11,000 registered CSOs and today there are over 46,000, which is quite a high number for a country with only about four million inhabitants.[22]

At the same time, many CSOs face the problem of a limited membership base and struggle with low levels of citizen engagement.[23] Citizen engagement is especially low in smaller cities and in less developed areas of the country. This is partly due to the lack of financial support for smaller associations far from the capital.[24] Moreover, citizens are not overly engaged in politics or concerned with the issue of open government.[25] Some of the constraints cited by the interviewees of this study are the limited civic literacy among the general population, the lack of engagement practice, and distrust in government.

Access to Information

Croatia has a strong Right to Information (RTI) legislation, ranking 13th out of 102 countries assessed by the global RTI rating.[26] Its legal framework recognizes a fundamental right of access to information and has an apposite law (adopted in February 2013).[27] This law stipulates provisions on civic engagement, whereby public authorities are obliged to publish draft laws and regulations, and to provide a 30-day public consultation period.[28]

The first Croatian NAP included a commitment on amending the Act on the Right of Access to Information, in particular about the regulation of the need to transpose the Directive on the re-use of public sector information, the obligation of consulting the public when adopting new legislation, and other provisions in accordance with the Code of Practice on Consultation.[29] The most important aspect of the amendment, as identified by stakeholders interviewed for the IRM report, was the introduction of a new oversight institution that

included an Information Commissioner, [30] elected by the Parliament and with a stronger institutional position than that of the previous oversight body.[31]

However, the implementation of the RTI law still encounters some barriers. While the civil society considered the OGP commitment to amend RTI legislation as a major accomplishment existing data points to an environment where proactive disclosure of government information has room for improvement. One of the interviewees points out that the institutions receiving the requests often do not have the adequate knowledge and capacity to address them. Moreover, the establishment of the new Information Commissioner position was positive in theory but its limited resources and budget have raised concerns.[32]

Preconditions for Civic Engagement

In recent years, the national government has become more open to civic engagement. This was, to some extent, driven by the EU accession process. For about a decade leading up to EU accession, Croatia had a number of targeted engagement initiatives linked to specific programs financed from the pre-accession and structural and cohesion funds of the EU. These funds were usually directed toward small-scale actions by Croatian CSOs, aimed at increasing citizen and CSO participation.
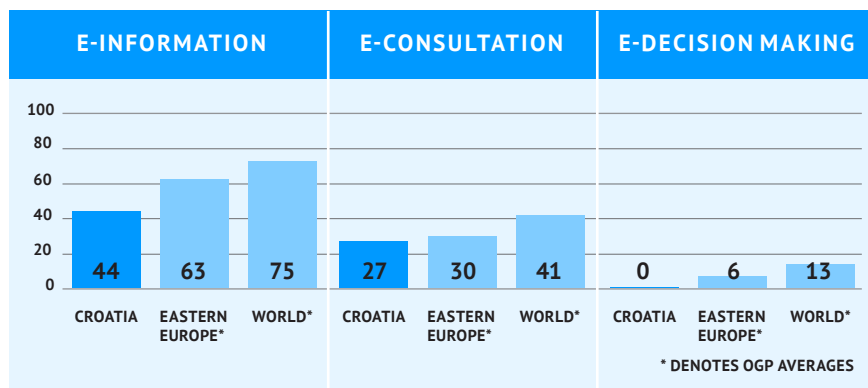
Croatia rates well on both the openness of institutional processes to CSO inputs and on the legal conditions allowing NGOs to operate.[33] It also has an adequate legal framework for direct democracy, including provisions for referendums and for citizens' initiatives.[34]

Croatia has a number of structures in place for collaboration between government and civil society. At the institutional level, this includes a reputable Government Office for Cooperation with NGOs,[35] established in 1998 to facilitate cooperation with CSOs, and a Council for Civil Society Development,[36] which is an advisory body to the government that has worked as an institutionalized platform for dialogue with CSOs for over a decade. The Croatian government also has a five-year National Strategy aimed at creating an enabling environment for civil society development, which regulates, among other things, the interaction between the government and the CSOs.[37]

Croatia scores rather weakly on e-participation with lower than average results on "e-information", on "e-consultation" and on "e-decision-making"

both compared to the OGP countries in Eastern Europe and globally (see Table 3). At the same time, digital media is relatively diffused in the country, with the potential to support engagement. Internet penetration in Croatia is approximately 67% and mobile penetration rates are approximately 115%.[38]

TABLE 3: CROATIA'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
CROATIA	EASTERN EUROPE*	WORLD*	CROATIA	EASTERN EUROPE*	WORLD*	CROATIA	EASTERN EUROPE*	WORLD*
44	63	75	27	30	41	0	6	13

* DENOTES OGP AVERAGES

Source: United Nations e-Government Survey (2014)

Civic Engagement in the OGP Process

Croatia shows good results on civic engagement in the framework of OGP. In the first NAP, one third of Croatia's commitments were related to civic engagement. Moreover, the majority of the interviewed stakeholders were satisfied with the OGP consultation process.[39] Broad consultation was carried out both before the development of and during the implementation of the first NAP. The consultation processes included a round table, a public discussion and a consultation. These events brought together quite large audiences, between 40 and 180 participants.

The first draft NAP was also placed online and circulated for input through the mailing list of the OGP Council. Moreover, the government conducted an online consultation that lasted three weeks. However, only four comments were submitted in total.[40] Timeline and notice were provided reasonably in advance of the consultations, and the government published reports about each of the consultations. The majority of the civil society submissions were reflected in the final NAP, although the most ambitious proposals were not taken on-

board[41] and civil society organizations were not given responsibility for any of the commitments. In the second NAP, the OGP Council (which includes CSOs) was assigned co-leadership for two activities.[42]

The OGP process in Croatia has been boosted by the fact that many of its topics coincided with those of Croatia's EU accession areas. The existing relationships between the Croatian government and CSOs were also important for securing trust and dialogue in the framework of OGP. The availability of established engagement mechanisms in strategic, policy and legislative activities of the government were especially useful for making progress in the framework of OGP.

The opposite also holds true. The people interviewed for this study pointed out that the dialogue between the civil society and government has improved in the framework of OGP. The OGP Council, formed during the first NAP, has played an important role in this achievement with, as one of the interviewees put it, "the very enthusiastic and proactive public servants involved on the one side and the expert and knowledgeable CSO representatives on the other, both pushing in the same direction." The OGP Council was formed to oversee the development and monitoring of the NAP. Its members, who represent various government ministries, civil society, media, think tanks and academia, were selected through an election process that was open and transparent.[43] The Council is now based on a good working relationship between government and CSOs, where they mutually support each other. However, the interviewees did suggest that the OGP Council is not currently used to its full extent by CSOs and that more open government topics could be examined in its framework.

CSOs have been quite effective in using OGP to strengthen legal and institutional mechanisms on civic engagement in Croatia. A prominent example is their promotion of commitments on the strengthening of the public consultation process and on the right of access to information within the first NAP. These two commitments showed positive results and strong impact. The second NAP goes even further in promoting civic engagement, especially by individual citizens.[44]

The number of public consultations on draft laws and regulations in Croatia has grown tenfold from 48 in 2011 to 544 in 2014.[45] As proclaimed by Igor Vidačak, the Director of the Government Office for Cooperation with NGOs in Croatia: "the culture of civic engagement seems to have taken root among civil servants: the question is no longer whether to consult but how to do in the best way."[46] However, there is room to improve the process, particularly when it

comes to providing feedback about the input received and how it was used. The government only provided summary reports of the results for about half of the consultations. Furthermore, not all of these reports included explanations of why comments from individual participants were accepted or not.[47]

The response from the general public and CSOs is also increasing strikingly. Between 2011 and 2014, submissions in response to consultations grew from 173 to 7,482. Most of these came from individuals (2,048) and associations (516).[48] The Government Office for Cooperation with NGOs attributes the increased interest in consultation to the government's promotion of consultations on social media and to the fact that the summary reports with participants' names and comments, where they are given individual feedback, are published. In total 18,767 comments were provided in 2014 and approximately one third were accepted, or partly accepted, by state institutions.[49 50]

One of the current challenges is to build the capacity of civil servants to carry out effective and responsive consultations, both in face-to-face and in online settings. The types of capacities needed are communication, discussion, and analytical skills. It is especially important to build institutional memory in this area given the rather high staff turnover in government. The government is already moving in this direction. For the forthcoming launch of an e-consultation portal, it has conducted training in all ministries on its use.

Another significant challenge in the country is how to increase the involvement of civil society in specific OGP areas or processes. For example, the government lacks discussion partners on commitments related to fiscal transparency and public procurement given that only a few NGOs are working in these fields.

Conclusions

Croatia shows laudable results on civic engagement both in general and in the framework of OGP. It has a strong legal foundation for civic engagement and civil society is effectively included in the decision-making process through various channels.
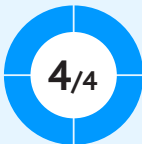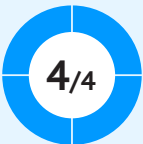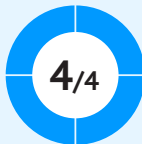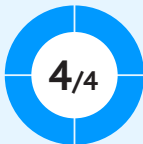
One of the remaining challenges is to spur both government institutions and citizens to engage and interact further.[51] Croatia has already started to address this weakness by building the capacity of civil servants to interact with the public and by increasing opportunities for engagement.

In the framework of the OGP, the government has carried out broad and open consultations, which received praise by CSOs. The evident efforts by the government to ensure that the concerns of civil society are heard, places Croatia on the level of 'involve' from the perspective of the spectrum of International Association for Public Participation (IAP2) (see section 5 of this report). Croatia is one of the stronger performing countries, among the ones examined in this report, when it comes to empowerment. However, it falls short of the next IAP2 level ('collaborate'). In order to reach that level, the government would need to take on board the more ambitious CSO proposals and increase the involvement of the general public and of smaller CSO far from the capital in the OGP process.

4.2 ROMANIA

Romania signaled its intent to join OGP in September 2011. It is currently in the process of implementing its second action plan. Romania has top scores on all OGP eligibility criteria (see Table 4).

TABLE 4: ROMANIA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	4/4	4/4	4/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Foundation for Civic Engagement: National Context and Performance

Romania has made remarkable progress in establishing a free civil society after the end of the authoritarian rule of President Ceauşescu in 1989.[52] The National

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NGO register includes 85,623 registered non-profit organizations, although only about one-third of these are active.[53]

Romania's Freedom House rating for civil society is stable at the low score of 2.50 out of 7 since 2009.[54] CSOs are generally underfunded and the financial sustainability in the sector has weakened over the past years by the global economic crisis. Many NGOs rely on foreign donors and this exposes them to attacks on their legitimacy, e.g. foreign funding is often depicted as a threat to national security.4 In general, CSOs face increased government pressure and negative media coverage of their activities.[56]

Access to Information

Romania has a reasonably strong Right to information (RTI) framework. According to the global RTI rating, it is ranked as number 54 out of 102 countries on RTI legislation.[57] Romania's legal framework recognizes a fundamental right of access to information and there is specific law on the freedom of information (dated 2001).[58] However, the implementation of the legislation is inadequate. The interviewed stakeholders claim that the quality of responses to Freedom of Information requests tends to be low and some government institutions are reluctant to give access to public information.

Preconditions for Civic Engagement

Romania has quite a good rating both on the openness of institutional processes to CSO inputs and on the legal conditions allowing NGOs to operate.[59] Romania also has a legal basis for direct democracy, including legal provisions for referendums although not for citizens' initiatives.[60] However, in practice civic engagement is often "reduced to following the letter rather than the spirit of legal requirements."[61]

The main legal document that recognizes the importance of citizen involvement in public policy decisions and that lists provisions for consultation is Law 52/2003 on decisional transparency in public administration. This law obliges public authorities to publish draft normative acts and allows NGOs to request public consultations and hearings. However, the implementation of this law is still lagging behind.[62] NGOs report that the majority of public institutions

do not carry out consultation[63] and do not publish draft laws regularly.[64] USAID's CSO Sustainability Index indicates that the level of civic dialogue and public consultation is the lowest it has been in a decade.[65] According to the interviewees, this is exacerbated by the fact that citizens generally lack trust in government and in CSOs,[66] and are reluctant to engage in dialogue with authorities.

The more visible method of civic engagement is direct and public interaction between CSOs and political leaders. The interviews conducted suggest that this type of interaction is generally antagonistic, and occurs mostly during public events and debates about specific policies. However, it seems as if new types of NGOs, which are more open to dialogue with government and focus on actions that can support the institutions in implementing open government, are gaining ground. Moreover, CSOs are increasingly carrying out innovative engagement practices, such as participatory budgeting, both nationally and at the local level.

E-participation in Romania is quite limited. Romania shows lower than average results on "e-information", on "e-consultation" and on "e-decision-making" compared to the world OGP averages. However, these scores compare well with the average of the OGP countries in Eastern Europe (see Table 5). The level of Internet usage is quite low at circa 50% of the population, while the mobile penetration is high at circa 106%.[67]

TABLE 5: ROMANIA'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
ROMANIA	EASTERN EUROPE*	WORLD*	ROMANIA	EASTERN EUROPE*	WORLD*	ROMANIA	EASTERN EUROPE*	WORLD*
67	63	75	32	30	41	0	6	13

* DENOTES OGP AVERAGES
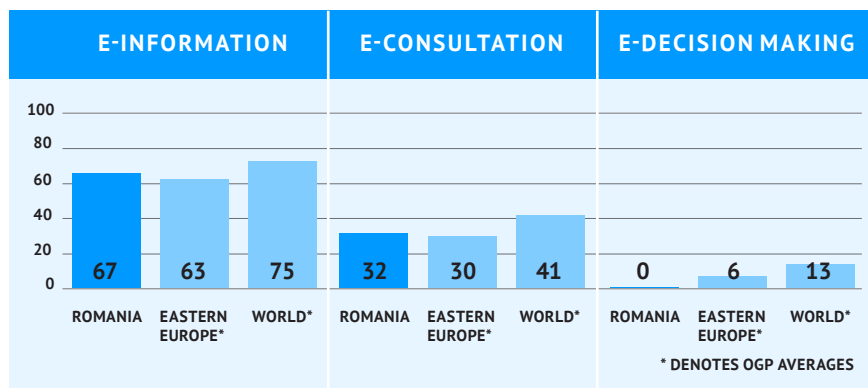
Source: United Nations e-Government Survey (2014)

Civic Engagement in the OGP Process

Romania shows positive results regarding the OGP consultation process both during the first and second NAP. Consultations were carried out both during the development of the first NAP and during its implementation. However, consultations consisting of in-person meetings and email exchange only took place irregularly during implementation. Moreover, a website dedicated to OGP was created where summaries of meeting results were published.[68] Notice was provided in advance of the consultations (but not the timelines).

The quality of the consultation meetings during the first NAP was considered good: the participation was quite broad, and the process was open and participatory. The participating NGOs were satisfied with the consultation process and even consider it to be an example of good practice in running public consultations. However, it is unclear whether these meetings directly influenced OGP-related decisions.[69]

The relationship between the government and civil society has improved over time when it comes to OGP. CSOs were able to provide comments during the second NAP development, a summary of their inputs was published online, and most if their suggestions were taken on board. Moreover, government and CSOs actually worked together to develop all of the commitments in the present NAP. They jointly decided which commitments should, or should not, be included in the NAP. Meetings between government and CSOs are held frequently, and they are publicized openly.70

There are several reasons for improved dialogue between civil society and government within the framework of OGP according to the interviewed stakeholders. First, the department in the Chancellery of the Prime Minister,[71] the office that is coordinating the country's OGP involvement, is mostly made up of technocrats and specialists, who have little political clout and are, thus, trusted by civil society. Second, lead government officials have realised that it is easier to carry out the OGP process, for example, to promote OGP in the country, to train civil servants on open data, and to conduct mutual events, jointly with CSOs. Third, the OGP NAP guidelines provide a clear framework with a set of concrete objectives. This focused approach facilitates dialogue with CSOs. Finally, the international prestige of the OGP initiative facilitates the involvement of other ministries.

