



# Let the Sunshine In

## An Assessment of the Open Government Partnership

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# Introduction and summary

*“In the 21st century, the United States is convinced that one of the most significant divisions among nations will not be north/south, east/west, religious, or any other category so much as whether they are open or closed societies. We believe that countries with open governments, open economies, and open societies will increasingly flourish. They will become more prosperous, healthier, more secure, and more peaceful.”<sup>1</sup>*

*Former Secretary of State Hillary Clinton, Open Government Partnership opening session, April 2012*

*“... [W]herever freedom and human rights spread, partners for our nation are born.”<sup>2</sup>*

*Sen. Marco Rubio (R-FL), Council on Foreign Relations event, May 2015*

It is tempting to think that in a globalized, interconnected world, values such as democracy, human rights, and freedom would naturally converge. Instead, there is divergence, with some countries becoming more open and inclusive and others more closed.<sup>3</sup> The past few years, especially, have seen the growing repression of civil society by authoritarian leaders.<sup>4</sup> Repressive regimes block Internet activities; control online content; and use the Internet and mobile communications to track, target, harass, and prosecute activists.<sup>5</sup>

Shifts in geopolitical power toward governments such as China—those that embrace illiberal models and narrow space for civil society—have challenged the spread of norms such as openness and participation.<sup>6</sup> Crackdowns in Russia, Hungary, Venezuela, and many other places show an alarming suppression of freedom of expression and a resurgence of authoritarianism.<sup>7</sup> Yet in the midst of this seeming retrenchment, a promising initiative has shown that the global appetite for transparent, participatory, and accountable governments remains unsatiated.

The Open Government Partnership, or OGP—which “aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance”<sup>8</sup>—was established in 2011 by eight countries and has since grown to include 69 countries.<sup>9</sup> Country participation is not limited to the actions of governments and public officials—it extends to civil society, which is intended to play a central role in the development and implementation of open government reforms under OGP.

## Countries participating in OGP

Albania	Croatia	<b>Indonesia</b>	Moldova	Slovakia
Argentina	Czech Republic	Ireland	Mongolia	<b>South Africa</b>
Armenia	Denmark	Israel	Montenegro	South Korea
Australia	Dominican Republic	Italy	Netherlands	Spain
Azerbaijan	El Salvador	Ivory Coast	New Zealand	Sri Lanka
Bosnia and Herzegovina	Estonia	Jordan	<b>Norway</b>	Sweden
<b>Brazil*</b>	Finland	Kenya	Panama	Tanzania
Bulgaria	France	Latvia	Papua New Guinea	Trinidad and Tobago
Cape Verde	Georgia	Liberia	Paraguay	Tunisia
Canada	Ghana	Lithuania	Peru	Turkey
Chile	Greece	Macedonia	<b>Philippines</b>	Ukraine
Colombia	Guatemala	Malawi	Romania	<b>United Kingdom</b>
Costa Rica	Honduras	Malta	Serbia	<b>United States</b>
	Hungary	<b>Mexico</b>	Sierra Leone	Uruguay

\* Bolded names denote founding members.<sup>10</sup>

Member countries are remarkably diverse in terms of geography, culture, and levels of economic development. A global summit that convened in October 2015 in Mexico City marked the beginning of the partnership's fifth year and an important transition point.<sup>11</sup>

OGP is an innovative model of global cooperation. As a voluntary initiative, it brings together governments and civil society and harnesses the combined power of domestic and international policy reform mechanisms. The partnership has been able to create a global movement on an incredibly small budget: Total administrative costs, including funding for independent expert reviews of member-country participation, were less than \$3.4 million in 2014 and less than \$2.5 million in 2013.<sup>12</sup> Civil society representatives comprise half of the 22-member Open Government Partnership Steering Committee that governs OGP, fostering an equal alliance between civil society and governments.

