Open Government:
Global Perspectives

If you're reading this…

…chances are you already think open government is a good idea. Luckily, getting people to agree to this point is the easy part. Implementing open government, with the partnerships, accessibility and coordinating it requires, is the difficult part - the one that seems no one wants to be so 'open' about. That's why we created this publication - as a way for practitioners and supporters in the field of open government to share stories, best practices, challenges and successes.

Success, to us, means keeping the ideals of open government alive while drudging through the day-to-day challenges of getting governments to work for and by the people. This publication will help to make real-world connections between contributors and readers alike, to support this effort. In understanding that open government has different challenges in Puerto Rico, than Yemen or Malta, for example, we hope to contribute to a new conception of open government - one with a truly global perspective.

Sincerely,

Ashley Hinson & Craig Beyerinck
Local Interventions Group, Kathmandu, Nepal

At Long Last:
The Freedom of Information Act

by Professor Kevin Aquilina*

By means of Legal Notice 156 of 2012 published in The Malta Government Gazette of 18 May 2012, the remaining provisions of the Freedom of Information Act, 2008, which were not yet enacted will be law from 1st September 2012 onwards. 39 provisions out of 48, the vast majority, will enter into force in a few days' time. The 2008 enactment will no longer remain a dormant law. It will also empower the fourth estate to be more vigilant of Government's actions especially when Government tries to hide embarrassing decisions from the public and the media. The culture of secrecy very much prevalent today and even after the entry into force of the Freedom of Information Act will, slowly but surely, start to be dismantled.

*Dean of the Faculty of Laws at the University of Malta

The procrastination of the public administration to see the Freedom of Information Act coming into force is very much evident by the fact that this law was enacted on 19 December 2008 and has taken roughly three years and eight months to see the light of day. Between 19 December 2008 and 31 August 2012 it was nothing more and nothing less than a dead letter for the citizen as the latter could not seek, let alone obtain as of right, information under this enactment. Now that the law will soon come into force, one augurs that it will usher into Maltese politics an era of openness that will render the public administration more accountable and transparent in its workings. The law needs to be exploited to the full, especially by the media, so that it will not remain a dead letter.

Although one should celebrate 1 September 2012 as freedom of information day, this does not mean that one should be content with this law. This is because the law sets up various hurdles to make it difficult and, at certain times impossible, for the citizens and the media to arrive

at the truth. In the meantime, the public administration's work will continue to be shrouded in secrecy even in those cases where secrecy cannot be necessarily justified. Let me refer to three restrictive provisions of the law.

According to article 5(4), no Maltese citizen is entitled to apply to see documents held by: the Electoral Commission, the Employment Commission, the Public Service Commission, the Office of the Attorney General, the National Audit Office, the Security Service, the Ombudsman and the Broadcasting Authority when the latter authority is exercising its constitutional function. I see

of article 10(3) of the General Elections Act. It seems that there are some stakeholders that are more equal than others!

According to article 3, it is only an 'eligible person' who has a right of access to documents held by the public administration. In terms of article 2, an eligible person is a person resident in Malta for a period of five years. Such a resident can be a Maltese citizen or an EU citizen. But the five year restriction is another unwanted hurdle, especially for EU citizens who might not necessarily be resident in Malta. Take the case of a BBC reporter who is writing a story on Malta and needs government held information.

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no reason why the records of the Electoral Commission should not be available for public viewing when the political parties have a right to see all documents held by the Electoral Office in terms

The public administration will refuse to disclose the information simply because the English journalist has not resided for the last five years in Malta. The only way for the English journalist to

get hold of the required information is by making arrangements with a Maltese or other EU citizen who has resided in Malta for the last five years. Moreover, it is not clear in the law how these five years are calculated. Is it five years before the freedom of information request is made? Do the five years have to be uninterrupted? What happens if you go abroad for a week? Thus, that means that you must have resided in Malta for five years and one week to be considered an eligible person? How do you prove that you have been resident in Malta for the last five years? Do you have to take to an oath? Is an affidavit required? Do you need witnesses to testify that during the last five years you have resided in Malta? Or does the public administration simply presume that this is so if you happen to be a Maltese or an EU citizen?

The Prime Minister is empowered to overrule the Information and Data Protection Commissioner. If the Commissioner issues a decision or enforcement notice of a decision to the effect that a document should be made available to an eligible person, the Prime Minister can annul the Commissioner's decision. This is wrong because if the public administration disagrees with the Commissioner's decision or enforcement notice, the public administration should have a right of appeal before the Information and Data Protection Appeals Tribunal. The Prime Minister should not annul the Commissioner's decision as the Prime Minister is not an independent and impartial arbiter. He might want to conceal certain damaging information from the public administration that

should be disclosed in the public interest and gives irrelevant or general reasons not to divulge that information. On the other hand, the Tribunal is an independent and impartial Tribunal and it, not the Prime Minister, should be vested with determining whether the document should or should not be released. Powers like these are very much arbitrary and undesirable in a democratic society and should always be reviewable by an independent and impartial tribunal established by law. This is however not the case under the Freedom of Information Act where all of a sudden the Commissioner loses all his independence and becomes subservient to the Prime Minister.

Finally, the Freedom of Information Act does not meet the high standards of the Council of Europe Convention on Access to Official Documents which is by far more data seeker friendly. Our law, on the contrary, is restrictive and tries to protect the public administration from revealing public administration held information as much as possible. That is why it needs to be revised - it does not establish an adequate transparent regime of data access in a democratic society. ■

Pushing Arab Regimes Towards **Open Government**

by Walid Al-Saqaf*

As a Yemeni who started my career as a computer engineer before becoming a professional journalist in the 1990s and later an Internet and new media researcher, I had the unique opportunity to explore the realms of journalism and technology in the Arab world. I did media research and gave training to journalists as well as activists on the use of technology in this digital age. Among the things that fascinated me the most was the use of the Internet and computers to identify and reveal valuable information from seemingly raw data in the form of tables and graphs based on open data provided by governmental authorities and other organizations. That is what is called 'data journalism', which relies heavily on open data initiatives and is most effective when governments are open. Those techniques have been used for decades in democratic states, but have not yet been introduced in the mainstream media in Arab countries mainly because regimes in this part of the world are of authoritarian nature and carry a culture of secrecy and information monopoly.

Traditionally, steps to establish open government are initiated by decision-makers. In some situations however, that simply becomes quite difficult if not impossible. From experience in interacting with Arab government representatives, I have come to see that an alternative to the top-down approach towards achieving open government is needed because Arab governments are not willing to open up and feel more secure with the old information monopoly practices of the past. I argue here that instead of giving up on the whole idea, it is useful to pursue alternative or parallel avenues that could help promote openness and make it easier to establish and implement open government policies using a bottom-up approach that relies on non-government agents.