NGOs report that lead government officials are willing to push for internal change in line with open government principles. Nevertheless, government

officials who are not directly involved in OGP tend to be more reluctant to collaboration with civil society, and to the promotion of open government values.[72] One of the interviewees emphasised that Romania would need champions who could promote OGP and 'sell viable (open government) solutions' to the wider public, both on behalf of the government and the opposition, and on behalf of the civil society.

Also the civil society actors engaged in OGP tends to be limited to a narrow circle of stakeholders. This is partly due to the limited visibility of OGP, and partly to the technical nature of many of the commitments. Although information about the OGP process is publicly available, it is mainly understandable to stakeholders who are already aware about OGP.[73] Moreover, the government has not attempted to involve citizens or grassroots groups into the OGP process. All meetings were held in larger cities, no possibilities for remote participation were offered, and there were no efforts in promoting OGP outside the circle of key stakeholders.[74]

However, those CSOs that are engaged in OGP tend to be very active. The Coalition for Open Data in Romania has about 30 members, including universities, business IT associations, and NGOs with various profiles and expertise in the field of open government. It has built a solid working relationship by gathering face-to-face in monthly "OGP club-meetings" on different topics, where also government representatives take part. Moreover, they are communicating frequently through an email list. The Coalition also organizes joint events and puts pressure on the government through open letters. To some extent, it also works as an intermediate by disseminating information to their wider networks and by consulting them about OGP-related issues.

Conclusions

Overall, civic engagement in Romania has some clear limitations. The level of civic dialogue and public consultation is generally very limited, while the civil society is weak and underfunded. At the same time, citizens lack trust in government and are reluctant to engage.

In contrast, civic engagement in the framework of OGP shows better results. CSOs are generally satisfied with the quality of consultation and the process is considered participatory. The government and civil society have managed to establish a fruitful working relationship. They are jointly identifying open
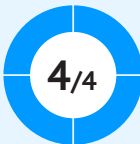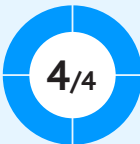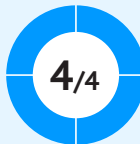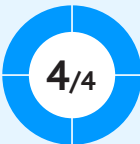
government solutions and the input of CSOs is incorporated into decisions, which places Romania on the level of 'collaborate' of the IAP2 participation spectrum.

One of the main future challenges for Romania is to broaden the participation beyond the narrow circle of both government officials and NGOs, which are currently involved in the OGP process. This undermines the long-term sustainability and impact of OGP in the country.

4.3 ARMENIA

Armenia signaled its intent to join OGP in October 2011. It is presently half way into the implementation of its second action plan.1 Armenia scores relatively well on OGP eligibility criteria but does not reach the maximum score on citizen engagement (see Table 6).

TABLE 6: ARMENIA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	4/4	4/4	4/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Foundation for Civic Engagement: National Context and Performance

During the post-Soviet rule, in the 1980s, the inflow of donor funds into Armenia led to the exponential growth of organized and goal-oriented NGOs, created to promote democracy and human rights.[76] The 1990s were a period of rapid expansion of CSOs and extensive donor funding. Arguably, this had the unintended negative effect of creating donor-dependent CSOs, which are often

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implementing donor-driven priorities while tending to be detached from the general public in Armenia. The weak connection between the CSOs and the public is also due to the so-called 'post-communist' syndrome, which indicates that citizens are distrustful towards NGOs[77] and where membership levels in associations are low.[78] [79]

Armenia's Freedom House rating for civil society has been stable at an average score of 3.75 out of 7 since 2009.[80] In 2012, only a limited number of NGOs (circa 4,500) 6 were registered with the Armenian Ministry of Justice,[82] and many NGOs were not operational due to lack of capacity and funding.[83] In fact, one of the main weaknesses of the Armenian civil society sector is poor financial sustainability. Many CSOs still rely heavily on foreign funding and are vulnerable to funding fluctuations.[84]

On the positive side, according to Freedom House, the existing CSOs in Armenia are generally active, diverse and independent from the government.[85] One of the recent developments is the upsurge of 'civic initiatives', which are non-hierarchical groups of individuals united around a common, often very specific cause (e.g. preservation of a building or a park). These initiatives are usually driven by young, educated people, who use social media to organize and spread information regarding their activities.[86]

Overall, civil society is generally too weak to have any significant impact on public policy. In some cases, civil society does not have the necessary expertise to suggest policy alternatives, and in some cases public authorities have been unresponsive to their input.[87] Many CSOs are inhibited by the lack of essential skills in fundraising, needs assessment, research and advocacy.

Access to Information

Armenia has a rather solid Right to information (RTI) framework. According to the global RTI rating,[88] Armenia has an average score and is ranked as number 34 out of 102 countries on RTI legislation.[89] Armenia's legal framework does not recognize any constitutional right to information but its legal framework creates a specific presumption in favour of access to information held by public authorities, subject only to limited exceptions. Moreover, a law on access to information is in place (dated 2013).[90] However, according to Freedom House and to one of the interviewed stakeholders, despite the 2003 RTI law, government agencies have remained reluctant to disclose public information.[91]

Preconditions for Civic Engagement

Armenia has an average rating both on the legal conditions allowing NGOs to operate and on the openness of institutional processes to CSO inputs.[92] There is a legal basis for direct democracy, including legal provisions for referendums but not for citizens' initiatives.[93] According to CIVICUS Civil Society Index, the majority of Armenia's CSOs consider the national legal framework for civil society either moderately or fully enabling. CSOs encounter mainly practical and strategic challenges. On the one hand, they struggle with a constraining fiscal framework, the inability of engaging in income-generating activities, and with a cumbersome CSO registration process.[94] On the other hand, they do not have a strategic framework to rely on: the government has not elaborated any strategy on the development of civil society.[95]

In terms of conditions for online participation, Armenia has a high score on "e-information" but shows weaker results on "e-consultation" and on "e-decision-making." On these two criteria Armenia scores lower compared to the average in the Asian OGP countries, and much lower compared to the 65 OGP countries (see Table 7). The level of Internet penetration in Armenia is quite limited with only 46% of the population using the Internet. In contrast, the mobile subscription rate is high at circa 112%.[96]

TABLE 7: ARMENIA'S SCORING ON E-PARTICIPATION INDEX (%)

	E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
	ARMENIA	ASIA*	WORLD*	ARMENIA	ASIA*	WORLD*	ARMENIA	ASIA*	WORLD*
	85	79	75	23	33	41	0	4	13

* DENOTES OGP AVERAGES
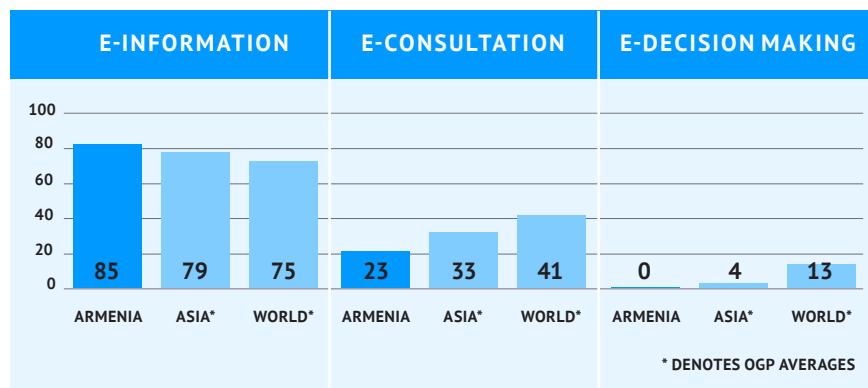
Source: United Nations e-Government Survey (2014)

The legal provisions regulating public consultations are contained in the law "On legal acts".[97] In particular, this law stipulates that the institution preparing a draft law shall arrange public consultations to collect public opinions of natural and legal persons. As a minimum requirement, the relevant institution should publish draft laws on its website. In addition, the institution can also decide to carry out meetings, open hearings, discussions, or opinion surveys to involve the public in the development of legislation. In practice, most of the ministries publish draft laws on their websites and invite the general public to comment. However, feedback on the consultations is usually not provided, and the ministries are not inclined to seek solutions together with the public.

Civic engagement in Armenia is generally limited. This is partly due to low levels of trust in government and to the lack of knowledge about rights and responsibilities among the general public. However, some types of participation, including petitioning, participating in peaceful demonstrations and joining boycotts, are on the rise. Petition is the most common type of political action.[98]

Moreover, the online environment seems to be vibrant. Despite the generally limited Internet usage, a variety of online participation tools are thriving in Armenia. Social media, blogging, crowdsourcing and live streaming tools have been used effectively for political purposes both by the government and by the civil society activists in recent years.[99]

Civic Engagement in the OGP Process

OGP seems to be one of the key forums for interaction between government and civil society in Armenia. Several of the people interviewed for this report could not recall any recent example of a significant civic engagement initiative apart from consultations organised in the framework of OGP.

The interviewees underscore that the government has become more open over time (with respect to the first NAP round). Government officials are more willing to cooperate with the civil society in the framework of OGP and seem to value CSOs' proposals.[100] This opening partly depends on the government's exposure to international forums organised by OGP, where it becomes aware of possible methods of collaboration with CSOs based on other countries' experience. Also, the OGP guidelines for public consultation during NAP development and implementation are useful for this purpose.

As a result, the involved CSOs are increasingly influencing the development of NAP commitments in Armenia. The first NAP focused on government priorities that were detached from the civil society agenda, while the second NAP includes seven commitments proposed by CSOs (out of a total of 11). Even if the formulation of these commitments is not perceived as fully satisfactory by the civil society, this opening is still perceived as a significant step forward by the interviewed CSO stakeholders. The government has also given more responsibility for commitments to CSOs between the first and second NAP. In the implementation of the first NAP, CSOs were given responsibility for two of the 15 commitments, while the number is up to five out of 11 commitments in the second NAP.

Moreover, the second NAP includes two commitments related to civic engagement. The first one allocates consultative power to public boards adjacent to ministers, and clarifies their formation procedures, activities, and standards of CSO representation on these boards. Certain ministers have established such boards comprised entirely of CSOs. It is too early to judge their effectiveness, but some well-established CSOs (e.g. Transparency International) seem to have limited trust in the effectiveness of these bodies and have chosen not to take part in them. The second related commitment in the new NAP concerns new legal provisions on public discussions of draft legal acts. Its effectiveness is in doubt since an apposite law already exists[101] and the current problem lies in implementation, and not in the legal framework.

Regarding the OGP consultation process, Armenia shows mixed results. The consultation was carried out both during the development and the implementation of the first NAP, and consisted of group and in-person meetings (no online consultation). On the downside, timeline and notice were not provided in advance of the consultations and no records of the meetings were maintained.[102] Moreover, the consultation process was limited to only a few CSOs. Even if the involvement of civil society stakeholders in OGP has increased in the second NAP, the number of involved CSOs remains limited. Generally, the government is perceived as having a "tick-the-box" and overly formal approach to consultation. CSOs had a voice during the development of the second draft NAP, especially through the OGP working group. However, they had limited influence on decisions regarding the final version of the NAP.

Three OGP working groups have been formed since the launch of the first NAP, all of them created by a formal decision of the Prime Minister of the Republic of Armenia. The majority of working group members have been

government representatives, while the number of CSOs involved has fluctuated between eight out of 17 in the first working group, three out of 15 in the second and seven out of 22 in the third and last one.[103] The current OGP working group seems to be functioning fairly well. However, civil society has recently underlined the need to have more frequent meetings of the working group and to use these meeting for assessing progress on OGP activities, and to involve other CSOs and donors.[104]

At the same time, the interest of the broader civil society in OGP seems to be limited. Most NGOs, especially those outside of the capital, are lacking interest and knowledge on open government.[105] The lack of involvement of local NGOs could in fact be a quite significant limitation to the involvement of general public in OGP, given that CSOs seem to be more trusted in Armenian regions, as compared to the capital.[106]

Conclusions

Civil society in Armenia is generally active and independent. At the same time, it is quite small in terms of the number of CSOs. It struggles with limited funding and is generally too weak to have any significant impact on public policy. The range of civic engagement options in Armenia is narrow and OGP is considered one of the key forums for interaction between government and civil society.

Our interviews show that the government has become more open over time. As a case in point, the majority of the present NAP commitments were developed with involvement from the civil society. In terms of the IAP2 participation spectrum, Armenia can be placed on the rung of 'consult' given that the government has listened to the feedback provided by the civil society during in the OGP process. However, the remaining challenge is to work further in this direction by letting CSOs propose solutions and to allow them to have a say about final decisions. Moreover, it would also be important to involve more CSOs, especially locally based ones, in the OGP process.

4.4 PERU

Peru signaled its intent to join OGP in September 2011. So far it has completed one NAP (2012-2014). The second NAP (2014-2016) is currently on hold. The consultation phase for the second NAP is complete, but the government has not

started its implementation. As a counter-reaction, civil society representatives have resigned from the Multi-stakeholder Commission,[107] the monitoring body of OGP in the country, until the next NAP starts.[108] Previous to this, Peru had received top scores on all OGP eligibility criteria (see Table 8).

TABLE 8: PERU'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	4/4	4/4	4/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT
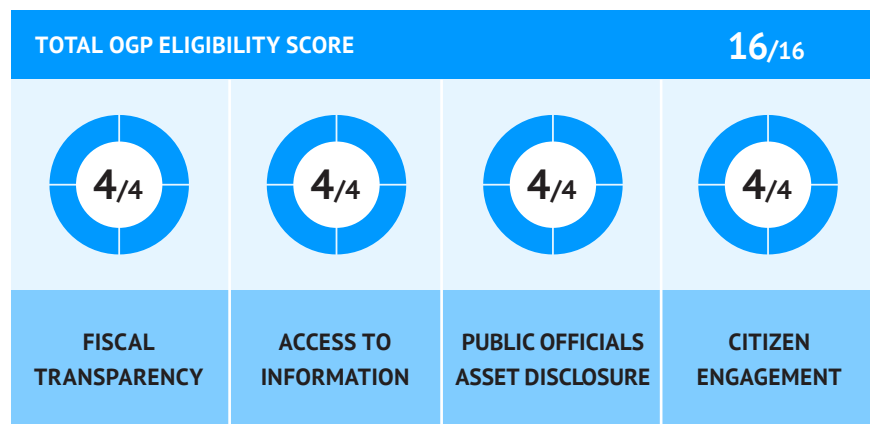
Foundation for Civic Engagement: National Context and Performance

Peru has changed significantly over the last thirty years. The 1980s and 90s were characterized by a severe political, social and economic crisis, with high inflation, internal armed conflicts and major corruption. During the Fujimori administration, for example, civic engagement was endangered by strong support of neoliberal policies, limited civic participation freedom and a high concentration of resources and power on the capital city. This period was also characterized by limited participation by minority communities and indigenous populations, who strongly opposed ongoing extractive practices.[109]

Since 2000, however, conciliatory agreements between political parties and government institutions promoted a series of legal reforms, including the National Agreement in 2002.[110] Since then, a series of major public administration and public finance reforms started, addressing an ongoing deficit of political information access and citizen participation.[111]

Peru has a strong legal framework for access to information and public participation. The freedom of information law in the country was passed

in 2002.[112] In addition, there is legislation promoting public participation, including one law on participatory budgeting (2003)[113] and one law on minority population consultations (2011).[114]

Access to Information

In terms of the legal framework for access to information, the most important achievement in Peru is its freedom of information legislation, enacted in 2002. The enactment of the Personal data protection law in 2013 is also worth noting.[115] Peru scores high in terms of legal standards for access to information.[116] It ranked 39th out of 102 according to the global RTI ranking despite interviewees describing its implementation as limited, as noted.

One reason interviewees have noted for this description is that federal transparency portals from the executive branch in Peru are severely outdated.9 They only partly fulfill minimum requirements of transparency.[118] There is also an absence of an autonomous oversight agency to monitor, promote and enforce the freedom of information law. As a result, government agencies often refuse to follow their obligations and cannot be held accountable for their actions.