OGP creates platforms for both domestic and international policy reforms. Through national action plans, or NAPs—which create participatory processes that draw on both government and civil society stakeholders in every member nation and generate commitments designed to advance open government values—the partnership creates a domestic platform to which governments can be held accountable. This accountability is achieved in significant part through the built-in Independent Reporting Mechanism, or IRM, under which participating OGP governments agree to have their NAPs reviewed by independent third-party experts. The partnership also creates a global platform for reformers from both civil society and government to showcase innovation and progress, share lessons learned, and generate conversations about how to navigate the shared challenges of good governance.<sup>13</sup>

The model is thus dependent upon high-level political commitments, peer pressure, reputational accountability, and the engagement of civil society in achieving its aims. This approach stands out from traditional approaches to spreading values such as transparency and good governance that rely upon international law; naming and shaming; or other leverage, such as development assistance or trade. The partnership is still in its early days, making it difficult to fully assess its impact over the medium to long term. It is possible, however, to conduct an initial analysis that can provide nascent indications of what is working and where improvements are needed. In this report, the Center for American Progress identifies three main pathways for impact and assesses OGP's progress in:

1. Shaping norms and political commitments
2. Stimulating broad and deep participation in good governance
3. Catalyzing domestic policy reform

The report concludes with a review of the role of the United States in the founding and future of the partnership and provides recommendations to help the partnership maximize its potential and for the United States to continue to play a central role in its development.

# Findings

In evaluating the Open Government Partnership’s progress in advancing the aims of open governments, the Center for American Progress looked to the scope, quality, and durability of member-country participation. Much of the analysis is drawn from OGP data on the measures that individual countries have taken to qualify for and participate in the partnership, in particular the quality of commitments put forward in countries’ individual national action plans. CAP compared these data with other relevant data on countries’ economic development and geography, as well as their rankings on other open government and transparency indices. CAP also examined the scale and breadth of civil society consultation undertaken by participating governments and reviewed specific cases of backsliding and non-compliance. The findings, summarized below, point not only to OGP’s innovative character and the strong—arguably universal—appeal of open government principles but also to the challenges of translating high-level commitment to those principles into concrete reforms with lasting impact.

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## Wealthier societies are no more ambitious than less wealthy societies

There is no correlation between a country’s gross domestic product, or GDP, per capita and its percentage of ambitious commitments in OGP. Poorer OGP member countries are just as likely as wealthier ones to have ambitious, transformative plans for transparency and participation. This analysis defines “ambitious” country commitments as those that are specific, are significant in their potential impact, are relevant to OGP’s principles, and show progress in implementation.<sup>14</sup> Some examples of ambitious commitments using this definition include Ireland’s commitment to hold three referenda on the Irish Constitutional Convention, including one on marriage equality; Georgia’s commitment to proactively publish surveillance data; and Chile’s commitment to implement and monitor an act on lobbying.<sup>15</sup> CAP’s analysis found that GDP per capita is not a strong driver of performance—as defined by share of commitments that are ambitious—in the part-

nership, which bolsters OGP's founding concept that no group of countries has a monopoly on openness and innovation. It also refutes the contention that open government is a value of Western or rich countries; the reality is that the concept has broader appeal. In fact, the top performers in OGP, as rated by highest share of ambitious commitments, reflect a wide diversity of nations from different regions, income levels, and cultures. (see Table 3)

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### OGP member country performance indicates a crawl—not a race—to the top

The Open Budget Index, or OBI, is a ranking of world governments according to the transparency and accessibility of their budgeting processes and is also one of the metrics used to establish eligibility for OGP membership. Between 2012 and 2015, the average OBI rating for OGP countries increased from approximately 57 to 59 on a 100-point scale.<sup>16</sup> This increase potentially lends support to the idea that countries continue to make progress after they have joined, as part of the OGP model of creating a race to the top. However, non-OGP member countries showed a greater increase over the same time period, improving from an average of approximately 32 to 36, an improvement of more than 12 percent.<sup>17</sup> Perhaps this is because they started at an overall lower point on the scale, or perhaps the partnership is influencing nonmember countries as well by creating global norms around openness and transparency.