The Arab Spring's Failed Promise

Following the uprisings of the Arab Spring in 2011, there was hope that this situation was about to change. There were high hopes in that the Arab Spring will make it possible to start open data initiatives because the new regimes were supposed to not be entrenched in the same corrupt practices of their predecessors and do not have an interest in information monopoly. The dream scenario was that each of those governments will start their own open government initiative to utilize all the available tools to enhance integrity, promote openness and eliminate the factors behind corruption such as nepotism, unlawful commissions, favoritism based on connections and other ill practices. I personally had already

*Program Director, Master of Global Journalism (MAGJ), Örebro University, Sweden

started formulating projects to help capitalize on that once it happened and lend a hand in training independent professional media that would take it upon itself to expose corruption and serve as watchdogs to gradually clean up the mess left behind by earlier dictators.

But my hopes were dashed when I realized that open government and fighting corruption were not on the agenda of most new regimes in the region. To say that it was a disappointment is an understatement. In just one year after open and fair elections in Egypt, the country returned to authoritarian military. In Yemen, the transitional process stagnated with no prospects of moving on to the second stage due to weak leadership and power center scuffles on multiple levels. Tunisia was among the better examples but remained at a virtual standstill, unable to arrive at a consensus on many issues. Libya continued to suffer from lax security and instability. Those were the Arab countries that were supposed to form the core group of Arab countries moving to democracy and away from authoritarianism but have so far,

failed the test.

Nonetheless, this opened up my eyes to something that may have been overlooked for a long time. It might not be that we need to start from the top to establish an open government. We can also rely on a bottom-up approach towards achieving the same goal albeit in a longer and more gradual process. In this brief paper, I shall describe how that could be possible.

The Role Of Civil Society

Open government can be motivated with strong pressure from grassroots movements and initiatives, particularly when cooperating with international organizations. For example, there are numerous human rights and advocacy NGOs in Yemen and Egypt that promote openness, transparency and accountability in the government. Those should be approached and empowered through workshops, networks, international cooperation and other means. By providing them with the resources and skills necessary to highlight abuses and other corrupt practices, those organizations start creating pressure on the government, particularly as they have all the data to backup their claims.

One interesting approach is to use software to track and assess performance of authorities when it comes to services in critical areas such as education, health, welfare, judiciary, energy, water and others. The hypothesis here is that civil society organizations have enough power and connections to get their message across to the public and policy and decision makers including government officials, parliamentarians and members of parties in the ruling coalition.

Realistically however, there will be some Arab states that do not allow civil society organizations to operate freely such as Gulf countries, Syria, Sudan, Algeria and even Egypt to some extent. The level of freedom in other countries also ranges widely and could oscillate based on the events unfolding on the ground. But attempts to reach out and support any civil society organizations that promise to help promote open government need to be made.

Empowering The Media

Another bottom-up approach to promote open government would be to empower the media by providing them with the skills and resources necessary to expose corruption, ill practices and maximize transparency through professional and objective reporting. It is no secret that media have been historically instrumental in exposing major scandals in democratic states, sometimes leading to the resignation of governments, e.g., the Watergate scandal during U.S. President Nixon's term. And hence, replicating their success in the Arab world should be possible.

However, it's also important to understand that Arab media in general are themselves subject to many of the limitations that civil society suffers from. Obstacles facing the media's ability to report freely include self-censorship, restrictive media laws, allegiances to political parties or power centers, plus a host of other issues. That still does not mean that media cannot be effective in shaping

public opinion even in the weakest of ways such as through opinion articles about the importance of open government in enabling dialogue and sharing views, or through awareness campaigns about the rights to access information in certain areas such as the voting process during elections, fiscal budgets, international and national treaties and bids, etc.

An additional advantage in using the media to promote open government is the wide access of ICT tools that make journalists' work more compelling and effective. As mentioned earlier, data journalism is a field that is extremely under-utilized and requires more investment and training. By providing journalists with tools and training, they can start short and long term investigations on issues of public concern that should not necessarily be in the form of anti-government rhetoric. An example of such concern is the issue of the drainage system in Saudi cities that appeared to malfunction during the floods of 2012. It was quite clear at the time that journalists did not have proper data and failed to investigate the reasons behind the collapse of so many roads and deaths of many citizens. I would argue that the central government in Saudi Arabia would not mind having journalists investigate the causes behind the failure of the drainage system and whom to bring to account. The problem may then not necessarily be in getting the data from the central authorities on involved contractors, expenses, specifications, etc., but in reaching out to the specific local officials and others involved directly in the implementation of the projects that led to such poorly constructed infrastructure.

The bottom line is that there may be several ways to expand the capacity of media to promote openness and expose information to the public domain through training and provision of software tools and expertise. However, the context and level of permissive environment on the ground in each country will largely dictate the degree of success such efforts will have. But even in the worst case scenario, virtual media such as blogs, social networks, etc., can also play a role in exposing information that could thereafter be reported by the mainstream media. The idea here is that information will always want to be free and although such information will be preferable when it is conveyed through the mainstream media's own journalists on the ground, exceptional circumstances can result in having the information exposed online on virtual platforms that are not controlled or manipulated by the authorities.

External Factors

External factors could be a combination of measures taken by countries, international bodies and global organizations that could be of significance in promoting open government. The group that is arguably the most influential in the case of the Arab context includes democratic states with special treaties and relations with Arab countries. The second group would include recognized international bodies such as United Nations bodies, the World Trade Organization, the World Bank, the European Union, etc. Finally, the need for adopting open government policies could be highlighted by independent non-governmental organizations that have strong global influence

such as Transparency International, Human Rights Watch, the World Economic Forum, etc.

External factors can be utilized on multiple levels and in different areas such as direct talks and meetings with governments to persuade them to start open government policies on the basis that they can help with economic growth and stability. The Open Government Partnership initiative launched in 2011 with the leadership of the US is considered a good example towards achieving this. It is to be noted that although Jordan is the only Arab country that was accepted to be part of this partnership, other Arab countries such as Tunisia and Libya have started expressing interest. The more powerful this partnership becomes, the more appealing it would be for new Arab countries to join and benefit from the enormous collective expertise and resources that members will bring. Incentives by the World Bank through grants and loans could, for example, also help persuade governments to start implementing open government policies. Furthermore, reports by international organizations such as the Corruption Perception Index of Transparency International can also highlight the need for more government transparency and openness.

While working on the state-level is of great importance when utilizing external factors, grassroots activities can also be supported. A good example that has shown some promise is the Global Shapers Community of the World Economic Forum, which is a network of youth that operate in particular cities through hubs that receive credentials directly from the Forum to do activities that promote development. Some of those activities would naturally revolve around open data and information accessibility. Similarly, EU funding for civil society organizations to promote accountability and train journalists in investigating corruption, for example, is another way for such factors to support the bottom-up approach.

Conclusion

Due to the lack of strong political will in the Arab world, it is important to examine other potential means of initiating open government policy. It is possible that a long time will pass before Arab regimes start the long and rocky journey to becoming open governments. So it would be wise to not solely rely on the conventional top-down approach to promote open government but instead, I call for taking an approach that could influence government policy through the utilization of civil society and the media with support from donor countries, international bodies and organizations. Through a combination of steps that include capacity building, public relations, civil society and media empowerment, I believe it will be easier to convince Arab states to take the plunge and move towards openness and away from the information monopoly of the past.