Other perceived weaknesses described by interviewees related to the implementation of the freedom of information law include: accessibility (information is rarely available in other national languages other than Spanish, such as Quechua); local implementation (few cities have transparency portals, and even those have low compliance levels); and diffusion (citizens in general, public servants and some elected representatives are not aware of the freedom of information law).

However there are also positive aspects of the freedom of information law. Interviewees acknowledged that CSOs with some knowledge and resources can make use of it to access information, and that the available transparency portals are of some use for ongoing participatory budgeting activities. It was also mentioned that the Personal data law has improved the use of the habeas data instrument.[119] At the same time, however, it has worsened access to information in some ways as it has been used by public agencies to remove already published data, such as the case involving datosperu.org.[120]

Peru's first NAP (2012-2014) addressed some of these issues. It included commitments to revise normative aspects of the freedom of information law and to implement standards and metrics for compliance, to standardize public budget portals, to train public servants on access to information requirements,
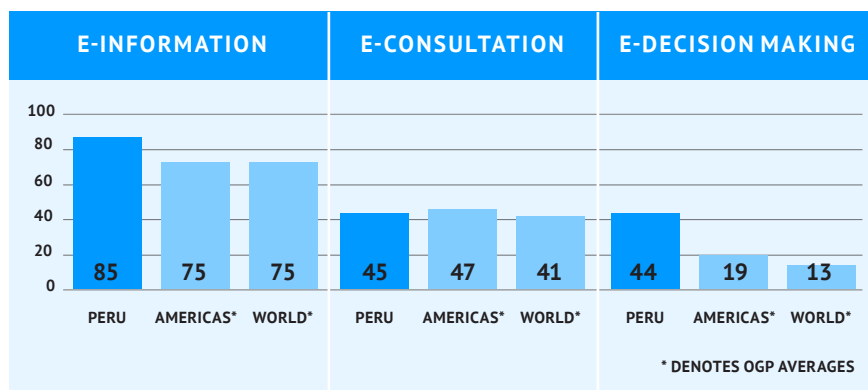
and to evaluate the creation of a specific agency to oversee the law. These commitments, as described by interviewees, were strongly supported by key CSOs organizations, and there was strong CSOs engagement in the implementation of the first NAP.

However, these commitments were not fully implemented.[121] While there were some improvements on normative aspects of the law, and the implementation of transparency portal standards, the IRM documented a lack of advances in other commitments. This includes the creation of the autonomous institution to oversee the law. As interviewees argue, in spite of a public debate and a draft bill sent to Congress that included feedback from civil society, the government failed to deliver this commitment as promised.

Preconditions for Civic Engagement

Peru scored better than the regional and the world averages when it comes to the availability of e-information. It also scored on, or above, average when it comes to e-consultation and e-decision making (see Table 9).

TABLE 9: PERU'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
PERU	AMERICAS*	WORLD*	PERU	AMERICAS*	WORLD*	PERU	AMERICAS*	WORLD*
85	75	75	45	47	41	44	19	13

* DENOTES OGP AVERAGES

Source: United Nations e-Government Survey (2014)

Peru is characterized by the presence of a few strong civil society organizations in regular contact with government. These organizations have a major role in OGP in the country. In spite of their importance, these CSOs are not the rule.

CSO presence in the country is generally limited, especially in regions other than the capital. Moreover, CSOs tend to be focused primarily on the extractive industries and indigenous and native groups.[122]

Legislation promoting civic participation in Peru includes the Participatory budgeting law, enacted in 2003, and the Law of Prior Consultation of Indigenous and Native Populations, enacted in 2011. There are also mechanisms for direct democracy, with legal provisions for mandatory and optional referendums. Legislative proposals can be initiated by citizens, and the country has regulated the use of a recall election mechanism applicable to the executive, legislative and judicial offices.[123]

As interviewees note however, public participation legislation is very low. There is no record of mechanisms for direct democracy being widely used, and the two major participatory laws face major limitations when it comes to implementation.

The participatory budgeting law (PB) for example, is a mandatory requirement for municipal and regional budgeting. By 2005 the practice was widespread throughout the country, and was responsible for 36% of local investments.[124] At the same time, however less than 50% of policies approved with participation are delivered.[125]

The main weaknesses perceived by interviewees in relation to PB include three main areas: citizens' capacity to engage in public budgeting (public knowledge on the topic is generally low, and government efforts to explain how budgeting works is limited); government's capacity to implement PB decisions (resources allocated to participatory budgeting is limited, and local government faces challenges to deliver them); and lack of public representation (civil society representatives are rarely refreshed from one cycle to another, and they are often related to local authorities).

The indigenous and native groups prior consultation law is also described as having limited impact. As interviewees note, the law is recent and it is still being implemented. Interviewees also emphasize that the mechanism has no binding effect on decision-making. There are no clear standards outlining who has the right to participate, and how to select them. As a result, interviewees report cases where voluntary, ongoing civic participation forums had to be discontinued for not complying with the new legislation. There have also been cases where social programs could not start as they haven't been able to run participatory mechanism appropriately (i.e. in the extractive sector).

The first NAP dealt extensively with civic participation. One third of the commitments related to participation.[126] One commitment, for example, was to promote the Digital Peruvian Agenda 2.0, improving connectivity, digital inclusion, and digital literacy. Nonetheless, implementation of these commitments was limited, particularly when addressing participatory mechanisms.[127] Agreeing with the IRM, interviewees also saw no major contribution to public participation as a result of the implementation of the first NAP.

Civic Engagement in the OGP Process

Civil society and government participation in OGP is currently on hold in Peru. Civil society is trying to push the government to implement the second NAP. Interviewees feel there is no point in supporting an open government initiative without government will to support it. At the same time, there is will to regain activities as soon as the government starts implementing the second NAP.

In spite of recent events, the country has a positive history of mechanisms for citizen participation in OGP. There is a permanent forum, the Multi-stakeholder Commission, responsible for monitoring OGP in the country. It is formed by representatives from the central government, judiciary, private sector, and civil society.

It is also worth noting that the government failed to provide a timeline in advance of the consultation in the development of the first NAP, and it gave little promotion to the consultation process. Although the government ran an online and offline consultation, interviewees stated that it was not inclusive noting that the government simply called on a few CSOs to discuss an already drafted plan. During the implementation period, however, CSOs had a role to discuss the plan, suggest modifications, and in the consultation period of the second NAP, the process of consultations, as required by OGP standards, was done and was more inclusive.

Although the consultation phase for the first NAP is seen as limited (as mentioned in the IRM report, and as confirmed by interviewees), the implementation of the first NAP saw an increasing role for civil society in the Multi-stakeholder Commission. Evidence of that is the revision of commitments during the NAP implementation phase, and also in the role civil society played

during the consultation phase of the second NAP (which included efforts to expand civil society representation, such as the run of three regional consultations with budget to hire an external expert to supervise the process).

The Multi-stakeholder Commission in Peru is a case of a permanent forum of public participation, where government and civil society can collaborate. Although it is currently not operational, it was seen by interviewees as a positive experience, but more broad, and ongoing civil society participation is needed. In terms of the IAP2 spectrum, Peru could have been categorized as 'collaborate' when the Multi-stakeholder Commission was operational. However, it is no longer functioning rendering this classification impossible.

In terms of other participatory mechanisms in Peru (IAP2 spectrum), interviewees report that the main information mechanisms are the transparency portals (in spite of their limitations) and that the main consultation mechanisms (online and/or offline) are found in sectors such as fishing, health, education and energy. They are also being used by Congress (online consultation around the same-sex marriage bill). Another consultation mechanism in use are expert panels. Interviewees note that engagement in these mechanisms is not wide, but that such initiatives represent a positive trend towards more participatory government.

Mechanisms that fit more squarely into the categories of 'involve' and 'collaborate' according to the IAP2 spectrum have been used in some cases. Interviewees reported the use of public hearings in sectors such as public health, mining, and budgets. There was also a mention of participatory budgeting. Interviewees also noted rare cases where CSOs, supported by the government, collaborated to decide what public policies should be implemented (i.e. the case of crop replacement in the outlawed coca plantations). These mechanisms have had some level of success, but are still marginal experiences.

Interviewees also pointed out that the extractives industries in Peru are a sector of great experimentalism. Interviewees noted, for example, that when extractives industries face severe local protests, such as road barricades, there is a trend to increase the use of public hearing with local populations. At the same time, interviewees report cases of manipulation of civil society participation in these mechanisms, as a way to promote better results for private sector positions, making clear that in spite of some advances, the sector is still characterized by adversarial practices.

Conclusions

In spite of Peru's strong legal frameworks on freedom of information and public participation, implementation in the country has been limited. At the same time, there have been periods of active civil society participation around OGP. The Multi-stakeholder Commission, has been a permanent forum and a mechanism for public participation.

The main perceived challenges to promote civil society participation in Peru, as became evident in the Multi-stakeholder Commission experience, is, first to regain political will to support OGP and open government initiatives. However, in the long run interviewees also perceive a need to increasing the diversity of the network of CSOs related to OGP in the country. While the Multi-stakeholder Commission was functional, Peru's experience would have placed on the rung of 'collaborate' on the IAP2 spectrum of engagement. Today, there are no clear mechanisms for participation making it difficult to place the country on the engagement spectrum at all.
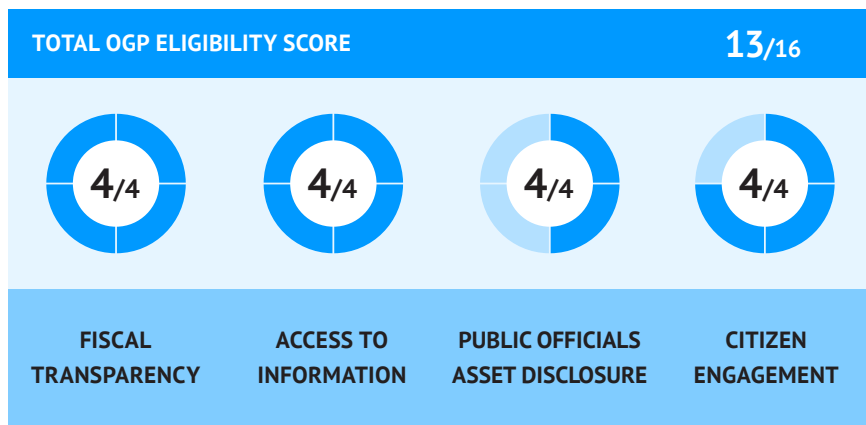
4.5 HONDURAS

Honduras joined OGP in September 2011. It entered the Partnership with a score of 13 out of 16 according to the OGP eligibility criteria (See Table 10). So far the country has completed one NAP (2011-2013), and its second one is currently being implemented (2013-2015).

Foundation for Civic Engagement: National Context and Performance

Honduras has a strong legal framework for access to information, and also a strong legal support for public participation. The freedom of information law in the country was passed in 2006.[128] Legislation promoting public participation and the right to participate, particularly at the local level, also exists.[129]

Honduras faced a military coup from 2009 to 2010. The post-coup government is described by interviewees as more participative than the previous one. At the same time however, the coup is said to have increased a culture of secrecy and centralization of government.[130] This has affected the implementation of the freedom of information act, although, some positive public participation opportunities set by internationals agreements have also emerged,[131] particularly in terms of budget transparency.[132]

TABLE 10: HONDURAS'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			**13**/16
4/4	**4**/4	**4**/4	**4**/4
FISCAL TRANSPARENCY	**ACCESS TO INFORMATION**	**PUBLIC OFFICIALS ASSET DISCLOSURE**	**CITIZEN ENGAGEMENT**

Access to Information

The FOIA passed Congress in 2006, was published in 2007 and has been in effect since 2008.[133] The law is applicable to three branches of government – the executive, legislative and judicial – as well as to all CSOs and NGOs that are granted, or in any way administer, public funds.[134] The law also sets one important oversight mechanism, the Access to Public Information Unit,[135] which has the power to create commissions that include civil society representatives.

Interviewees argue that in spite of some achievements, the implementation of the legal framework in the country is ongoing and has room for improvement. Three main arguments made to justify this statement include: the small number of organizations making use of the law in Honduras; the lack of efficient information mechanisms for access to information (online portals are not considered accessible to the overall population, and printed or broadcast initiatives are not fully implemented); and an increasing tendency to promote secrecy legislation in recent years (this has endangered FOIA in areas such as budget transparency, immigration and property information).
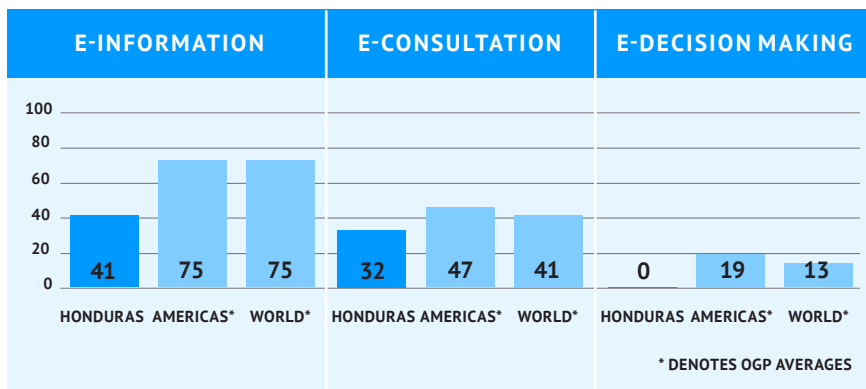
The first and the second NAPs directly addressed some of these issues. The first NAP included commitments to improve the efficacy of the FOIA, to approve the National Archive Law, and to standardize online portals for budget transparency. As the IRM report for the first NAP reports however, these commitments were not delivered. The second NAP includes some of

the undelivered commitments from the first NAP and it also has a few others related to budget transparency and FOIA oversight mechanisms. Interviewees note that some limited advances have been made in implementation.

Preconditions for Civic Engagement

Honduras performs worse than all the regional and world averages on the e-participation index (see Table 11). This is in line with the IDEA Direct Democracy Database, that records few mechanisms of direct democracy institutionalized in the country (i.e. the legal provision for optional referendums at the national level, and for citizen's initiatives at the national level). The results are also in agreement with the CIVICUS Civil Society Enabling Environment Index (2013)[136] which places Honduras in a bottom position.

TABLE 11: HONDURAS'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
HONDURAS	AMERICAS*	WORLD*	HONDURAS	AMERICAS*	WORLD*	HONDURAS	AMERICAS*	WORLD*
41	75	75	32	47	41	0	19	13

* DENOTES OGP AVERAGES

Source: United Nations e-Government Survey (2014)

As interviewees argue, and as the CIVICUS (2011)[137] report supports, Honduras´ civil society is weak. CSOs in the country are described as lacking both meaningful structure and adequate resources necessary to meet their goals. The scenario worsened after the coup as government increased centralization efforts, and hardened budgeting restrictions to CSOs. As such, few CSOs are described as independent and effective at the national level although they are described as effective and participative at the local level.

The first and the second NAPs directly addressed some of these issues. The first NAP included commitments to strength mechanisms for citizen participation in the FOIA, such as those to promote anti-corruption controls and to foster civic monitoring of budget execution. As the IRM researcher reports, however, these commitments were mostly not delivered. The second NAP is described in a more positive way, but so far there is little evidence to suggest it has improved the foundation for civic participation in the country.

Civic Engagement in the OGP process

As interviewees and the IRM report agree, the first NAP in Honduras started with very limited engagement of civil society, and was implemented with minor civil society monitoring. As such, it is described as mostly non-participatory. At the same time, interviewees describe an increasing (even though minimal) support for transparency and participation.

Interviewees however report a different approach to the second NAP. It is seen as more participatory and inclusive (although still in need of improvement). Interviewees generally agree that the main reason the government joined OGP was to improve its public image with international funders. Interviewees commend the inclusion of a Steering Committee in the second NAP, as it gathers government, civil society and private sector actors in a permanent engagement forum.