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### The partnership is still selective

Although OGP is meant to provide a relatively low bar to entry and encourage a race to the top, OGP members are—on average—wealthier, more transparent, and more democratic than their non-OGP peers.<sup>18</sup>

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### There is a lot of work to do to make NAP development processes truly participatory

Civic participation—along with access to information, public accountability, and technological innovation—is one of the four open government principles that OGP member countries are expected to advance through their participation in the partnership. To this end, countries are expected to consult with civil society in

the development of their NAPs. Yet many OGP members struggle to ensure that their NAP processes are sufficiently consultative.<sup>19</sup> Only 39 percent of civil society participants in the NAP development process felt that their inputs were reflected in the final published plans.<sup>20</sup>

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## The partnership is still predominantly a European and Latin American and Caribbean enterprise

While OGP is diverse from an economic development perspective, it is less so geographically. Asia and Africa are less represented, given the number of countries within their regions. This pattern reflects the challenges of creating a global partnership based on principles and values.

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## Clear lines of responsibility and connections to domestic policy reform are crucial elements of success

An initial analysis of the effect of OGP's institutional home within member countries on country performance indicates that countries that fail to engage domestic policy reformers may compromise their performance. The top 10 performers, in terms of ambitious commitments, have a diversity of institutional arrangements for OGP within their governments. However, among bottom performers—those with the lowest share of ambitious commitments—two trends emerge: First, it is often unclear in which specific institutional home within governments the OGP resides. Second, the plurality of lowest-performing countries house their OGP points of contact within foreign affairs offices. Given that foreign affairs ministries are not generally well-connected to the processes of domestic political reform and implementation, it is perhaps not surprising that these nations performed worse than their peers, since OGP connects global and domestic policy reform.<sup>21</sup>

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## Reviews are not clearly connected to policy changes

The IRM provides solid analyses of each country's NAP, but there is no clear mechanism that holds countries accountable for addressing the deficiencies and imbalances identified by the reviewer. More broadly, the intended purpose of the IRM is ambiguous. It is unclear who is supposed to use the IRM to drive further reform and whether poor performance in an IRM review could result in adverse conse-

quences for a participating government, such as suspension from OGP. Thus far, the clearest value offered by the IRM process from an accountability perspective has been in giving civil society a basis for raising concerns directly with the OGP Steering Committee in situations where member governments are acting inconsistently with open government values, as seen recently in Hungary and Azerbaijan.

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## The United States was instrumental in the creation of OGP, but its own progress has been uneven

President Barack Obama’s administration made advancing open government a priority during the president’s first term in office and played a central role in establishing OGP. Despite the administration’s international prominence as an advocate of open government principles, its domestic participation in OGP has fallen short of its potential in some areas. While the Obama administration has made significant strides in improving access to information and technological innovation, it has been less successful in translating other OGP values—specifically public accountability and civic participation—into meaningful, concrete commitments. In addition, the high-level commitments contained in the plans are often supported by individual policy milestones that are less ambitious than the commitments themselves.

Furthermore, the voluntary nature of agency participation in OGP has meant that important actors within the U.S. government—most notably the intelligence community and the U.S. Department of Defense—have made limited contributions to the U.S. plans.

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## Our Mission

The Center for American Progress is an independent, nonpartisan policy institute that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country.

## Our Values

As progressives, we believe America should be a land of boundless opportunity, where people can climb the ladder of economic mobility. We believe we owe it to future generations to protect the planet and promote peace and shared global prosperity.

And we believe an effective government can earn the trust of the American people, champion the common good over narrow self-interest, and harness the strength of our diversity.

## Our Approach

We develop new policy ideas, challenge the media to cover the issues that truly matter, and shape the national debate. With policy teams in major issue areas, American Progress can think creatively at the cross-section of traditional boundaries to develop ideas for policymakers that lead to real change. By employing an extensive communications and outreach effort that we adapt to a rapidly changing media landscape, we move our ideas aggressively in the national policy debate.