Improving the
OGP
Experience

by Dolar Vasani *

Across the world, civil society working towards open government and transparency is witnessing a dichotomous trend. On the one hand, laws enabling greater access to information, increased transparency and greater citizen involvement in policy-making processes are being adopted by governments in response to increasing domestic and international pressure; on the other hand, these very same governments seek on occasion to reduce the scope for media and civil society and by passing laws that curb individual freedom and public access to informati,on they are becoming more secretive.

In **Indonesia,** for example, the progressive Transparency of Public Information Law of 2010 is promoting transparency and public participation in open policy and budgetary processes, and serves as a tool to fight corruption. Since the fall of the Suharto Regime, a robust civil society sector – student activist groups, traditional governance

* Dolar Vasani is an independent consultant and the author of 15 country articles on the OGP consultation processes between government and civil society

organisations and independent trade unions – has emerged that is vocal, active and mobilised for positive social and political change. However, more recently in this 'New Indonesia', there has been a rise in conservatism and the freedom of assembly enjoyed by civil society has been diminished by restrictions imposed under the guise of the so-called global 'war on terror' and the need to restrain 'anarchist groups' from using religion, ethnicity or other diversity issues to provoke conflict.

'The government has sought to introduce a spate of new legislation including the Intelligence Law, the National Security Bill, and the Bill on Mass Organisations (or ORMAS bill) that undermines key democratic freedoms,' says Longgena Ginting, the director of Greenpeace Indonesia. The Indonesian House of Representatives passed the controversial ORMAS Bill in early July 2013, despite civil society efforts to introduce amendments. Civil society will now challenge the law in the Constitutional Court.

In **Croatia**, parliament adopted a new Freedom of Information Act (FoIA) in February 2013. This followed a decade of advocacy and public campaigning to push for a change in the law, including almost 10 months of intensive multi-stakeholder work led by the Ministry of Administration working group. 'Practically all our inputs and amendments were accepted in the adopted draft,' says Vanja Škorić, Senior

Legal Advisor with GONG, a Croatian election-monitoring organisation. The adoption of the new FoIA was also one of the steps taken by Croatia to qualify for entry to the European Union on 1 July 2013. For the Croatian government, the successful implementation of the FoIA is vital. Civil society's role is to monitor and evaluate this step, and to ensure that the FoIA has a positive impact on citizens and the rule of law in the years to come.

These two examples demonstrate the delicate line that civil society organisations have to tread in their efforts to defend their role and space in society while, at the same time, working closely with government to bring about positive

The international and public nature of these commitments, independently monitored, offers civil society the mandate to push for real actions on open government

social and political change. With the development of National Action Plans, the Open Government Partnership (OGP), launched in 2011, has given civil society new opportunities for getting governments to publically commit to improving transparency, citizen participation and accountability through the use of technology and innovative practices. When formulated correctly, through consultation and in collaboration with civil society, a National Action Plan creates a government roadmap of concrete and measurable commitments to 'open government'. The international and public nature of these

commitments – independently monitored – offers civil society the mandate to push for real actions on open government that will benefit citizens and raise its profile on the domestic political agenda.

With the support of high-profile promoters such as US President Barack Obama and Brazilian President Dilma Rouseff, the OGP has become the world's most prominent international initiative for improving government transparency. No fewer than 60 states are now participating.

Lessons Learned So Far

In the first quarter of 2013, over 40 government and civil society representatives of 15 countries were interviewed and consulted about their experiences and the lessons learned from developing the first OGP National Action Plan. The focus was placed on the initial consultation process and the mechanisms used to develop ongoing dialogue and co-governance between civil society and government. A number of common themes emerged from these interviews and are presented in this paper. Also included are charts with quantitative findings pertaining to government and civil society working together on the Action Plans (Annexe 1). By taking these lessons to heart, civil society and government actors working on OGP can make their national processes smoother and more effective, and this will increase the overall impact of change.

1. Lay A Solid Foundation

'Open Government for all countries is about being transparent and sharing data. Public data

does not belong to government,' Francis Maude, Minister for the Cabinet Office, the UK.

The push for open government was already deeply entrenched in the **UK** prior to the OGP, with Prime Minister David Cameron making bold proclamations about becoming the most transparent government in history. Despite initial hiccups in the National Action Plan consultation process, a solid foundation has since been laid. Dialogue between civil society and government is now better structured and this has resulted in a 'revised' Action Plan, which was developed largely together. 'In its engagement with civil society, the whole team in the Cabinet Office has done an excellent job of putting the model of "Open Policy Making" into practice', says Alan Hudson of the ONE organisation.

It is more difficult to create a firm foundation for the OGP if the prevailing tradition runs counter to the initiative. In **Montenegro**, for instance, the OGP process has highlighted the insufficiency within society of knowledge of open government concepts and principles. 'Openness is not a dominant concept; we've been so used to a closed system. Citizens don't demand anything because they don't know these values and they don't recognise them as being important,' says Milica Kovacevic of the Centre for Democratic Transition in Montenegro.

Meanwhile in **Moldova**, the government had already embarked on its e-Transformation agenda when it joined the OGP in 2010. In this case, the OGP has been used to embed open government in this agenda, bringing about

enhanced collaboration between citizens, civil society, the private sector and government. As part of laying this solid foundation, the Moldovan government collaborated with international development partners. This enabled the government to raise awareness of the OGP and to involve as many participants in the consultations as possible.

'The issues related to open government were still emerging in Moldova, and the level of understanding, awareness and capacity of civil society organisations in this field was low. Civil society considers the approach taken by the e-Government Centre to have been appropriate to the context,' says Veronica Cretu, Coordinator of the working group on e-Government/Open Government within the National Participation Council, a group set up soon after Moldova approved its Action Plan in April 2012.

It is essential to make a solid start to the partnership. This helps to lay the right foundation for a collaborative relationship and for building trust between government and civil society. For the OGP engine to run smoothly and efficiently, genuine government commitment is critical. Civil society must participate from the start and a well-resourced and smoothly functioning working group located in the most appropriate government department is very necessary. To keep the process moving, knowledge of open government issues and of the OGP must be available to the local parties; in many cases the process is facilitated by external agencies and experts.

2. Get Organised!

For UK civil society, crunch-time came when they realised the narrow scope of the first National Action Plan. 'From our perspective there was too much emphasis on Open Data and the development of the Action Plan didn't allow for a participatory consultation process. There were lots of other bits that were missed and should've been included,' says Simon Burral of Involve. After April 2012 a number of organisations came together and collectively sent a letter to the Minister for the Cabinet Office, Francis Maude, lobbying for a different trajectory. Since then, civil society has been better coordinated, finding the funds to enable Involve to coordinate and drive forward civil society efforts. This has helped to make the whole OGP process better organised and more structured and has led to a jointly developed 'revised' Action Plan.

The emphasis in **Mexico** – the next co-chair of the OGP – has been on improving the overall quality of the second Action Plan: getting organised to ensure commitments are more strategic and greatly transform public management. 'We are focusing our time and energy on developing a relationship with the new federal administration in order to continue our work on the OGP and to integrate our priorities in the new Action Plan,' says Gabriela Segovia of IFAI.