The Steering Committee could be improved by strengthening the rules to provide for more training and structured participation. In addition, the government needs to view the Committee as an opportunity for collaborative decision-making. Even so, the Committee interviewees consider it an improvement in relation to the first NAP experience. Part of the optimism comes from the consultation phase of the second NAP, when a structured consultation was run. Interviewees also reported that CSOs organized, before the consultation phase started, training and information sessions to interested CSOs, which improved participation.

At the same time, in spite of optimism, interviewees were critical of the fact that government made the final decision regarding which commitments were included in the NAP. Although interviewees perceived CSOs to have influenced the NAP, they criticized government for adopting ambitious and vague commitments, and for ignoring pressure to include commitments related to citizen security. The optimist view expressed during the consultation phase

doesn't carry into implementation when government is perceived to have run the NAP implementation without citizen participation.

Interviewees see no IAP2 mechanisms for participation in Honduras aside from information and consultation. They emphasize the importance of methods for offline information delivery, such as print which could provide information like budget information to be displayed in the educational sector, and in local city administrations. They also mention the importance of transparency portals, but highlight that they have limited use by the general population although highly valuable for organized CSOs.

Consultation mechanisms at the city level are described by interviewees as the most effective although they are only seen as being used in ad hoc situations. Interviewees also reported that since 2011, government has promoted national dialogue initiatives that theoretically could be classified as collaboration under the IAP2 framework. In reality, however, it is reported that the government often arrived at these initiatives with set decisions and simply wanted to inform and not to collaborate.

Conclusions
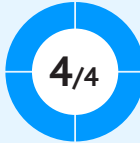
Honduras has strong access to information and civic participation legal frameworks, although interviewees describe implementation of both as limited. OGP in the country has contributed to fulfill this gap, although it is clear that the contribution of the second NAP is larger than the first.

The experience of the Steering Committee is seen as particularly positive, although the experience during the consultation phase is described as more positive than the experience during the implementation phase. As such, the country currently has a "consultant" mechanism when it comes to OGP governance, but not to decision-making more widely.

4.6 CHILE

Chile signaled its intent to join OGP in September 2011. So far it has completed one NAP (2012-2014), and it is at the end of its second NAP (2014-16).[138] The country received full points on its OGP eligibility criteria (see Table 12).

TABLE 12: CHILE'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	4/4	4/4	4/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Foundation for Civic Engagement: National Context and Performance

Chile has a strong legal framework for access to information and for public participation. The FOIA in the country dates from 2009.[139] It also has legislation promoting public participation (2011).[140] However, the implementation of both legal frameworks is perceived as limited by interviewees (particularly the participation law).

At the end of the 1980s Chile started a slow and gradual process of participation and openness that led to the end of an authoritarian regime that started in 1973 and fell when general elections were held in 1989. The consequences of such a long period of authoritarian rule are still present and are a challenge for open government policies that need to address a 20-year participatory deficit gap.[141]

In recent years Chile has improved civic participation in public administration. This was one of the main goals of the first Michelle Bachelet administration (2006-2010), which promoted a broad civic participation political agenda (the "Agenda Pro Participación Ciudadana"). The administration agenda focused on four areas of action. Two of them were highly prioritized at the expense of the others by the end of the administration: citizen's right to public information and participatory public administration.[142]

Access to Information

In terms of a legal framework for access to information, the most important achievement in Chile is its FOIA, enacted in 2008 (and effective since 2009). The FOIA is perceived by interviewees as a strong mechanism to promote transparency in Chile. Amongst the celebrated aspects of the Law, interviewees mentioned the potential role for the Transparency Council as an independent monitoring and enforcement agency.[143]

In spite of celebrating the strength of the FOIA, interviewees clearly identify three shortcomings: low levels of compliance at the municipal-level (this should be addressed by extending monitoring processes, strengthening the Transparency Council's role, and improving digital archiving procedures); the limited coverage of the FOIA beyond executive branch institutions (it should be expanded to cover for example universities and political parties, as well as legislative and judicial branches); lastly, the low levels of awareness of the FOIA by citizens (the law is primarily used by a small number of CSOs).

The country's NAPs addressed some of these challenges and had commitments aimed at improving the implementation of the FOIA. The second NAP, for example, addressed the promotion of municipal transparency portals, and strengthening the Transparency Council. However, both NAPs are seen as having a minimal impact on the promotion of access to information in Chile. The IRM researcher considers the commitments related to FOIA as unambitious, with little impact under the first NAP. In the same way, interviewees described the second NAP as promising, but leading to minimal positive change.

Preconditions for Civic Engagement

Chile scores better than the regional and world averages on the e-participation index (see Table 13 on following page). This is in agreement with the CIVICUS Civil Society Index (2009-2011),[144] and the CIVICUS Civil Society Enabling Environment Index (2013) where Chile is ranked in a high position in terms of the openness of institutional processes and public participation.

In 2011 Chile passed a law that regulates public and civic engagement. The law (20.500) formalizes participatory mechanisms such as public consultations,

TABLE 13: CHILE'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
93	75	75	95	47	41	33	19	13
CHILE	AMERICAS*	WORLD*	CHILE	AMERICAS*	WORLD*	CHILE	AMERICAS*	WORLD*

* DENOTES OGP AVERAGES
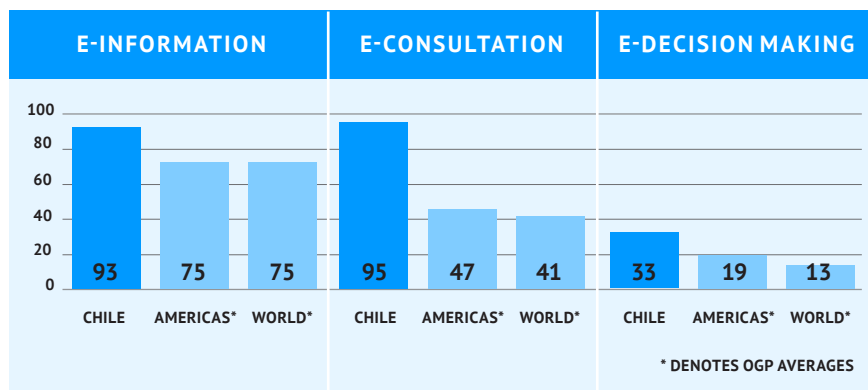
Source: United Nations e-Government Survey (2014)

civil society counsels, and participatory budgeting. As interviewees note however, the law was discussed for 12 years before receiving Congressional approval. During that process it lost several important mechanisms for public participation. As such, the interviewees agreed with the IDEA ranking, that scores Chile low in institutionalized mechanism for direct democracy.[145]

Interviewees clearly considered the 2011 law as innocuous, noting that most mechanisms prescribed by the law are not in use. When they are, they are largely used for self-publicity, and participation is very limited. Interviewees noted that this is particularly noticeable around the use of the Participatory Dialogues[146] and participatory budgeting.

At the same time, a positive aspect of the law was the reduction of bureaucracy, cost and time to regularize CSOs. This is seen as the recent emergence of grassroots movements, particularly in the areas of the environment and education.

The Chilean NAPs introduced some commitments to improve the foundations for public participation. They suggested, for example, the implementation of digital participatory mechanisms such as Civil Society Councils and Citizen Consultations. However, as the IRM researcher for the first NAP reports, and interviewees agree, the NAP lacked political support needed to implement these commitments.

Civic Engagement in the OGP Process

Interviewees said the first NAP in Chile started with very limited engagement of civil society. Few organizations (around 3 or 4) were called to comment during the consultation phase, and they were given very short notice. CSOs' role in monitoring was also limited during the first NAP. This shows an overall limited role of civic engagement in the country.

The second NAP, however, was described by interviewees in a much more positive light. The consultation is said to have made use of broad participatory mechanisms, including five regional consultations, and a structured feedback mechanism. Implementation of the second NAP is also perceived in a positive light. The highlight is a permanent forum for collaboration ("mesa permanente"). It is a participatory mechanism that met regularly and was based in constructive interactions between CSOs and government. The OGP Legislative Openness Working Group was also mentioned as a forum for engagement.[147]

As interviewees clearly argued, in spite of the improvements from the first to the second NAP cycle, civil society awareness of OGP in the country is still limited. Consultation and implementation forums only engaged selected organizations when it comes to the NAPs.

In terms of other participatory mechanisms in the country (see IAP2 spectrum), interviewees report that the main methods for information delivery are the country's transparency portals. The main consultation mechanisms are the growing number of online consultations and public hearings by private extractive companies.

Mechanisms related to participatory budgeting and others implemented by the 20.500 law fall, in theory, into the involvement or collaboration spectrum. However, interviewees stated that these are only used as information or consultation mechanisms. As such, the general perception of interviewees is that Chile has a young and still limited culture of civic participation and collaboration. Exceptions to this rule are the Transparency Portal, and the Mesa Permanente. Both are described as active collaborative mechanisms (although there are a limited number of CSOs that actually participate).

Online consultations are described as promising tools. However, interviewees described these as having three main limitations: the non-binding characteristics, the limited transparency of feedback procedures, and the limited access/interest of average citizens to participate.

Five promising areas of experimentation mentioned by interviewees are: the role of private extractives companies in piloting collaboration mechanisms with local stakeholders; the impact of the Convention 169 regulation in Chile, that legally expanded binding instruments with indigenous and minority populations; the implementation of the Lobby Law Portal,[148] the open data standards of the Public Archive (both acting as information mechanism of participation); and the collaborative mechanism achievements of the Anti-Corruption Council.[149]

Conclusions
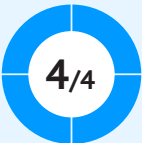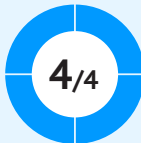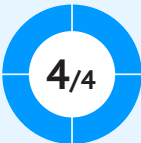
Chile has strong legal frameworks for access to information and public participation. However, implementation of the former is more promising than the latter. The main challenges perceived to promoting citizen participation in Chile are the limited number of CSOs engaged, and the limited political will to promote open government initiatives.

It is worth noting that civic participation grew around OGP, particularly from the first to the second NAP. Moreover, most interviewees described the establishment of a permanent OGP forum in the country as a positive development. As such, Chile can be categorized as 'collaborate' according to IAP2 spectrum.

4.7 SOUTH AFRICA

South Africa (SA) is one of the eight founding countries of OGP, having joined in September 2011. So far the country has completed one NAP (2012-2013), and is implementing its second (2013-2015). It is worth noting that in October 2014, SA took up the position of OGP co-chair, which it will hold until October 2015 when it will assume the role of lead chair of OGP from Mexico.[150]

TABLE 14: SOUTH AFRICA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			16/16
4/4	**4/4**	**4/4**	**4/4**
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Foundation for Civic Engagement: National Context and Performance

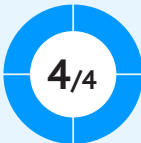South Africa has a strong legal framework for access to information, and some legal support for public participation. The FOIA in the country dates from 2000.[151] There is no specific legislation promoting public participation, but this principle is supported on constitutional grounds.

Access to Information

In terms of a legal framework for access to information, the most important achievement in the country is the enactment of the Promotion of Access of Information Act (2000). Aspects of the law worth noting are its applicability to both public and private bodies, the absence of enforcement mechanisms, and the attribution of two government agencies, the Department of Justice and the National Archives, to oversee access to information procedures.[152]

Only fifteen African countries have passed access to information legislation.[153] South Africa was the first African country to pass such as law in 2000 and as such, SA is setting an example for other countries in the region. This is in agreement with the global RTI rating which ranks SA highly (17 out

of 102 countries) on access to information legislation.[154] Other related legal frameworks of relevance in the country include the National Archives of South Africa Act of 1996, the Promotion of Equality and Unfair Discrimination Act 4 of 2000, the Promotion of Administrative Justice Act of 2000, the Protected Disclosures Act of 2000, the Protection of Personal Information Act of 2013 and the debate to update the Protection of Information Act 84 of 1982.[155]

There is however a gap in implementation when it comes to access to information. Because of its Apartheid history, where South Africa was effectively a secretive police state, the SA public service still shows traces of secrecy being adopted as a default position by some officials. The Promotion of Access of Information Act (PAIA) "is being used as a method to broaden restrictions on access rather than narrow the extent to which the constitutional right can be limited."7 There are excessive delay times in appeal processes, and a tendency to refuse access to information requests without recourse to an easily accessible, low cost and specialist alternative dispute resolution mechanism such as an Information Commission. Disorganized institutional record and information management practices exacerbate these problems.[157]

Some interviewees reported long waiting periods (longer than one-year in some cases, and even longer in cases of refusal when the courts of law are used as an appealing mechanism). Interviewees also reported that, in general, citizens are not aware of the PAIA, with the exception of few CSOs, and that at the local level, the law is rarely effective.

The first and the second NAPs indirectly addressed promoting the PAIA. The first NAP had one commitment related to the development of a portal for environmental management information, and another one that referred to the Protection of State Information Bill. At the same time, the first IRM report found that commitments were either incomplete or delayed. Interviewees said this is also true of the second NAP. As such, it is feasible to argue that OGP commitments have only promoted access to information in a limited way in SA.

Preconditions for Civic Engagement

SA performs better than the African and OGP averages in the E-information index, but performs worst in all the other averages (except on e-Decision making, where all African countries scores zero).

TABLE 15: SOUTH AFRICA'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
SOUTH AFRICA	AFRICA*	WORLD*	SOUTH AFRICA	AFRICA*	WORLD*	SOUTH AFRICA	AFRICA*	WORLD*
56	52	75	14	22	41	0	0	13

* DENOTES OGP AVERAGES
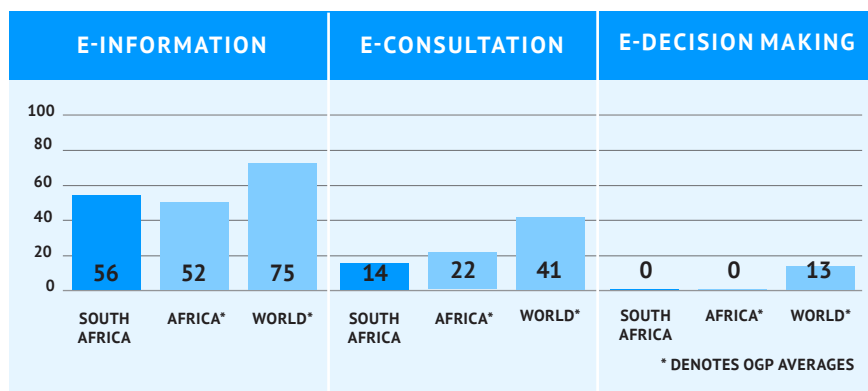
Source: United Nations e-Government Survey (2014)

This is perhaps unsurprising given the lack of a specific law for public participation in the country. It is also in agreement with the IDEA Database, that shows few institutionalized mechanisms for direct democracy in the country (i.e. the legal provision for optional referendums at national level). The provision for civic participation around housing rights is worth noting[158] as researchers see mandatory civic participation in this area as important.[159]

Interviewees perceive limitations for civic engagement in the country. As interviewees say, "professional – mostly foreign funded NGOs – and the highly competent media have been at the forefront of this effort. It is for this reason that government has begun to question the involvement of NGOs in the governance discourse, expressing a preference for NGOs to focus on service delivery issues (working together with government)".

Illustrating these challenges, the CIVICUS Civil Society Report (2013) argues that in SA "it is questionable whether CSOs have adequately responded to the current socioeconomic and political landscape."[160] The report outlines an increase of local protests in recent years, motivated largely by post-apartheid levels of inequality between rich and poor, democratic deficit (particularly at the local government level), and state's heavy-handed reaction to protests including the frequent use of force.[161]

The first and second SA NAPs focused on some of these issues. Out of the 8 commitments in the first NAP, 3 were specifically related to civic participation: the commitments to implement participatory budgeting, the commitment to

develop a citizens participation guideline for public sector departments, and the commitment to roll-out education campaigns to raise awareness of civil society access to socio-economic rights. In the second NAP, 6 out 7 commitments addressed the theme, including commitments related to mainstream citizen participation in the public sector, development of an online crowd-sourcing tool to public submission of data on Protected and Conservation areas, and actions to raise awareness of civil society rights.

However, the first IRM report found that no commitments related to public participation were completed, and at least one commitment marked as delivered referred to pre-existing government programs. In relation to the second NAP, interviewees saw no clear evidence of a better record in terms of commitment implementation.

Civic Engagement in the OGP Process

As interviewees and the IRM report agreed, the first NAP in SA started with very limited engagement of civil society. According to the IRM report, the country did not comply with OGP consultation processes during the development of the first NAP. Timelines for consultation were not published in advance, a draft NAP was not made public online, the deadline for responding the call for engagement lasted only a few days, and no budget was allocated for promoting the consultation (there was limited outreach to potential participants). As a result, the overall breadth of consultation for the first NAP is described as limited by the IRM researcher. This was confirmed by interviewees.

The implementation of the first NAP saw minor improvements. Interviewees reported that the OGP coordination in the country rarely convened, and when it did, several CSOs were left out. There was no clear mechanism for participation, or evidence of civil society influence in the decision-making process. The NAP made reference to partnership with the South African NGO Coalition (SANGOCO), an umbrella body of civil society organizations in the Southern African region. Interviewees, however, did not consider the partnership as extensive or effective in promoting coordination of CSOs.[162]

The consultation phase for the second NAP was improved compared to the first. The government reported that it made use of participatory methodologies such as in-depth interviews with key respondents, consultations in three provinces (with a total of around 300 participants), and face-to-face opinion surveys administered by Community Development Workers. Also mentioed is a national colloquium organized in partnership with the 1000 Voices campaign.[163]

Interviewees however were not familiar with these events, and there is no evidence of clear civil society engagement in these activities. As one interviewee described, CSOs saw a draft version of the second NAP, shortly before it was finalized.

In terms of OGP governance, interviewees report that only information mechanisms for participation are in use in the country. In other areas, interviewees report consultation or information mechanisms used only. This is the case with the Community policing forums (said to be distrusted by local civil society organizations due to corruption of local government), the Housing Act consultations (said to be run with ad hoc mechanisms of participation), and referendums (described as rarely used, and when used to achieve only limited results).

Conclusions

SA has a strong access to information legal framework, one that stands out from other African countries. At the same time, implementation of the PAIA is described by interviewees as limited. This is also true of the use of participatory mechanisms. Interviewees do not recognize OGP in SA as having an active civil society forum and consider investments in human resources and in empowering the Steering Committee are key to driving civil society collaboration in the country. As such, SA can be placed on the rung of 'inform' on the IAP2 spectrum of engagement given that the government is perceived as having consulted civil society during key steps of the OGP process. It did not go beyond consulting to engage in shared decision-making processes.

4.8 GHANA

Ghana signaled its intent to join OGP in 2011, having officially joined it in May 2012. So far the country has implemented one NAP (2012-2013). It is currently running a consultation on the draft of its second NAP.

Ghana entered the Partnership with an entry score of 12 out of 16 (see Table 16). The remaining four points were lost due to the lack of a passed FOIA, the lack of a law requiring asset disclosure accessible to the public, and a limited score on the EIU Democracy Index.

TABLE 16: GHANA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			12/16
4/4	3/4	2/4	3/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT
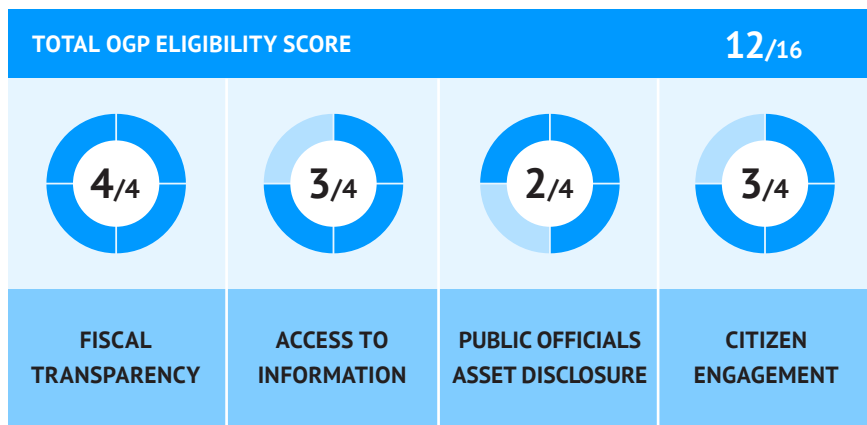
Foundation for Civic Engagement: National Context and Performance

Ghana has a fragile legal framework for access to information and for public participation. There is no FOIA passed in the country, and no specific legislation promoting public participation (although both principles do have constitutional grounds). Interviewees described the implementation of both legal frameworks as limited.

In recent years, civil society organizations have improved in Ghana. The country adopted a multi-party democracy in 1992. Since then it has witnessed an increase in the mobilization of CSOs addressing issues such as poverty reduction and aid effectiveness (particularly since 2008, when the country held the third High Level Forum on Aid Effectiveness).[164]

Access to Information

In terms of legal framework, the country only promotes access of information based on constitutional law. Civil society has campaigned to pass a FOIA since the 1990s. A bill has been in Parliament since the early 2000s. Pressure from civil society has been particularly organized by the Coalition on the Right to Information.[165] As interviewees note a widely supported version of the bill was

sent to Parliament to be voted on in 2010. Since then several hearings and workshops to pressure government for its approval have been set.

Without a FOIA public institutions have no obligation to disclose information.[166] Public institutions have provisions to access information held by citizens, but there is no corresponding obligation to release it back to the public. Publication in an official gazette is provided in the case of submission to reports to public agencies, but the distribution of the gazette is limited. Deliberations of Parliament may be accessed through a record that is made available only by a Government printing house. Some online initiatives, such as, transparency portals have also been set up,[167] but interviewees described these as limited and not widely accessible.

Interviewees said that access to information requests made to the executive branch are usually successful. Problems emerge however when the government refuses to release information. In these cases the only path for recourse is to use the High Court[168]. Interviewees described this mechanism expensive, bureaucratic and inefficient (this is one reason why CSOs campaign for a FOIA that includes an independent appeal institution).

The first NAP addressed some of these issues and made commitments to pass the FOIA, and to implement the Ghana Open Data Initiative. Nonetheless, as the IRM researcher indicated, these commitments were largely or completely undelivered. This was confirmed by interviewees.

Preconditions for Civic Engagement

Ghana performs better than the African OGP average in the E-information index (see Table 17 on page 55), and worst in all the other averages (except on e-Decision making, where all African countries scored zero).

This may be in part because of the lack of specific law for public participation. It is in agreement with the IDEA Database, that shows Ghana as having few institutionalized mechanisms for direct democracy (i.e. a legal provision for mandatory referendums at national level, and a mandatory referendum for creation, alteration of boundaries, and merger of regions). Interviewees noted however, that there is no record of using of such mechanism in the country. This shows that the legal framework in the country only indirectly supports public participation.

It is worth noting that since 1989 there have been grassroots mechanisms for participation in Ghana: the Metropolitan, Municipal and District

TABLE 17: GHANA'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
GHANA	AFRICA*	WORLD*	GHANA	AFRICA*	WORLD*	GHANA	AFRICA*	WORLD*
67	52	75	13	22	41	0	0	13

* DENOTES OGP AVERAGES
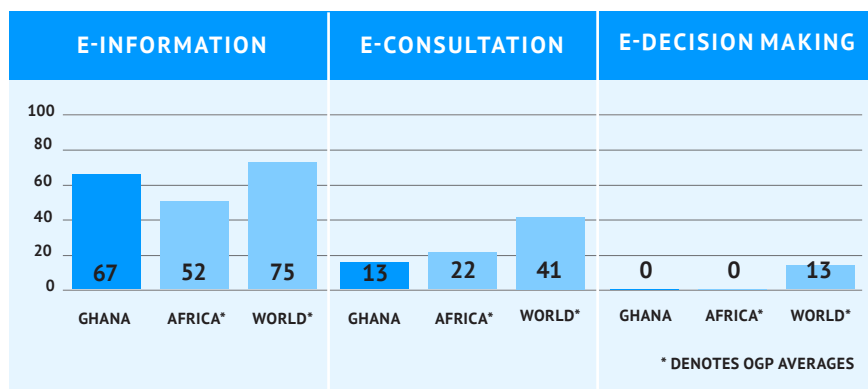
Source: United Nations e-Government Survey (2014)

Assemblies (MMDAs). DAs are participatory mechanisms that make decisions at the local level. They have elected representatives including civil society representatives.[169] They are therefore a potentially important mechanism of civic participation.

Research shows however that MMDAs, even after three decades of existence, have a sharp gender imbalance.[170] They are generally understaffed, suffer political interference, have limited funding resources[171] and have weak forms and mechanisms for accountability.[172] Interviewees also describe the MMDAs as inefficient, particularly because access to information at the local level is poor.

The first NAP in the country addressed some of these issues, particularly in terms of improving citizen participation in grassroots forums (such as the MMDAs). According to the IRM report, however, the commitment had minor impact, in spite of its substantial completion. This was confirmed by interviewees.

Civic Engagement in the OGP Process

Interviewees described limited engagement of civil society in the implementation of the first NAP, with more opportunity for participation in the development of the plan. Officially, the country has a Steering Committee with equal representation of CSOs and government, and according to the IRM report the country followed the required processes of consultation.[173] Of note

is the use of workshops organized by the government in three different regions (interviewees described this as a positive aspect of the consultation phase).

Interviewees were, however, not confident of the role of civil society in relation to OGP. They saw three main limitations: lack of awareness of OGP (not only in civil society, but also inside the government); limited transparency of how OGP participatory mechanisms are reflected in implemented policy; and the frequent use of participatory mechanisms only when government is being criticized for not being transparent. In the meetings of the Steering Committee, for example, government participation was low, and interviewees reported no evidence that the meetings impacted the design or implementation of the NAP.

The perceived lack of participation is seen in both the consultation and in the implementation phases. The latter described more critically than the former. Interviewees saw no real possibility for civil society to monitor the implementation of the commitments.

In relation to mechanisms for participation in the country, interviewees mainly referred to the use of public meetings, working groups, public audiences, consultations, and budget review meetings. However, interviewees described these events as only open to select institutions. This means that in spite of a broad potential to promote civic participation, mechanisms for participation in Ghana are limited.

The main mechanism for relaying information in the country, according to the IAP2 spectrum, are media reports (mainly broadcast radio and television). As interviewees described, CSOs monitor what the government says in the media and use this to push for more participation or better access to information. They also report a promising increase of parliamentary blogging.

The country has no record of participatory mechanisms that led to shared decision-making. This is true of OGP and non-OGP issues. DAs, for example, are only used for consultation. They are described by interviewees as opportunities for government to collect civil society's opinion, and to provide necessary information.

Conclusions

Ghana has fragile legal frameworks on access to information and public participation. OGP has an institutionalized mechanism for participation, the Steering Committee, but it is not recognized as effective by interviewees. As
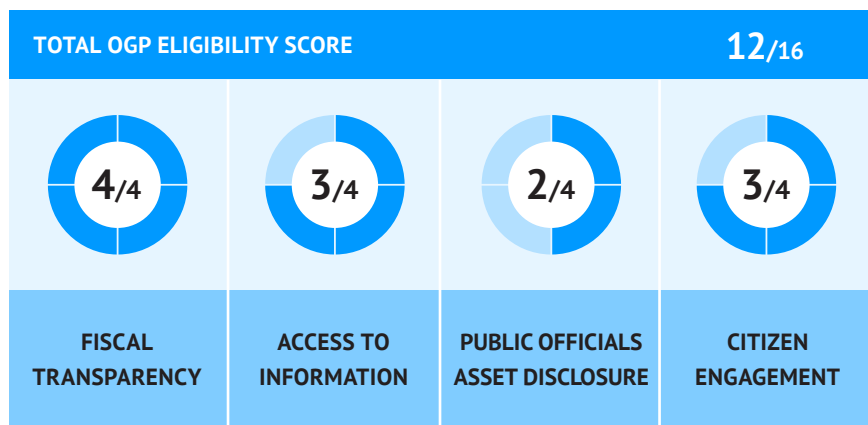
such, Ghana can be categorized as 'inform' according to the IAP2 spectrum of engagement.

Ghana has witnessed a strengthening of organized civil society, addressing key issues in the country such as aid effectiveness and poverty reduction. At the same time, advances in the country are fragile and depend heavily on political will (rather than on civil society power to push for more participation). OGP however is described by interviewees as a desired window of opportunity to push for open government agendas, particularly the approval of the FOIA law to promote better mechanisms of participation.

4.9 TANZANIA

Tanzania signaled its intent to join OGP in September 2011. It has completed its first action plan and is working toward the implementation of its second plan (2014-2016).Tanzania received 12 out of a possible 16 points according to the OGP Eligibility Criteria.

TABLE 18: TANZANIA'S OGP ELIGIBILITY CRITERIA SCORES

TOTAL OGP ELIGIBILITY SCORE			12/16
4/4	3/4	2/4	3/4
FISCAL TRANSPARENCY	ACCESS TO INFORMATION	PUBLIC OFFICIALS ASSET DISCLOSURE	CITIZEN ENGAGEMENT

Points were lost for public official asset disclosure as only parliamentary assets are disclosed. Partial points were awarded for access to information recognizing it is embedded in the constitution, but that no official access law has been passed and partial points were also awarded for civic participation.

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According to the IRM report for Tanzania, "recent events in Tanzania suggest challenges related to access to information, public participation, accountability mechanisms, and the enabling environment for open governance. Many aspects of government in Tanzania remain characterized by selective participation, limited access to government-held information, and the use of technology that does not benefit end users."[174] Civil society appears to be engaged around a number of issues, including access to information. Eleven civil society organizations have formed a coalition on the Right to Information.

Civil society has undergone a great deal of change and has grown in an era of political pluralism that started in the early 1990s.[175] While the political environment has become more conducive to a growing and engaged civil society, there are still some restrictions and limitations, some of which are noted below in reference to access to information, that impede the work and strength of civil society.

Access to Information

Tanzania does not have a legal framework for access to information. The government made a commitment to public access to public information at the OGP London Summit in 2013, and draft legislation was released for stakeholder review in 2006[176], but it has not been passed. One commitment in the first NAP committed to conduct a study of global best practices in access to information legislation in preparation for a new access to information bill. However, the IRM researcher for Tanzania found that this commitment was not met and recommended the commitment be rephrased to outline a clear process for the tabling of new access to information legislation. The second NAP contained a clear commitment to "enact Access to Information Act by December 2014." A draft bill was brought before Parliament in March 2015 under a certificate of urgency, but it was withdrawn later that month following pressure from CSOs. The certificate of urgency would have allowed government to move through all stages of the bill in one sitting. CSOs argued that this did not leave sufficient time for Members of Parliament to study the bill, or for public consultation.[177] The Centre for Law and Democracy conducted an analysis of the draft legislation and gave it a score of 91 according to the RTI Ratings,

putting Tanzania in 42nd place out of the 102 countries covered by the ranking. The Centre for Law and Democracy notes that the draft is a start and has some strengths, including the limited number of exceptions, but also needs to be brought more in line with international access to information standards. The Africa Freedom of Information Centre has also called for similar improvements, noting that "the Bill does not meet standard set by the African Model on Access to Information in respect of: obligation for officials to create, manage and disclose records, acknowledgement of receipt of information requests, duty to assist requesters, long time frames and procedures for transfer of requests. Other concerns include open-ended deferrals, restrictive form of request, fees and wide exemptions among others" (AFIC, 2015).