In the **United States**, the Open the Government (OTG) Coalition already had a solid working relationship with both the Bush and Obama

administrations focused on making government more open and transparent. The OGP presented a good opportunity for the domestic community to start building upon this foundation and engaging on another level. 'We seized the role of coordinating and engaging broader civil society and some international organisations to help influence the creation of the National Action Plan', says Patrice McDermott of the OTG. While civil society in the US acknowledges much has been achieved in terms of how it mobilised and organised itself around the various commitments, the emphasis next time will be on ensuring the plan has fewer commitments that go deeper and have more meaningful impacts. It has also learned that if the process is not pushed from the outside, very little happens. 'We cannot just sit back and expect things to happen,' says Tom Blanton of the National Security Archives.

For civil society to be effective, it needs to be knowledgeable, proactive and organised. Furthermore, civil society involvement has been most meaningful and substantive when coordinated by a nominated agency or 'driver' that has the necessary skills, time and acceptability, and is looking beyond its own agenda. Having a dedicated person(s) who is financed in equal parts by the CSO community builds ownership and professionalises the role.

3. Establish A Platform For Dialogue

The draft Action Plans of both Mexico and Indonesia (two of the eight founding members) were highly criticised by civil society for being too general, too broad and not very strategic, and for reflecting very few civil society proposals or perspectives.

In Mexico, a process of intense discussion started between a coalition of civil society organisations, IFAI (Federal Access to Information and Data Protection Institute) and the Ministry of Public Administration – in the shape of the OGP Tripartite Technical Secretariat (TTS) – to develop a 'Reinforced or Extended Action Plan'. The TTS was set up to act as a permanent and institutionalised decision-making, monitoring and compliance body for the OGP and has proved to be an effective platform for ongoing dialogue and a good mechanism for steering and monitoring the OGP process in Mexico.

The OGP experience in **Ghana** has been marked by number of 'stops' and 'starts'; the presidential election has dominated the national agenda and been the focus of government officials and civil society. However, soon after the OGP Brazil conference, the ball started rolling and the process of setting up the Ghanaian OGP steering committee gathered momentum. The government adopted a dual strategy for dialogue and gaining CSO representation – the Coalition of Civil Society was consulted and certain organisations were directly approached to nominate ten representatives to sit on the OGP National Steering Committee, which had a total of 20 members. In addition to meeting six or seven times at the outset to prepare the draft Action Plan, the entire committee went on a two-day retreat outside Accra. 'This really helped us

to establish ourselves as a team before we hit the road,' says Vitus Azeem of Ghana Integrity Initiative.

The willingness to work together is clearly evident and both civil society and government acknowledge that proper dialogue requires a lot of effort if maximum benefit is to be derived. 'We have learned that for the OGP to run smoothly and efficiently, government commitment is critical, CSO participation is essential and a well-resourced and functioning secretariat is vital,' says Effie Simpson Ekuban of the OGP Secretariat. Perhaps the stage is now set for Ghana to finally pass the Right to Information bill that has been languishing in the halls of parliament for the past ten years.

A key success of the **Peruvian** civil society experience has been the chance to be involved in the setting of public policy from the very beginning of the process. This has happened through participation in the working group, which has served as a solid platform for dialogue. In addition, civil society achieved an important victory with the formalising of OGP processes. A Supreme Decree, signed by the President, Prime Minister and Chancellor, set up a permanent Multi-Sectoral Commission responsible for handling these processes. 'This has validated civil society participation and with this comes a higher level of security and commitment,' says Samuel Rotta of Proetica.

Civil society engagement should start from the very first day and the membership of the working groups or steering committee should be broadly representative. Members should be sought in an open and transparent way, using processes such as self-selection, invitation, application and election. If such platforms are institutionalised, this further validates the contributions and enhances their security, making them more robust to political and regime changes. The emphasis should be on creating an ongoing open dialogue rather than bringing in civil society for a one-off consultation.

4 Consult Widely

For the Latin American countries, the challenge has involved broadening participation to all levels of government and civil society, while paying attention to multicultural, multi-lingual and multi-ethnic populations. These countries also acknowledge that next time around their consultation processes should be much more inclusive, extending beyond the 'elite' and the 'usual suspects'. To date, the emphasis has been on investing in strengthening and formalising the relationship between civil society and government, building on what has been accomplished thus far.

In Mexico, the decision not to go 'fully public' with the consultations was motivated by two important constraints: the timing and the time frame. With little time to prepare the document and with the Action Plan spanning only 12 months, the Tripartite Technical Secretariat focused on ensuring that the commitments and actions were realistic, measureable and achievable. For subsequent Action Plans a broader, more inclusive process is envisioned.

In **Brazil**, technology has been used to engage many more citizens in the dialogue. Using the e-Democracia website, online discussions moved on from assessing the implementation of the first National Action Plan to providing the opportunity to submit new commitments, to finally asking participants to vote and choose key proposals that government should prioritise. To broaden civil society engagement, participation has been actively sought among unions, NGOs, social movements (e.g. LGBT community and afro-descendants), faith-based organisations, students, academia, media and open data groups. Furthermore, quotas for representatives of different regions and states have ensured geographic inclusion. However, civil society has been critical of the extent to which suggestions are included in the Action Plan and of the feedback it has received from government.

In **Kenya**, the new administration of President Uhuru Kenyatta has put technology and being 'digital' at the heart of its strategies, thus offering many new windows of opportunity. To promote the open government agenda, civil society has been pushing these principles into priority sectors such as education, health and the environment. 'We really want transparency and accountability to be mainstreamed throughout government and in all structures using technology as a tool to increase opportunities for citizen participation,' says Gladwell Otieno of AfriCOG.

In Ghana, with general elections looming ever closer, the Action Plan consultations, taking place in three regional zones, were squeezed into a two-month period. The Ghanaian OGP action plan steering committee was encouraged to go into the field. This is where the groundwork was done spreading the OGP message and gathering inputs on the proposed commitments. Each event attracted 40 to 60 participants from political parties, the public service, CSOs and the media, as well as traditional and religious leaders. In many instances, journalists were present in overly large numbers. 'Traditional media is still very strong and influential in Ghana and we wanted the launch event and the zonal meetings to be covered by the newspapers, radio and TV,' says Emmanuel Kuyole of Revenue Watch Ghana. While the steering committee was generally satisfied with the inputs received, the number of participants was considered low. Limited financial resources as well as a lack of sufficient time were cited as major concerns. 'Ideally, we should have covered all ten regions and not have held the consultations so close to the elections,' reflects Vitus Azeem of the Ghana Integrity Initiative. Even though the consultation was not as deep as desired, Ghana is one of the few countries that made a real effort to include citizen voices.