In the absence of formal legislation, there are some institutions that provide a foundation for access to information. Tanzania is party to the African Charter on Human and Peoples' Rights that has provisions for access to information, and it also amended its constitution in 2005 to broaden the right to information.[178] However, concerns have been raised with regard to compliance with these institutions. In addition, a range of dated, national laws are proving to have a negative impact on access to information, including The Newspapers Act of 1976, The National Security Act of 1970, and The Public Service Act of 2002.[179] According to the OGP IRM report, these laws "counteract and contradict open government principles."[180]

Since joining OGP, some improvements have been made in terms of access to government information. A number of websites and portals[181] have been established to provide information to citizens including: open government website[182], a Parliamentary website[183], a centralized portal[184], a citizen's portal[185], and a website for the National Audit Office.[186] The IRM researcher for Tanzania did, however, point out that many government websites are not frequently updated, do not always function properly, or are not available in the national language.

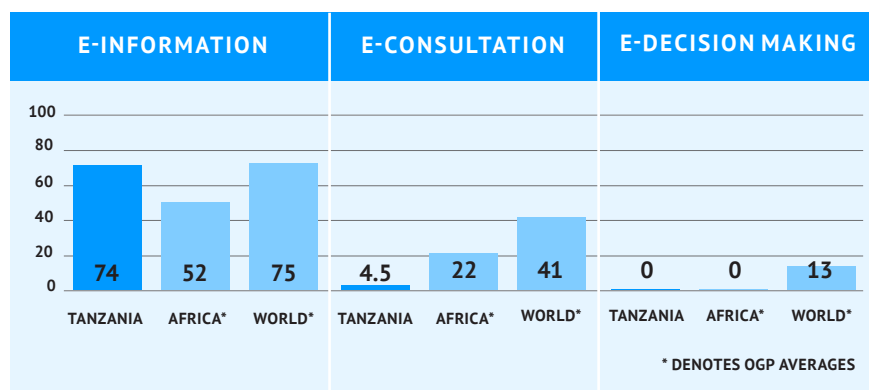**Preconditions for Civic Engagement**

Tanzania is a signatory to many civil, political, and human rights conventions such as The Universal Declaration of Human Rights and the Covenant on Civil and Political Rights. At the regional level, it has ratified the African Charter of Human and Peoples' Rights. Nationally, it has its own Bill of

Rights, which is enshrined in its constitution. As such there is a foundation for civic engagement. However, as noted above, there are issues, like access to information which challenge or limit engagement.

According to CIVICUS, "limited space for civil society engagement with government exists. Civil society has been regularly invited by government to participate in policy dialogues, such as National Strategy for Growth and Reduction of Poverty, decentralisation and local government reforms, privatisations, constitutional and legal reform processes. However, no formal institutional framework to manage and sustain partnership exists at different levels of the government."[187]

Tanzania scores above the African OGP average for e-information according to the e-participation index (see Table 19). This indicates that government is using technology to provide some information to citizens. However, it lags behind African and other OGP countries in the areas of e-consultation and e-decision making.

TABLE 19: TANZANIA'S SCORING ON E-PARTICIPATION INDEX (%)

E-INFORMATION			E-CONSULTATION			E-DECISION MAKING		
TANZANIA	AFRICA*	WORLD*	TANZANIA	AFRICA*	WORLD*	TANZANIA	AFRICA*	WORLD*
74	52	75	4.5	22	41	0	0	13

* DENOTES OGP AVERAGES

Source: United Nations e-Government Survey (2014)

Penetration of various communication technologies that might facilitate some mechanisms for engagement have been growing. In 2014, the Tanzania Communication Regulatory Authority reported that Internet usage was estimated at 9.3 million users out of a population of approximately 45 million.[188] This is constitutes 20% of the total population. Fixed and mobile penetration is comparatively higher at 30.6 million, or 68% of the population.[189]

Civic Engagement in the OGP Process

For the most part, the government has followed the OGP process for consultation and, as the IRM report noted, developed its first NAP in a participatory manner. The public was provided with a draft plan, a timeline for the consultation was made available, advance notice of the consultation was provided, awareness raising activities took place, and online and in person consultations were conducted.

While the process was participatory, the IRM researcher for Tanzania noted several important weaknesses. The draft plan and advance notice were not published in the national language of Kiswahili, differing deadlines for the consultation were published, civil society contributions were ultimately watered down, or not included in the final NAP, and a summary of the feedback received during the consultation was not made available to the public.

The government did publish a self-assessment report on its first NAP, but the report was published late, was not available in the national language, and a two week public comment period was not provided. In short, it was a less participatory process than the process around the development of the first NAP.

A national level OGP joint Government and Civil Society National Task Force was established as a consultative forum during the implementation of the first NAP and was reconstituted to implement the second NAP. Following the first NAP, the IRM noted that some civil society organizations were included on the Task Force, but it is impossible to know how engaging or participatory the Task Force is as it has not publically documented its meetings. No additional measures or spaces were created for citizen engagement in the OGP process. Government has noted that CSOs are not very active, particularly when it comes to attending Task Force meetings.[190]

Interviewees noted that OGP has provided an opportunity for citizen engagement and a range of mechanisms have been established for this purpose. Many of these initiatives would fall into the category of 'inform' under the IAP2 participation spectrum, supporting the findings of the e-participation index noted above. Websites are one example.

Interviewees noted that government institutions have also created websites to provide information to citizens. However, at the current time many of the websites remain offline and are not accessible as a result of the costs to run the sites. Accessibility is also impacted by the fact that the sites are in English as opposed to the national language Kiswahili, which is more widely understood.

Another initiative has been to improve the accessibility of budget documents. According to the second NAP, reports of the Controller and Auditor General are made publically available following their presentation to Parliament. In addition, a 'Citizens Budget' is published in cooperation with Policy Forum, a CSO. This document aims to make aspects of the national budget more accessible.

Other initiatives in Tanzania might be classified as 'consult' or potentially 'involve' according to the IAP2 spectrum. For example, the government operates a citizen's website (www.wananchi.go.tz). In addition to providing information, it also allows citizens to provide feedback to government. CIPESA has noted that there is a lack of information about how citizens are using the portal or how their engagement is handled. One of the government's commitments in its first NAP was to strengthen the site and to make it "more robust and responsive as a platform for citizens to participate in the running of government."[191] While the IRM researcher for the country called this a potentially transformative commitment for citizen participation, he also noted that the commitment was not fulfilled.

In addition to improving the citizen website, the government also made a commitment to "Ensure wider participation of the citizens in the running of Government by establishing a platform for citizens to be able to send comments by mobile phone, emails and other means, and receive feedback within reasonable time."[192] The commitment points to the potential mechanisms for engagement, but according to the IRM the commitment itself has yet to be fulfilled.[193] Government participants in this study noted that the service is "not well known by the public hence they do not know where to report their complaints."[194] A related initiative was the development of a free toll mobile, which citizens could use to send comments, complaints and suggestions, and to receive feedback. However, government has noted that the service has not been made known to the public.[195]

Conclusions

There appears to be some space and willingness on the part of government to engage with civil society in Tanzania. There are a range of international, regional, and legal instruments that outline freedoms and provide for an environment conducive to citizen engagement. However, there is also a body of dated legislation and impediments to the flow of information that continue to challenge citizen engagement. Government has noted that "the main problem which exists between the government and civil society that needs great improvement is a communication breakdown between these two parties. Low participation from civil society and the private sector was experienced since the implementation of the first action plan."

Currently the majority of the initiatives in Tanzania would be best categorized as 'inform' according to the IAP2 spectrum of engagement. The provision of information on websites, and the citizen budget are examples of this. A few mechanisms that would be classified as 'consult' on the spectrum have been in place, including the citizen's website and the mobile initiative as well as the Task Force. To move along the continuum of the IAP2 spectrum of participation from 'inform' and 'consult' to 'collaborate' or 'empower', the communication breakdown noted above needs to be addressed and further work needs to be done to publicize mechanisms for engagement and barriers to accessibility, including a move from English-only publications to an environment where information is provided in the national language. Mechanisms that go beyond the provision of information and beyond seeking input to engage civil society in collective decision-making would be necessary. This would require a strengthened voice for CSOs in the country where a diverse range of voices participate in a regular and sustained way.

5.0. LEVELS OF CIVIC ENGAGEMENT IN OGP: OPPORTUNITIES AND CHALLENGES

5.1. LEVELS OF CIVIC ENGAGEMENT IN OGP

While the qualitative and quantitative data outlined in this report provides some information that helps to understand civic engagement, it only scratches the surface. To grasp the extent to which citizens are empowered, engagement needs to be addressed in a more in depth manner.

One way of conceptualizing different levels of engagement is illustrated by the spectrum of International Association for Public Participation (IAP2) in Figure 1 below. The spectrum ranges from low participation, where people are simply informed about the relevant problems and alternative solutions (on websites for example) to high, where they are empowered to take the final decision on the issue at hand (i.e., through citizen juries or referendums).

FIGURE 1. THE NINE COUNTRIES ON THE IAP2 PARTICIPATION SPECTRUM (FROM LOW TO HIGH LEVELS OF PARTICIPATION)[196]
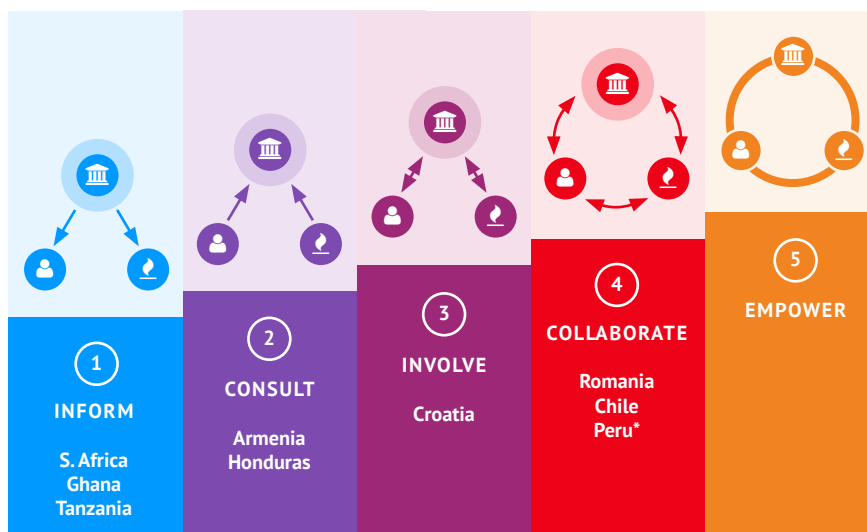
*Peru is no longer at this level on the IAP Participation Spectrum as the mechanism for civil society participation is now on hold.

Based on the desk research and on the interviews we coded the current mechanisms of participation in one of the five IAP2 categories. In the nine countries touched on in this report, most of the countries involve CSOs rather superficially. None of the nine places final decision-making power in the hands of the public, which is a criterion for empowerment according to the spectrum. However all of the nine are at least performing within the 'inform' range, some more comprehensively than others. And, while we notice instances of collaboration between government and civil society, the most common level of participation is 'inform.' This indicates that most mechanisms used for government and civil society interaction are designed to ask citizens for feedback on alternatives or decisions already defined by the government.

In the framework of the OGP process, the governments have made clear progress in involving CSOs, especially in Croatia, Romania, Armenia and Chile. Temporary progress had been made in Peru which has ended at present. In some countries (Romania), OGP consultations are considered to be an example of good practice of civic engagement. In other countries (Honduras and Ghana) with a weak civil society and weak foundations for access to information and public participation, the likelihood of success at the high end of the spectrum is limited.

The Eurasian countries examined in the framework of this report (Armenia, Croatia and Romania) all reach above the 'inform' level of the IAP2 spectrum. This is in line with their success rate on Civic Engagement across OGP countries, which was at the basis of the analysis carried out in Phase one of this study: all of the three countries score above average (see Graph 1 in Section 3). Hence, the institutional and legal context probably facilitates cooperation of government and civil society in the framework of OGP.

Romania is one of the stronger performing countries when it comes to empowerment. The government and civil society have managed to establish a fruitful working relationship and are jointly identifying open government solutions. The government incorporates CSOs' suggestions into decisions, which places Romania on the level of 'collaborate' of the IAP2 participation spectrum.

Croatia also shows good results in terms of participation. In the framework of OGP, the government has carried out broad and open consultations, which received praise by CSOs. The evident efforts by the government to ensure that the concerns of civil society are heard, places Croatia on the level of 'involve'. However, Croatia falls short of the next IAP2 level ('collaborate'). In order

to reach that level, the government would need to take on board the more ambitious civil society proposals.

Armenia can be placed on the next level, 'consult', given that the government has listened to the feedback provided by the civil society during the OGP process. The majority of Armenia's present NAP commitments were developed with the involvement from the civil society and CSOs are assigned responsibility for almost half of the present commitments. However, CSOs report that they had only a very limited influence on decisions regarding the final version of the Armenian NAP.

The African countries examined in the framework of this report (South Africa, Ghana and Tanzania) fall within the first level of the IAP2 spectrum. Here the focus has been on the provision of information and the foundations for civic participation and access to information are not as strong as they are in other regions.

The Latin American countries examined in the report (Peru, Honduras and Chile) show mixed results falling between 'consult' and 'collaborate.' Chile and Peru, which are/were both on the level of 'collaborate' also have high success rates in civic engagement according to our research in Phase one (see Graph 1). Chile has the most permanent forum for civil society participation, followed by Peru and (with minor participation) Honduras. Peru and Chile, however, are countries that likely rely on the political will of the executive branch to support OGP activities (Peru's mechanism of participation for civil society is on hold).

5.2. OPPORTUNITIES AND CHALLENGES

There are opportunities for empowerment and improved citizen engagement within OGP countries and this report suggests recommendations for their expansion in the next section. One of the mechanisms that works well and helps to empower civil society is the existence of a regular structure for OGP dialogue within a country. Croatia serves as a good example. It has an OGP Council, which oversees the development and monitoring of its NAP. The key for success seems to have been the transparent selection of members; as well as the involvement of enthusiastic and proactive public servants on the one hand, and expert CSO representatives on the other hand, both pushing in the same direction.

Tanzania is another example of a country with a more firmly established forum with its National Task Force. However, it has not been as successful as

dialogical mechanisms in other countries. Evidence suggests that its meetings have not been well attended and the lack of documentation about meetings has rendered it opaque. This draws attention to the importance of not simply establishing a permanent dialogue mechanism, but for the concurrent establishment of operating procedures and record keeping.

In some instances, civil society actors have united, or joined forces to pursue OGP related issues. Such collaboration within civil society has the potential to enhance their voice and foster empowerment. Some government representatives interviewed for this study noted that it is easier for them to communicate with a bloc, or clustering of actors rather than with many individual organizations. The Coalition for open data in Romania, for example has about 30 members and includes universities, businesses IT associations, and NGOs with different profiles and expertise in the field of open government. It has established a working relationship by gathering face-to-face in monthly "OGP club-meetings" on different topics, where also government representatives take part, and by communicating frequently through an email list. The Coalition organizes joint events and puts pressure on the government through open letters. It also works as an intermediate by disseminating information to their networks and by consulting them.

Our research shows that the NAPs also constitute a mechanism for consultation, involvement, and empowerment. The OGP format helps to provide a framework for discussion between government and civil society. Engagement is built into the OGP process. Standards are particularly clear around the development of NAPs. Strong evidence of engagement in the NAP process across the three regions studied indicates these guidelines can be effective. Standards are less clear, however, during the implementation of NAPs and some countries have struggled to determine how to continue the momentum of engagement established during NAP development.

While there are certainly opportunities for the empowerment of civil society, and innovative and successful practices are taking place, there are some challenges that remain and that can impact the participation of civil society in OGP countries. The NAPs are a valuable tool; however, it is not uncommon for citizens generally, outside of formally constituted civil society organizations, to remain excluded from the NAP development and implementation. They are less likely to be recognized as equal partners in decision-making than NGOs. Moreover, open government commitments are often not readily accessible for lay persons; they tend to be too complex and technical.

A good practice to involve a broader public in the OGP process has been sponsored by the Croatian Government Office for Cooperation with NGOs, which promotes its consultations using social media and publishes consultation reports with individual feedback to each participant. This tactic seems to have worked since the number of comments submitted has grown, and most of them come from individual citizens. Moreover, one of the Romanian interviewees emphasised that there is a need for champions who could promote OGP and 'sell viable (open government) solutions' to the wider public, both on behalf of the government and the opposition, and on behalf of the civil society.[197]

Organized groups can also be left out of OGP related discussions at times, or are perhaps only engaged selectively. The case studies in Eurasia show that one of the main future challenges is to broaden the participation beyond the narrow circle of CSO that are currently involved in the OGP process. In particular, locally based and smaller CSOs are often not involved. Moreover, in South Africa, Ghana and Honduras, civil society is called for engagement only when information is needed. They are not engaged as collaborators or empowered as decision makers. One of the main challenges in these countries is to deepen participation by advancing along the IAP2 spectrum described in section 5.1 of this report, as appropriate.

Some of the problems related to the engagement of CSOs, and individual citizens more generally, point to a need to build capacity among civil servants in OGP countries to carry out effective and responsive consultations, both in face-to-face and in online settings. The types of capacities needed are communication, discussion, and analytical skills. It is especially important to build institutional memory in this area given the rather high staff turnover in government.

In addition, capacity building remains a challenge within civil society when it comes to specific OGP areas or processes. For example, in Croatia the government lacks discussion partners on commitments related to fiscal transparency and public procurement given that only a few organizations are working in these fields. In Peru, organizations working in the areas of transparency and anti-corruption tended to participate in the OGP process, but few working in other OGP areas were actively and consistently involved. The situation is similar in Tanzania where government has noted that only one CSO, Twaweza, has participated regularly when it comes to OGP.[198]

The broad scoping of all OGP countries in phase one of this study, coupled with the more detailed research undertaken in phase two and three, indicate

that there is cause to be optimistic about the future of government-civil society engagement within OGP countries. In a small sampling of nine countries there is evidence that governments are willing to engage with civil society. In some countries, particularly those where there is a permanent forum for dialogue, engagement has been fairly frequent and fruitful. Other countries, such as Tanzania, have shown a willingness to engage, but it has been limited and ill documented. There is also evidence that OGP countries can learn from one another. The following section offers a series of recommendations geared toward maintaining the momentum of improved civic engagement within OGP and within OGP countries. These constitute a starting point. Additional studies about the state of civic engagement, and especially about regular forums for government-civil society dialogue, should be undertaken to identify further best practices and challenges. Such studies should be replicated over time as the nature of engagement changes and as new challenges may arise that necessitate additional, or different recommendations.

6.0. RECOMMENDATIONS FOR IMPROVING GUIDELINES AND SUPPORT TO GOVERNMENT AND CSOS

Our analysis shows that OGP has been important for improving the dialogue between governments and civil society, both within and across the OGP countries. The OGP consultation requirements have brought civic engagement to the attention of the highest levels of government. At the same time, the number of CSOs involved in OGP is growing.

Moreover, the dialogue between governments and civil society seems to be reinforced over time. A number of civil society actors interviewed believe that the government has become more open and more willing to cooperate with civil society. OGP has helped civil society to promote public policies in the field of transparency and access to information, and has proven especially useful as an advocacy instrument. The fact that OGP is an international instrument with many member countries puts pressure on governments to respect their commitments.

That said, there are a number of steps that could be taken to maintain and enhance the momentum of improved citizen engagement within OGP countries. The recommendations below outline some proposed steps. The recommendations are centred on the themes of structures for civic engagement, monitoring mechanisms, OGP guidelines, capacity building, and awareness raising.

1. OGP SHOULD REQUIRE ITS MEMBERS TO ESTABLISH REGULAR AND INSTITUTIONALIZED STRUCTURES FOR CIVIC ENGAGEMENT AND DIALOGUE

Not all countries have a formal structure that connects government and civil society on a regular basis. Among those that do, some are better than others. In Croatia, for example, a permanent dialogue mechanism has worked quite well. In Tanzania, the IRM researcher notes that there is room for improvement. In Peru the presence of a permanent dialogue mechanism was welcomed by civil society. It was also used as a way to protest when government delayed to implement the coming NAP. The value, and potential value, of having

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such structures is clear. They bring civil society and government together on a regular basis. They have the potential to improve long-term engagement and also help to overcome the institutional memory issue discussed above. Guidelines for the development of permanent dialogue mechanisms should include, at a minimum, standards around the selection of members, their mandate, their tenure, as well as the recording and publication of meeting proceedings.

2. OGP SHOULD STRENGTHEN ITS MONITORING MECHANISMS FOR THE ENGAGEMENT OF CIVIL SOCIETY

OGP member countries are provided with a fairly detailed set of guidelines outlining a procedure for engaging civil society in the development and assessment of NAPs. The IRM measures adherence to this procedure. However, both the NAP guidelines and the IRM assessment framework could be developed further. Several of the interviewees called for a 'standardization' of CSO engagement in NAP development and implementation across countries, in order to prompt countries to enhance the level of CSO engagement. In particular, the procedures and measurement of civil society engagement in the NAP implementation could be enhanced. Clearer standards for ongoing engagement, as called for in our first recommendation, would provide governments in OGP countries with goals for engagement and could potentially help to think about implementation of open government as a collaborative endeavor.

The standardisation could take form in the development of an analytical framework and indicators to measure progress of government and civil society interaction. The EC and USAID have already started to fund the development of a set of indicators on government-CSO relationship and a related toolkit[199] at the regional level, which could be used as a starting point for discussion on OGP indicator development.[200] Moreover, tools, such as the IAP2 spectrum discussed in the previous section, may serve as a means of conceptualizing different levels of engagement from simply informing, to empowerment or collective decision-making and implementation.

The monitoring exercise of government-civil society interaction could serve as a basis for regular meetings with governments and CSOs to analyze the state of play and progress against international standards, as well as to identify areas for reform and share best practices.

3. OGP SHOULD DEVELOP GUIDELINES TO ENSURE THAT SUGGESTIONS FROM CSOS ARE CONSIDERED IN THE OGP PROCESSES

Currently, the IRM evaluates whether government posts a summary of comments received from the civil society. This is a binary measure with a simple answer of yes or no. Standards for this summary should be strengthened with OGP providing a set of guidelines outlining what these documents should include. Guidelines could include: a public (online) repository of all of the individual comments received from citizens and civil society, a summary of comments received, government response to the comments clearly outlining how they were used to inform the final version of the NAP, or why they may not have been incorporated at that particular moment in time, and timelines for publishing these documents.

The aim of the recommendation is to improve both transparency of the NAP process and the accountability of governments, which are ultimately in charge of the NAP implementation. The enhanced guidelines would help civil society to see how they contributed to decision-making and could help to move governments along the IAP2 scale. This may also help to overcome feelings of apathy and mistrust that were shown to plague civil society in some countries. In the long-term, enhanced guidelines in line with our recommendation could also give more space to the civil society to influence the NAP process by creating a mechanism for NAP consensus.

4. OGP SHOULD DEVELOP BASIC GUIDELINES FOR OGP-RELATED RECORD KEEPING FOR GOVERNMENTS

Institutional memory is a concern in many OGP countries. Some have undergone multiple changes of government, and it is not uncommon to witness the turn over of civil servants working on OGP within countries. Civil society actors and governments have found this frustrating at times. Key actors and activities to date are not always well documented. Government actors stepping into a mandate that includes OGP can feel as if they are starting from nothing and civil society often feels similarly when there has been a dramatic shift of responsibility for OGP within government. Basic guidelines about OGP related recordkeeping will help to preserve institutional memory, facilitate transition when there are changes with national level OGP offices, and in general help

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to promote the values of transparency and accountability that are key to the notion of open government.

5. OGP SHOULD PROVIDE SUPPORT TO ENCOURAGE THE TRANSLATION OF ITS GUIDELINES INTO THE OFFICIAL NATIONAL LANGUAGES IN ITS MEMBER COUNTRIES

While this is a resource intensive endeavour, it is important. This is not to suggest changing the operating language of OGP, but to ensure that vital guidelines that detail standards and procedure for the implementation of the official national language of its member countries. This study has shown that not all aspects of the guidelines are well understood among government or civil society. Translation aid would help toward clarification and awareness raising.

6. OGP SHOULD CONTINUE TO GROW ITS NETWORK OF INTERNATIONAL PARTNERS AS A MEANS OF ENHANCING AWARENESS ABOUT OGP, AND TO CONTINUE TO HELP BUILDING CAPACITY IN OGP COUNTRIES

OGP already has some international partners that focus on civic engagement such as the OECD, just to name one.[201] Other institutions, such as the European Union, have shown interest in supporting OGP for example through the funding of consultations on OGP, as was seen in Croatia 2012.[202] Strengthened relationships between OGP and other international partners have the potential to improve the capacity for engagement and open government among civil servants and civil society by enhancing opportunities for training on partnership development and on establishing constructive communications with stakeholders.[203] The types of capacities needed are communication, discussion, and analytical skills applicable to both face-to-face and online settings.

7. OGP SHOULD STRENGTHEN CONNECTIONS BETWEEN WORKING GROUPS AND CIVIL SOCIETY IN ITS MEMBER COUNTRIES

Some governments have indicated that they lack discussion partners in certain open government areas. For example, the Croatian NAP includes commitment on fiscal transparency and public procurement, but only a few NGOs are

working in these fields. To some extent, this process has already started through the OGP Working Groups, in areas such as Fiscal Openness[204] and Open Data, which aim at conducting on-demand coaching ad training in their fields,[205] but could be advanced even further. OGP could, for example, offer more support to facilitate CSOs in connecting to these Working Groups. An innovative example is the recently launched Open Data Leaders' Network,[206] which connects peers who are leading the design and implementation of open data programmes and offers them opportunities to exchange ideas and to solve problems that arise during implementation.

8. OGP SHOULD WORK TO DEVELOP ADDITIONAL AWARENESS RAISING MATERIAL THAT CAN BE USED BY GOVERNMENTS AND CIVIL SOCIETY ACTORS TO ENHANCE PARTICIPATION IN OGP WITHIN MEMBER COUNTRIES

Several interviewees mentioned that the public interest and engagement in OGP is limited. Generally, only a handful of CSOs are interacting with the government in the framework of OGP. Most of the regional and local NGOs are left outside the process.

Also the general public tends to have limited knowledge about open government.[207] This is mainly due to the complexity of the thematic and the limited awareness-raising activities undertaken by government and CSOs. The lack of awareness is especially visible outside the major cities, where social problems are more widespread and open government is probably mostly needed.

To address this gap, OGP could develop guidelines and toolkits on promotion of Open Government among CSOs, the media and the general public. Open government would need to be explained in a simple, accessible format. These tools could be used by both governments and the CSOs to promote the open government and participation in OGP.

9. OGP SHOULD MAINTAIN, OR INCREASE ITS REGIONAL AND INTERNATIONAL FORUMS FOR GOVERNMENT AND CSOS

CSOs emphasize that it is very important for government officials involved in NAP implementation to attend international forums organized by OGP. This allows them to grasp the essence of OGP core values and facilitates their dialogue with CSOs. These forums should shed light on relevant topics (e.g.

open data) or on civic engagement practices in other countries. Regular forums are especially important since the NAP implementation is sensitive to changes of key figures in government.

10. OGP SHOULD EXPAND ITS WEBSITE, PARTICULARLY IN THE AREAS OF 'RESOURCES' AND 'HOW TO GET INVOLVED'

While the OGP website, www.opengovpartnership.org, provides a lot of useful information and resources, it could be expanded. It is not immediately clear to citizens or civil society organizations how to get involved with OGP, either internationally or nationally, short of joining a working group. There is potential for the website to be used more effectively to connect interested parties to others working on open government related issues at the international, national, and regional levels. One option might be to add a civil society tab to the country pages that notes civil society actors and monitoring reports if there are any. Currently users are directed away from the OGP site to the OGP Hub website for similar information. The OGP site itself, particularly in the country pages, is primarily government oriented and lacks reference or information about civil society. This division appears misaligned with the mandate and principles of OGP which, as is detailed in the introduction to this study, talk about open government as a collaborative goal.

The Resources section of the OGP website has many valuable tools falling into the broad categories of 1) Develop your action plan, 2) Learn from your peers, and 3) Track Progress on OGP. A fourth category on collaboration and building capacity could be added. This could include the tools for awareness raising and capacity building as noted under recommendation numbers 6 and 8, respectively, above.

7.0. CONCLUSIONS

While the recipe for strong government/civil society interactions is not entirely clear, and is arguably subject to change over time as OGP, governments, and civil society refine processes, and guidelines and as open government continues to evolve, there are a few areas which appear to help foster citizen engagement. Among other things these include: clear and formally established mechanisms for interaction, increased information and awareness raising, shared resources, the building of networks of collaboration, and clear guidelines and expectations from OGP. The recommendations above are oriented toward making improvements in these areas.

By way of closing, it is useful to briefly return to the question guiding this study: *How have governments in OGP participating countries interacted with civil society on matters related to OGP? And, what factors have been critical for success or failure?*

It is difficult to provide a singular answer to the questions above. As was seen with the nine country case studies in this report, engagement has taken different forms in different countries and context matters. What works in one country may not work in other, or may not work in a changed political, economic, or social context. What is clear however, is that civic engagement is vital to advancing open government. This study has shown that there is a solid foundation for engagement across OGP member countries. On average the weighted success score for engagement in OGP countries is approximately 43%. Engagement is happening to varying degrees and in varying forms, but there is certainly room for improvement.

While stated earlier in the report, it is useful to end with the caveat and reminder that this study is a limited examination at engagement in a sample of OGP countries. As the data from phase one shows, there are likely interesting approaches to engagement in other countries that could greatly inform this discussion. Understanding best practices is vital and recognizing that the opportunities and challenges when it comes to civic engagement are not fluid and need to be re-examined on an ongoing basis is also important.

OGP is still nascent and much remains to be learned about its impact on civic engagement. In some cases civic participation improved as member countries developed their second action plans. Future research should track engagement across action plans and attempt to discover the factors leading to its improvement or disintegration.

How have governments in OGP participating countries interacted with civil society on matters related to OGP? And, what factors have been critical for success or failure?

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APPENDIXES

APPENDIX A.
CODING AND WEIGHTING OF INDICATORS

TABLE A-1. LIST OF INDEXES AND WEIGHTING

VARIABLE NAME	SOURCE*	X FACTOR	MAX
CIVICS			
CIVICUS Policy Dialogue	D	1.25	**5**
CIVICUS NGO legal context	H	1.25	**5**
Sub-total			**10**
OGP ENTRANCE CRITERIA			
OGP Citizen Engagement Score	E	1.25	**5**
Sub-total			**5**
OGP ENGAGEMENT			
Civil Society Monitoring report	F	0.5	**0.5**
Number of CSOs emails in OGP Hub website database	G	0.5	**0.5**
Percent of NAP commitments with participation	B1	1.5	**6**
Online Consultation Before NAP	B	1	**1**
Offline Consultation Before NAP	B	1	**1**
Consultation Forum During NAP	B	6	**6**
Sub-total			**15**
UN E-PARTICIPATION			
E-information	C	0.75	**3**
E-consultation	C	0.75	**3**
E-decision making	C	1	**4**
Sub-total			**10**
MAXIMUM POSSIBLE POINTS			**40**

*NOTE: See Table A-2 on following page for uncoded list of sources.