In the **Netherlands**, with its strong track record of making information proactively available to its citizens, and where many 'checks and balances' are already in place, government has been challenged by the lack of (a network of) organisations working on governance issues at the national level. 'Unlike in many other countries, in the Netherlands not a lot of people are worrying

about making government more open, and they are exerting very little pressure in our direction,' says Mirjam Kalverda of the Ministry of Internal Affairs. The various consultations for the OGP have revealed that citizens want to communicate more openly with government and that they want information to be more forthcoming and easily accessible, especially with regard to things in their immediate surroundings. 'The energy and interest lies with citizens [more than with professional organisations] and what is important is to start pilot or experimental projects at local level, working with municipalities and neighbourhood committees,' says Marjan Delzenne of the Centre for Budget Monitoring and Citizen Engagement.

A 'one size fits all' strategy of consultations is inadequate. The broader involvement of actors, drawn from both civil society and government, has made the process more inclusive, more robust and has ultimately raised the final quality of the commitments and activities. The whole process relies heavily on the development of strategies for gathering inputs and comments and for providing feedback.

5. Building Partnerships

In the two Asian tigers – Indonesia and the Philippines – the OGP has been embraced. In Indonesia it has become part of the government's Good Governance and Anti-Corruption Plan, and in the Philippines it has been adopted within strategic initiatives. However, in both countries, civil society efforts to build constructive

partnerships with government concerning the OGP Action Plan process are ongoing. This hinges very much on agreeing priorities and finding common ground.

In the **Philippines**, the long overdue Freedom of Information (FoI) bill has become the primary focus of civil society advocacy. 'Access to information is a fundamental tenet of the OGP, a value that underpins all the participant countries' commitments,' says Annie Geron of the Right to Know, Right Now! campaign. While government acknowledges the importance of the bill, it considers the existing Good Governance and Anti-Corruption Plan sufficient to enable meaningful freedom of information.

Whilst debate continues in Indonesia over whether civil society should maintain its watchdog role rather than get involved in the government-selected Core Team, it remains important that government and civil society find a balance that leads to a constructive working partnership concerning OGP.

Usefully, experience in the UK and US shows how a positive partnership between civil society and government can be fostered, and can lead to a jointly developed, relevant and ambitious National Action Plan. In the UK, the road to developing the revised National Action Plan, as explained above, has facilitated an improvement, over the course of 2012, in the relationship between government and civil society; it has become a more substantive partnership. 'I am really proud of how we're

> *"When a government invites its people to participate; when it is open as to how it makes decisions and allocates resources, administers justice and takes a firm stand against corruption, that government is more likely to succeed in implementing effective policies and services to its people."*
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> *- Hilary Clinton, Open Government Partnership meeting, July 2011*

working together – being open, honest, consistent and coherent about identifying shared areas of interest and objectives,' says Ilaria Miller of the UK Cabinet Office Transparency Team.

In the US, the pre-existing relationship between civil society and government concerning open government greatly helped to build a solid partnership. The OGP presented a good opportunity for the domestic community to take this relationship further and engage on another level. Whilst more can be done to improve the next National Action Plan, civil society is aware of the challenges that lie ahead and is planning for them. 'The administration has many shifting priorities and sometimes things fall off the radar. Civil society needs to be well informed,' says Tom Blanton of the National Security Archives. Taking up the lessons learnt so far from the OGP process in these countries increases the likelihood that civil society and governments will collaborate in open government partnerships that are productive and energetic.

In many cases, countries are engaged in growing the body of reformers at national and international level to create a vibrant and healthy society. It takes time and effort to build trust and a working relationship between government and civil society. Understanding of one another is required. The actors must listen to and appreciate various viewpoints, keep an open mind whilst thinking critically, and must work towards constructive engagement. Civil society is often pulled in two directions for it also has a role as watchdog. As a partner, it sometimes struggles to find the common ground, to meet the needs and interests of both parties. Building a partnership, in short, is a difficult and time-consuming process.

Conclusion

'When a government invites its people to participate; when it is open as to how it makes decisions and allocates resources, administers justice and takes a firm stand against corruption, that government is more likely to succeed in implementing effective policies and services to its people.' (Hilary Clinton, Open Government Partnership meeting, July 2011)

The OGP has, in many instances, facilitated the creation of a platform between government and its citizens. Here, these parties can come together and develop a National Action Plan with a common agenda of commitments and actions

that will further transparency and accountability. The level of collaboration that the OGP aspires towards can only be seen as an attempt to counter the dichotomous trend of increasing openness on the one hand and increasing secrecy on the other. This process of 'sitting down together' has in itself been valuable and for many is something new. For government, it has been about improving and adopting new, modern standards of participatory democracy and bringing the voice and demands of the citizen to the table, often overlooked by the state, with the objective of improving the quality of service delivery.

For civil society, it has been important to learn that within the state there are civil servants who are just as interested as non-government actors in promoting openness and accountability, even if much work remains to be done. There is much civil society can learn from the last 18 months about the diverse OGP experiences and the improvements necessary to maximise the outcomes of the consultation process. These lessons should enable civil society to promote the added value of open government principles.

Ultimately, civil society needs to be much more knowledgeable about the issues. It must be proactive and well organised and must become much more professional when communicating with government. 'We cannot be weak and passive. If we sleep, the country will sleep,' concludes Oleskii Khmara of the Ukraine.

Building on the Open Government Partnership in Liberia in 2014:

The Case of the "*Knowmore LIB*"

By Lawrence Yealue and Carter Draper*

As Liberia welcomes 2014, it is an opportune moment to look back at the impressive progress Liberia has made in terms of open government in 2013. The Open Government Partnership (OGP) Summit in London in October last year was an important step forward in the broader West African movement for openness, transparency and accountability. Sierra Leone applied for membership, for example; and Liberia sent a high-level government and civil society delegation to the meetings. Ideas were formed, hands were shaken and commitments were made- but the key going forwards, of course, is to maintain this momentum through progress on the ground.

In Liberia, the Accountability Lab and iLab Liberia are working in partnership this year to support the government and civil society to do just that through Knowmore LIB ("Knowmore" is a knowledgeable person in Liberian English; "LIB" is local slang for Liberia)- a project to assess, find, collect and visualize information and datasets on key government services. The team is working with the Ministry of Information, Cultural Affairs and Tourism (MICAT); civil society groups such as CENTAL (the local chapter of Transparency International) and CEMESP; journalists; and creative artists to build a dual purpose website. This will function as an open data hub and as a government navigation portal to help citizens understand and use public services more effectively.

So far, we've been doing a lot of listening and asking questions to build consensus on what Knowmore LIB could be. We want to make sure this is led by us- as Liberians- and avoid any feeling, as pointed out by the Indigo Trust recently, that the OGP is somehow a "Western framework". In Liberia, the OGP is owned and spearheaded by the government and domestic civil society- with the support of groups like ours that can provide ideas, linkages and inputs where relevant. Talking to Liberians around Monrovia and beyond on a daily basis, we know that transparency and accountability of government is an issue that matters to them more than almost anything else.

In response, we've been helping to carefully and collaboratively design open government tools that are as useful and useable as possible for the Liberian people. We are trying to learn from similar efforts elsewhere in Africa- like the Edo State Data Portal in Nigeria or the Africa Open Data tool– and avoid some of the problems that have begun to plague tools like Kenya's Open Data Portal. We are working hand in hand with civil society groups to support their ideas, and we've set up weekly coordination meetings between all the key stakeholders.