TABLE A-2. SOURCES AND VARIABLES USED

CODE	SOURCE	VARIABLE
A	**OGP WEBSITE** http://www.opengovpartnership.org/	Name of country, OGP Action Plan Cycle
B1	**OGP COMMITMENTS AND ACTIONS DATABASE BETA**	Number of commitments, Number of commitments with participation, Percent of NAP commitments with participation
B	**OGP-RELATED PARTICIPATION PROCESSES, COMMITMENTS AND CSO ENGAGEMENT** http://bit.ly/1m319EK	Online Consultation Before NAP, Offline Consultation before NAP, Consultation Forum During NAP
C	**E-PARTICIPATION INDEX** http://unpan3.un.org/egovkb/en-us/ About/Overview/E-Participation	Name of country's SUB-main region, E-information, E-consultation, E-decision making
D	**CIVICUS** http://civicus.org/eei/	CIVICUS Policy Dialogue
E	**OGP ELIGIBILITY CRITERIA** http://www.opengovpartnership.org/ how-it-works/eligibility-criteria	Name of country's main region, OGP Citizen Engagement Score
F	**OGP CIVIL SOCIETY MONITORING REPORTS** http://www.ogphub.org/resources/	Civil Society Monitoring Report
G	**OGP CSO ENGAGEMENT IN OGP** Files retrieved from Hivos	Number of CSO emails in OGP Hub website database
H	**CIVICUS** http://civicus.org/eei/	CIVICUS NGO legal context

APPENDIX B. LIST OF INTERVIEWEES

Anonymous, *Government, Armenia*

Nicholas Adamtey, *IRM Researcher, Peru*

Vitus A. Azeem, *Executive Director, Ghana Integrity Initiative, Ghana*

Jelena Berkovic, *GONG, Croatia*

Andra Bucur, *Foundation for an Open Society, Romania*

Mábel Cáceres, *Independent Researcher, Peru*

Samuel Rotta Castilla, *Proética, Peru*

Pablo Collada, *Ciudadano Inteligente, Chile*

Mukelani Dimba, *Deputy Chief Executive Officer, Open Democracy Advice, South Africa*

Liana Doydoyan, *Freedom of Information Center of Armenia, Armenia*

Rebeca Yañez Fuentes, *Universidad Católica de la Santísima Concepción, Chile*

Caroline Gibu, *Ciudadanos al Día, Peru*

Artak Kyurumyan, *Independent Researcher, Armenia*

Marlyn Denisse Miranda Erazo, *Governance and Transparency Coordinator in FOPRIDEH, Honduras*

OGP Secretariat, *Tanzania*

Ivona Mendeš, *Independent Researcher, Croatia*

Katarina Ott, *Director, Institute of Public Finance, Croatia*

Alberto Precht, *Chile Transparente, Chile*

Radu Puchiu, *Prime Minister's Chancellery, Romania*

Lester Ramírez, *First IRM Researcher, Honduras*

Dani Sandu, *Independent Researcher, Romania*

Andrea Sanhueza, *IRM Researcher, Chile*

Varazdat Sargsyan, *Advocacy expert, World Vision Armenia, Armenia*

Ugonna Ukaigwe, *Right to Information Coalition, Ghan*a

Igor Vidačak, *Director, Government Office for Cooperation with NGOs, Croatia*

Codru Vrabie, *Helpdesk Advisor, Integrity Action, Romania*

APPENDIX C.
SOURCE DESCRIPTIONS: PHASE 2

CIVICUS Civil Society Enabling Environment Index (2013). Indicator: Governance Environment, sub-indicators: (i) Policy dialogue: Motivation: this indicator assesses the openness of institutional processes to CSO inputs (see Participation in policy);[208] and (ii) NGO legal context.[209] Source: http://civicus. org/eei/

CIVICUS CSI country reports. Various types of reports by NGOs and donors for different countries. Source: http://www.civicus.org/index.php/en/media-centre-129/reports-and-publications/csi-reports/europe-country-reports

Freedom in the World is Freedom House's annual country-by-country report on global political rights and civil liberties. Source: https://freedomhouse.org/report/freedom-world/2014/armenia#.VPSsf7PF-Hw

IDEA Direct Democracy Database. The following indicators in were consulted: (i) Legal provisions for mandatory referendums; (ii) Legal provisions for optional referendums, (iii) Legal provisions for citizens' initiatives, and (iv) What is the legal basis for direct democracy at the national level? Source: IDEA Direct Democracy Database (2015). Source: http://www.idea.int/elections/dd/search.cfm

Nations in Transit study (2014), a comparative study of reform in the former Communist states of Europe and Eurasia with numeric ranking. The scores range between 1-7, where 1 is the highest and 7 is the lowest score. Source: https://www.freedomhouse.org/report-types/nations-transit#.VJRhMsAAGA

The RTI rating, carried out by Access Info Europe and The Centre for Law and Democracy, is a system for assessing the strength of the legal framework for guaranteeing the right to information in a given country. It is limited to measuring the legal framework, and does not measure quality of implementation. Source: http://www.rti-rating.org/methodology

United Nations e-Government Survey (2014). The 2014 United Nations e-Government Survey uses a three-level model of e-participation that moves from more "passive" to "active" engagement with people. The model includes: 1) e-information that enables participation by providing citizens with public information and access to information upon demand, 2) e-consultation by engaging people in deeper contributions to and deliberation on public policies and services and 3) e-decision-making by empowering people through co-design of policy options and co-production of service components and delivery modalities. Sources: http://unpan3.un.org/egovkb/Data-Center and http://unpan3.un.org/egovkb/Portals/egovkb/Documents/un/2014-Survey/E-Gov_Complete_Survey-2014.pdf

NOTES

1. A full list of OGP member countries and the OGP's Open Government Declaration can be found at: http://www.opengovpartnership.org/

2. Open Government Declaration: http://www.opengovpartnership.org

3. Support Unit: http://www.opengovpartnership.org/

4. Hivos: https://hivos.org

5. Some civil society monitoring reports cover multiple countries. In these cases the presence of a monitoring report was noted for each country included in the joint report.

6. National action plans, http://www.opengovpartnership.org/how-it-works/action-plans

7. IRM reports, http://www.opengovpartnership.org/independent-reporting-mechanism

8. Civil society monitoring reports, http://www.ogphub.org/resources

9. Government self-assessment reports, http://www.opengovpartnership.org/countries

10. OGP Eligibility Criteria, http://www.opengovpartnership.org/how-it-works/eligibility-criteria

11. RTI rating, http://www.rti-rating.org/

12. CIVICUS EEI Index, http://civicus.org/eei/

13. Freedom House, https://freedomhouse.org/

14. IDEA, http://www.idea.int/

15. ITU, http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx

16. One of the rationales to use the weighted score is to make sure that the top countries are ranked based on a maximum consistency of scores, across different groups of variables. The "overall success-weighted score" is calculated by multiplying the percentage of existing data by the weighted score. In practice, a country with less data has an overall lower rank. Finland for example has little data in our sample (only 40% of the maximum points can be achieved by the country). With weighted success rates, the country rank 57th, while without weighting the country would rank 21st. Estonia however has data for all variables, and score 1st according to our weighted score, and 8th without weighting score.

17. Action Plan for implementation of the initiative Open Government Partnership in the Republic of Croatia for the period 2014-2016 (2014).

18. The Government Office for Cooperation with NGOs provides data only for 107 out of 144 consultations carried out and excludes online consultations Government Office for Cooperation with NGOs (2013).
19. Source: Government Office for Cooperation with NGOs 2015 and Government Office for Cooperation with NGOs 2013.
20. CIVICUS Civil Society Index in Croatia (2011).
21. Freedom in the World 2014 Report (2014).
22. National Strategy: Creating an enabling environment for civil society development from 2012 to 2016.
23. CIVICUS Civil Society Index in Croatia (2011).
24. Data from 2012. Source: Monitoring Matrix on Enabling Environment for Civil Society Development: http://monitoringmatrix.net/
25. IRM Croatia: Progress Report 2012-13.
26. RTI rating. Source: http://www.rti-rating.org/methodology
27. RTI rating. Source: http://www.rti-rating.org/files/pdf/Croatia.pdf
28. Government Office for Cooperation with NGOs (2013).
29. "Measure 5: Improving the Legislative Framework for Exercising the Right of Access to Information" in the first NAP.
30. Office of Information Commissioner website: http://www.pristupinfo.hr/en
31. IRM Croatia: Progress Report 2012-13.
32. IRM Croatia: Progress Report 2012-13.
33. CIVICUS Civil Society Enabling Environment Index (2013).
34. IDEA Direct Democracy Database (2015).
35. Government Office for Cooperation with NGOs website: http://www.uzuvrh.hr/defaulteng.aspx
36. Council for Civil Society Development website: http://www.uzuvrh.hr/page.aspx?pageID=75 ITU (2013).
37. National Strategy for the Creation of an Enabling Environment for Civil Society Developmentfrom 2012 to 2016
38. ITU (2013).
39. The stakeholders interviewed by the IRM researcher were all satisfied with the consultation process (IRM Croatia: Progress Report 2012-13).
40. IRM Croatia: Progress Report 2012-13.
41. Vasani D. (2013).

42. Activity "3.3. Open the central state repository for data and release data for re-use on the portal data.gov.hr" and "12.1. Inclusion of the values and content upon which the initiative Open Government Partnership is based in the Curriculum programme for civil education" in the Action Plan for implementation of the initiative Open Government Partnership in the Republic of Croatia for the period 2014-2016 (2014).

43. Citation by Katarina Ott, Director of the Institute of Public Finance, in Vasani D. (2013).

44. E.g. The government will conduct educational campaigns on the right of access to information and the importance of transparent government operations among citizens; and publish a guide for citizens about key government budget documents (Activities 2.3. and 4.5. in the Action Plan for implementation of the initiative Open Government Partnership in the Republic of Croatia for the period 2014-2016 (2014).

45. The 504 consultations on laws or regulations were carried out by 31 government agencies.

46. Statement by Igor Vidačak, Director of the Government Office for Cooperation with NGOs in Vasani D. (2013).

47. Government institutions provided summary report for 300 consultations. Source: Government Office for Cooperation with NGOs (2015).

48. The remaining comments were submitted by trade unions and employers' associations (256), local and regional governments (300) and academia (92).

49. 18% were accepted and 15% partly accepted by state institutions

50. Government Office for Cooperation with NGOs (2015).

51. IRM Croatia: Progress Report 2012-13.

52. Nations in Transit study (2014).

53. USAID (2014).

54. Nations in Transit study (2014).

55. Freedom in the World: Romania (2014).

56. USAID (2014).

57. Romania scores 83 points out of 150.

58. RTI rating: Romania (2013).

59. CIVICUS Civil Society Enabling Environment Index (2013).

60. IDEA Direct Democracy Database (2015).

61. IRM Romania: Progress Report 2012-13.

62. Bucur A. and Voicu O. (2014).

63. IRM Romania: Progress Report 2012-13.
64. IRM Romania: Progress Report 2012-13.
65. USAID (2013).
66. A survey released by the National Institute for Surveying Citizens and Public Opinion (INSCOP) in October 2013 found that 34.2 percent of Romanian citizens trust CSOs (down from 38.4 percent in March 2013). Source: USAID (2014).
67. ITU (2013).
68. IRM Romania: Progress Report 2012-13.
69. IRM Romania: Progress Report 2012-13.
70. NAP Review: Pilot: Romania (2015).
71. I.e. the Department for Online Services and Design in the Chancellery of the Prime Minister.
72. NAP Review: Pilot: Romania (2015).
73. NAP Review: Pilot: Romania (2015).
74. NAP Review: Pilot: Romania (2015).
75. Open Government Partnership: Second Action Plan of the Republic of Armenia (2014-2016).
76. CIVICUS Civil Society Index in Armenia 2010.
77. According to the Caucasus Barometer (2013) the percentage of people who trust NGOs decreased from 32% in 2008 to 18% in 2013 in Armenia
78. CIVICUS Civil Society Index (2014).
79. Nations in Transit study (2014).
80. Nations in Transit study (2014).
81. This is quite low if compared to e.g. Croatia, which has similar size of population (circa 4,3 million inhabitants with respect to circa 3 millions in Armenia) and 46,000 NGOs.
82. Nations in Transit study (2014).
83. Freedom in the World: Armenia (2014).
84. Nations in Transit study (2014).
85. Nations in Transit study (2014).
86. CIVICUS Civil Society Index (2014).
87. CIVICUS Civil Society Index (2014).
88. RTI rating. Source: http://www.rti-rating.org/methodology
89. RTI ranking (2013).
90. RTI ranking (2013).

91. Freedom in the World (2014).
92. Policy Dialogue indicator and NGO Legal Context indicator in CIVICUS Civil Society Enabling Environment Index (2013).
93. IDEA Direct Democracy Database (2015).
94. Civicus Civil Society Index, Country Analytical Report: from Transition to Consolidation (2010).
95. European Union Advisory Group to the Republic of Armenia (2012).
96. ITU World Telecommunication/ICT Indicators database.
97. See Article "27.1. Regulatory impact assessment of legal acts" in the law "On legal acts": http://www.translation-centre.am/pdf/Translat/HH_orenk/Legal_Acts/Legal_Acts_en.pdf
98. CIVICUS Civil Society Index (2014).
99. NGOs have used live streaming tools during protests (against the rise in public transportation prices and during the movement against pension reforms), apparently successfully in terms of influencing legislation in Armenia (Freedom on the net: Armenia 2014: https://freedomhouse.org/report/freedom-net/2014/armenia). Civic activists in Armenia are also using crowdsourcing and mapping technologies, based on Ushahidi platform, e.g. for election monitoring (iDitord and MyNews). Source: https://innovation.internews.org/blogs/armenian-elections-monitoring-crowdsourcing-public-journalism-mapping
100. Ukrainian Institute for Public Policy (2012).
101. See Article "27.1. Regulatory impact assessment of legal acts" in the law "On legal acts": http://www.translation-centre.am/pdf/Translat/HH_orenk/Legal_Acts/Legal_Acts_en.pdf
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104. OGP Armenia website (2013).
105. Ukrainian Institute for Public Policy (2012).
106. CIVICUS Civil Society Index (2014).
107. Comisión Multisectorial de Naturaleza Permanente para el Seguimiento de la Implementación del Plan de Gobierno Abierto del Perú.
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109. Guevara, 2014, http://www.scielo.org.mx/scielo.php?pid=S1665-85742014000100004&script=sci_arttext

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113. Ley 28056 – Ley marco de presupuesto participativo, 2003. https://www.oas.org/juridico/spanish/per_res19.pdf

114. Ley 29785 – Ley del derecho a la consulta previa a los pueblos indigenas u originarios http://www4.congreso.gob.pe/ntley/Imagenes/Leyes/29785.pdf

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117. Proetica, 2015. https://medium.com/@ProeticaPeru/informe-revela-que-ejecutivo-no-cumple-con-actualizar-portales-de-transparencia-401e9454affb

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120. Revista Latinoamericana de Proteccion de Datos Personales, 2015. http://www.rlpdp.com/2015/01/peru-sanciones-a-datospublicos-org/

121. IRM Report

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123. IDEA, 2014, http://www.idea.int/uid/countryview.cfm?id=174#Direct Democracy

124. Wittek, 2014, http://www.nadel.ethz.ch/Essays/MAS_2012_Wittek_Janine.pdf

125. Montecinos, 2014, http://200.10.244.82/ojscide/index.php/pyg/article/view/foi/10

126. Morales, 2012, http://www.dgsc.go.cr/DGSC/documentos/cladxvii/vargasmo.pdf

127. IRM report

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137. http://www.civicus.org/media/CSI_Honduras_Country_Report.pdf

138. OGP Chile, 215 http://www.ogp.cl/plan-de-accion-ogp-chile/

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165. http://www.rticampaignghana.com/coalition/

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206. The Open Data Leaders' Network is supported by the Open Data for Development (OD4D): http://theodi.org/news/national-leaders-create-global-network-open-data-impact

207. For example when Armenian CSOs organized WS on OGP in the regions, they reported that most of the participants, including local NGOs, were not aware of OGP. http://www.ogp.am/en/civil-society/item/2015/02/03/Yerevan_meeting/

208. This sub-indicator groups several variables: (1) Advocacy sustainability from USAID CSO Sustainability Index (2011); (2) Open budget survey from IBP Open Budget Survey (2010); (3) Interest groups "To what extent is there a network of cooperative associations or interest groups to mediate between society and the political system?" and (4) Participation in policy "To what extent does the political leadership enable the participation of civil society in the political process?) from Bertelsmann Transformation Index (2011).

209. The indicator is based on USAID CSO sustainability index (2011).

Open
Government
Partnership