We've also facilitated several open government and open data workshops. Through these meetings we have begun to differentiate between the types of information Liberians want to know ("how-to" information; rights, responsibilities and laws; and statistical datasets); and how best to prioritize the collection and synthesis of this information (key priorities include facts on health, transport and agricultural issues). Meanwhile, the Accountability Lab has been working with the Daily Talk to bridge the digital divide and begin to put out information of this type through chalk billboards in the capital city of Monrovia. Recently, the Daily Talk ran a series including pictures and explanations of road signs and rules- and had everyone from passersby to policemen asking for further information.

Liberia will complete an interim report on its progress against key Open Government Partnership commitments in July 2014- just a few months from now. There is not time to waste. The country has both the head-start and capacity needed to lead the movement for greater transparency and accountability in the West African region. Now is the time to seize the momentum and turn promises into action. ■

*Lawrence Yealue is Country Representative for the Accountability Lab in Liberia. You can follow the Lab @accountlab. Carter Draper is Director of IT at iLab Liberia. You can follow iLab Liberia @iLabLiberia

Will Open Government Be Accessible *for People with Disabilities?*

by Daniel Castro*

For years, technologists and policy makers alike have worked to close the digital divide—the gap in access to information technology like computers, mobile phones and the Internet, which are often found between different socioeconomic groups. As the open government movement picks up steam, there is potential for the "digital divide" to eventually become the "government gap" wherein access to government grows for some groups and declines for others. In particular, open government advocates should be cognizant of the extent to which open government projects deliver benefits for people with disabilities.

People around the world experience a wide range of disabilities including difficulty with vision, hearing, mobility, dexterity and cognition. According to the United Nations, approximately 10 percent of the global population has at least one disability, with eighty percent of people with disabilities living in developing countries. Given advancements in medical care, many people, especially as they age, can expect to spend some years of their life living with disability. Governments have put many policies in place to ensure that people with disabilities can live their lives to the fullest and that all members of society respect their rights, including building accessible sidewalks and designing accessible websites. We need to make sure that these gains do not get lost in the transition to more open government.

After all, open government does not necessarily translate into more accessibility. Consider a hypothetical situation. As part of its open government activities, a local city transit agency decides to publish real-time data on the location

"After all, open government does not necessarily translate into more accessibility."

of its city buses. A local developer takes the data and creates a mobile app that tells residents when the next bus is coming. The app is enormously successful and is downloaded by many residents. Unfortunately, blind users cannot use it because the developer did not ensure that the app would work with a screen reader—a software program that reads aloud the text on a computer screen. Had the city designed and built the app itself, this feature would not have been overlooked because it is required by local laws. But since the development occurred entirely in the private sector, these rules did not apply. The government could pass a law requiring that all software contain certain features, but it is hard to legislate accessible design because it can be a burden on the private sector. Alternatively, the government could build its own app, but that would be duplicative, wasteful and would reduce the benefits of rapid, private sector-led development.

The example above is by no means meant as a call to put the brakes on innovation—on the contrary, we should all be pushing for our civic leaders to accelerate investment in open government opportunities—but rather it is meant as a reminder that the public values engrained in existing policies will not necessarily be part of open government unless advocates insist on it. After all, there are many ways that the above situation could be remedied. For example, the city could offer rewards to developers who add accessibility features to popular mobile apps that use local data or offer boot camps to train local developers on accessible design.

Last year my think tank worked with the global design firm IDEO to launch an open innovation challenge around the question "How might we design an accessible election experience for everyone?" We learned at least two big lessons. First, for all of the various problems around the world, our communities are not lacking in creativity. The inspiration and ingenuity of participants was inspiring and highlight why open, collaborative projects can be so powerful. Second, important issues like accessibility will not be integrated into the design process unless both governments and activists actively participate.

Many open government solutions involve offloading some work traditionally done by government to the private or non-profit sectors. Since government agencies will be doing "less rowing" but "more steering" they have an important role to play in ensuring that open government solutions deliver benefits for as many people as possible. In the race to create open government solutions, whether it is publishing official documents online, creating new tools for government officials to engage with citizens, or identifying opportunities to have agencies work collaboratively with the public, it is crucial that accessibility for people with disabilities be a key priority. ◼

The Cuba **Money Trail**

by Tracey Eaton*

The U.S. government spends trillions of dollars every year. I wanted to know more about only a tiny piece of that. What happens, I wondered, to the money that the U.S. government spends to promote democracy in Cuba?

It's a pittance, really, a few hundred million dollars since 1996, but the money is important in light of Cuba's pivotal role in modern U.S. history. Key events with connections to Cuba include: the Bay of Pigs invasion, the Cuban Missile Crisis, the assassination of John F. Kennedy and the Cold War. As Cuba evolves, historians and others will want to know details of the U.S. government's role.

In December 2010, I started an investigative journalism initiative called the Cuba Money Project. My goal was not to "out" dissidents, democracy advocates and others who risk jail time fighting for freedom. Instead, I sought a greater understanding of:

•The flow of American tax dollars into Cuba.

•The effectiveness of U.S.-government financed democracy programs in Cuba.

•The accountability of U.S. government agencies and the organizations they finance.

Congress has appropriated $225 million for Cuban democracy programs since 1996. The U.S. Agency for International Development, or USAID, received about two-thirds of the money and the

Tracey Eaton was Cuba bureau chief for the Dallas Morning News from 2000 to early 2005. He can be reached at maninhavana@yahoo.com.

State Department got the rest. Program funding was $15 million in 2013.

USAID says it has improved transparency and accountability in its Cuba programs. However, in response to dozens of Freedom of Information Act requests that I have filed since December 2010, the agency has released only general information about its Cuba programs, censoring many documents and refusing to disclose others.

The government has so far refused to release a single page of information in response to 2011 FOIA requests about the Cuba programs of several of the largest contractors, including Creative Associates International, the Pan American Development Foundation and Development Alternatives Inc.

To hide the trail leading back to Washington, some USAID partners routinely outsource work to subcontractors in such countries as Argentina, Norway, Finland, Sweden, Switzerland, Germany, the Czech Republic, Poland, France and Spain. Outsourcing adds to the cost of the democracy programs and undermines accountability, critics say.

When asked how much money reached dissidents and other targets in Cuba, USAID replied in 2010: "The vast majority of this money is intended for individuals on the ground in Cuba."

That said, USAID doesn't reveal precisely how much support reaches Cuba. Tax records of the agency's seven main contractors show that much of their resources go toward salaries, office expenses, conferences and travel – all outside Cuba.

Many dissidents wind up receiving only token amounts - $50 or $75 per month.

"The day we can give $10 or $15 million to those who are fighting inside Cuba, who often have torn up shoes and pants... I assure you that things would be different," former political prisoner Luis Enrique Ferrer told me.

USAID spending for Cuba programs peaked at $44 million in 2008. One recipient was USAID's Office of Transition Initiatives, or OTI, which specializes in rushing to hotspots and fragile nations around the world to promote democracy, peace and reconciliation.

Public records don't make clear how OTI spent all its Cuba money. At least some of it went to

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"The day we can give $10 or $15 million to those who are fighting inside Cuba, who often have torn up shoes and pants... I assure you that things would be different."

- former political prisoner Luis Enrique Ferrer

Creative Associates International for a program called, "Outreach to New Sectors of Cuba Society." The project was designed to "expand the network of independent actors working together toward positive, democratic change on the island."

USAID has not answered a 2011 FOIA request for documents related to Creative's programs in Cuba.

Records show that in 2008 USAID agreed to give Creative $6.5 million, the first installment of what was to be a three-year $15,535,979 contract to carry out the sensitive OTI operation. The mission involved establishing a secret base in Costa Rica that would support democracy activists in Cuba.

OTI had rushed to launch its Cuba program in 2007 because U.S. officials thought the country was on the verge of change. A program document stated:

"With President Fidel Castro's resignation after 49 years in power and the recent selection of Raul Castro as his successor, Cuba is, at the very least, undergoing a symbolic transition that might signal a broader democratic political transition in the near future..."

Contract documents show that Creative eventually received around $11 million, falling short of the $15.5 million contract amount. Records also show that the company eventually shut down its

Costa Rica office, but neither Creative nor USAID has ever explained why or acknowledged the existence of the operation.

"USAID is very tricky to work with," investigative journalist Jeremy Bigwood told me. "While they have hundreds of transparency programs for other countries, they're very opaque themselves."

Bigwood calls it "hypocrisy on steroids."

Bigwood sued USAID in 2006 because it refused to name the organizations it funded in Venezuela. In 2007, a federal judge ruled in favor of USAID, saying the need to protect aid recipients outweighed Bigwood's interest in knowing how his government was spending tax dollars.

Since then, it's become even more difficult to obtain documents detailing the government's inner workings, Bigwood said. "That is perhaps one of the most depressing things," he said. "It's actually gotten worse."

In response to a FOIA request I filed in 2010, USAID withheld in its entirety the winning proposal that a contractor submitted in response to the agency's Cuba Democracy and Contingency Planning Program. The agency wouldn't name the contractor and has not responded to an August 2011 appeal of its ruling.

But previously hidden details about the program surfaced unexpectedly after Cuban authorities arrested American development worker Alan

Gross in 2009. USAID was forced to reveal that the contractor was Development Alternatives Inc., or DAI. The Maryland company had hired Gross to set up satellite Internet connections in Cuba.

Cuban authorities slapped Gross with a 15-year prison term. Gross, now 64, and his wife Judy sued DAI and the U.S. government in November 2012, saying they failed to prepare him for the risky mission.

The legal fight has provided a rare glimpse into USAID's programs. A confidential DAI memo filed in court said top agency officials stressed the importance of secrecy during a private 2008 meeting with DAI.

DAI learned during the meeting that the U.S. government had "five to seven different transition plans" for Cuba. DAI would "not be asked to write a new one."

Instead, DAI was working toward setting up operations that would have allowed the federal government to establish a USAID base in Cuba, court records show. The agency had promised DAI $28 million for its work, but the plan had to be abandoned after Cuban authorities jailed Gross.

Gross had envisioned setting up satellite Internet connections for Jews in seven Cuban provinces, then expanding his effort to include as many as 30,000 Masons at more than 300 lodges across the country.

Cuban Jews had "strategic value" because of their religious, financial and humanitarian ties to the United States, Gross wrote in an internal memo. Jewish synagogues were a "secure springboard through which information dissemination will be expanded."

Future targets included "youth, women and Afro-Cubans," a memo showed.

To be sure, the pursuit of democracy in Cuba is a worthy and important goal. I have no quarrel with that. What I have sought is a better understanding of U.S. government efforts.

Among the things I've learned:

• Much of the U.S. government money targeting Cuba never reaches the island.

• Secrecy abounds, making it more difficult to evaluate the U.S. approach.

• Public accountability remains poor. USAID spends millions of dollars to boost internal controls, but keeps its audits secret.

• Following the money trail is complex and time-consuming. FOIA is not a solution. It's often a roadblock.

• USAID releases only scant information about its Cuba programs in response to FOIA requests. Complicating matters, the agency refuses to disclose the names of private subcontractors who work in Cuba.

Indeed, the Cuba money trail is difficult to navigate. It's a bureaucratic maze, and I've only concerned myself with a few hundred million dollars in spending. I wonder: How can ordinary citizens possibly monitor a government that spends trillions of dollars? ▪

Open Data in Puerto Rico:
Fostering Government Transparency & Civic Engagement

by OPEN PR / ABRE PR

The Center for Integrity in Public Policy (CIPP) is a nonprofit organization dedicated to promoting government accountability and responsible public policy through a variety of initiatives that engage directly with the public. One of these initiatives is the Open Puerto Rico project—an open data platform that collects valuable public information from governmental agencies, departments, and municipalities and makes this information easily accessible to journalists, academics, public sector employees, and, most importantly, the general public.

Open Puerto Rico encourages the public to become better informed by providing them with improved access to information about their government and its activities. To this end, we have concentrated our efforts on collecting and publishing data from agencies and branches that typically hesitate or outright refuse to provide the public with information. In addition, we process and reformat the data we receive to ensure that it's easy to access, understand and compare, whilst taking steps to ensure the data's integrity. This enables us to provide objective and accurate information so interested parties can draw their own conclusions.

Open Puerto Rico goes beyond simply being a source of accurate and objective information: it is also an empowerment tool. By providing an open database of governmental information, Open Puerto Rico will help improve the public's ability to understand, evaluate and make decisions regarding governmental policies, initiatives and candidates. Furthermore, we believe that Open Puerto Rico will promote public dialogue and nurture civic engagement. Once the public is sufficiently engaged, it can demand an effective,

> *"We have concentrated our efforts on collecting and publishing data from agencies and branches that typically hesitate or outright refuse to provide the public with information."*
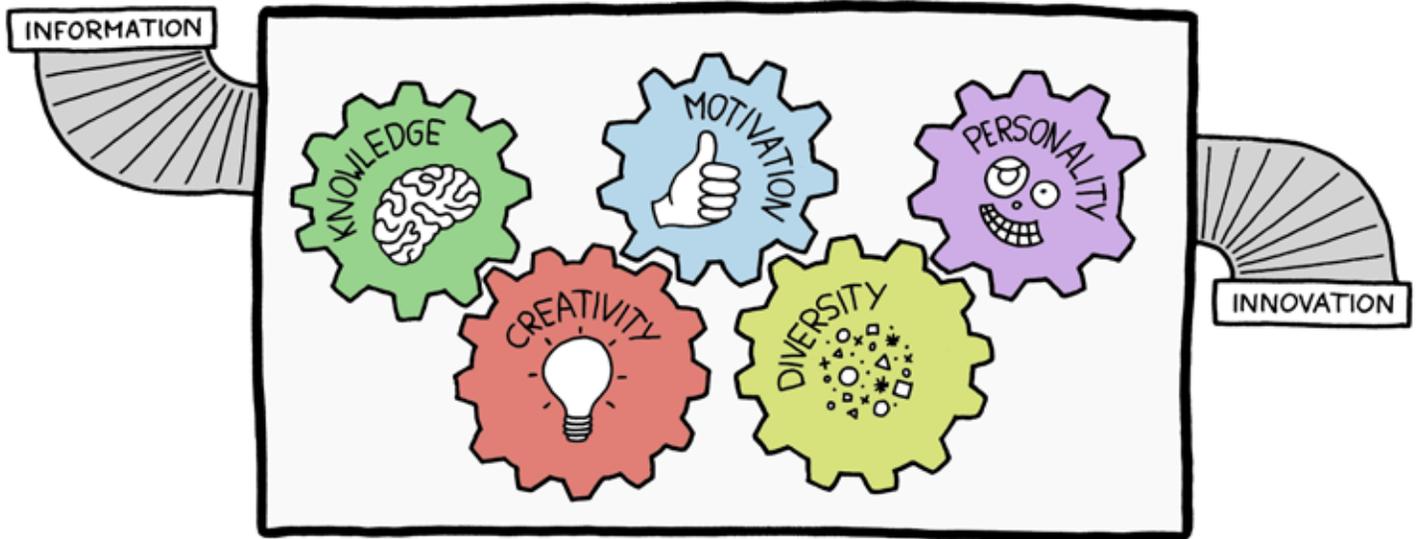
accountable and responsive Government. With this in mind, we aspire to play an active role in the revitalization of Puerto Rican democracy by promoting an informed public willing to engage in civic affairs.

By providing access to a centralized depository of governmental information, Open Puerto Rico also aspires to be a valuable administrative tool for the government, nonprofits, academia and the private sector. Like the general public, institutional actors will make better decisions if they can develop plans based on accessible data as opposed to informed guesses. Government departments and agencies will themselves reap significant benefits once they no longer need to navigate the maze of their institutional peers in requesting the information they need, thus saving time and money.

Open Puerto Rico has partnered with New Amsterdam Ideas (NUAMS), DialogueTheory, and IBUILDWORLDS to create our open data platform and promote our mission. NUAMS contributed DKAN, a Drupal-based open data management platform. This platform has become the foundation for our efforts, through which we provide access to data for our website's visitors, embedded data analysis tools, outreach initiatives and analysis work. DialogueTheory and IBUILDWORLDS have been instrumental in providing our website's design and initial visualization offering. Our visualizations will provide an intuitive interface for viewing interrelated data elements and enable comparisons among different indicators. Furthermore, our team has developed infographics - visual representations of complex data sets - which are extremely useful in synthesizing information in a way that is valuable to a broader audience. Moving forward, however, our infographics capabilities will need to be substantially expanded. Currently our platform can provide information that is readily accessible to sophisticated users, but we require a greater

variety of representational tools to achieve our goal of broad accessibility and usability for the general public.

As we have been working on our platform, we have also embarked on efforts to obtain data from a variety of governmental agencies. We work directly with agency statisticians who are interested in disseminating their work to receptive audiences and we promote our ability to do precisely that. We also inquire about the governmental agency's data needs with the intent of, when possible, obtaining said data and making it available to them and the general public on our platform whilst demonstrating the benefits of our efforts. Besides obtaining data, these efforts help us develop relationships and foster trust with the agencies we work with.

Given that we are a relatively young organization operating in a culture where requests for transparency are uncommon, the government's response to our requests has varied. Some agencies and departments have been cooperative, providing us with complete access to their files. Others, despite our efforts to develop relationships and trust, have been more resistant to our requests. Some of the difficulties include an agency not knowing how to channel our requests, professing uncertainty as to what data can be provided, ignoring requests, delaying responses, or simply refusing to provide data.

Fortunately, data has been trickling in and we have been able to develop a fairly robust initial database. Despite the fact that many agencies and the general public lack a sophisticated understanding of statistics, we have been impressed with their desire to participate in the project. Furthermore, we hope that with time, this project will improve their level of sophistication where statistics are concerned.

Although our website has yet to go live, we have created profiles on Facebook, Twitter and Instagram to promote our organization and its product. We already have a healthy group of followers who will be referred to our webpage once it is active. We anticipate a launch event in February 2014. Once launched, we are convinced the public will acquire a better understanding of the government's performance and become better informed as to recent trends in health, security and economy, to mention a few. We also believe that after our launch we will gain notoriety as the go to platform for useful governmental information that traditionally has not been available. Our constant efforts to obtain more government information will ensure that our platform becomes more robust in terms of data and functionality. That said, we are anxiously looking forward to our launch and providing the public with the necessary information to strengthen Puerto Rico's democracy. ■

Searching High & Low
for Better Governance

By Ashley Hinson and Craig Beyerinck*

The terms 'open data' and 'good governance' are popular buzz words of the modern day, but for many who are not in the field, their definitions remain unclear. Looking specifically at the term 'open data', it is important to define what data is being opened, for what purpose and for whom. In most cases, it is the data that governments, NGOs and other actors produce in their work in order to make themselves more transparent since anyone can see what is going on and ask probing questions if they find something that does not add up.

The question is of course, how should open government be achieved? At Local Interventions Group in Nepal, we advocate for both high- and low-tech open government solutions. On the high-tech side, we work to make the government more transparent and accountable through crowdsourcing. Crowdsourcing has been called "the most important activist technology," and there is no question as to why. "Having a voice" is considered a primary concern, after basic necessities and income generation. While we know that there is no 'silver bullet' solution to ensuring true democracy, there is much more to crowdsourcing than meets the eye.

Crowdsourcing is more than just a buzzword. The approach of collecting data reflects a whole new model for ensuring open government - a model of engagement, equal voice, accountability and transparency. The fact is that when people are engaged and can both report government disservice as well as have the option to checking on the interworkings of their government, they are more likely to receive the benefits of a government that spends public money on programs that actually benefit its citizens.

*Ashley Hinson, Project Manager & Craig Beyerinck, Project Coordinator at Local Interventions Group, Kathmandu, Nepal
www.localinterventions.org.uk

Current debates surround the challenges of getting enough reliable data and finding ways to verify all the information that comes in – especially during times of high activity, such as a national election. Luckily, we're talking about technology – where constant improvements, adjustments, and customizations are the name of the game. We believe that information in itself is of immense value.

Since technology provides such a great avenue to disseminate information about and by the government, many are tempted to stop the fight for open government there; however, in countries like Nepal, this would lead to the continued exclusion of people from the open government process for one simple reason: they have little or no access to technology. Imagine for a minute a meeting that is taking place at your office - your boss at one end of the room and you and your colleagues at the other. Since your organization is doing well, you and your boss have access to the technology and infrastructure that makes it so you can communicate clearly. This allows ideas to be exchanged and eventually to growth in your organization. Now imagine that instead of working somewhere that has the means to provide for adequate communication, you work for an organization that only has enough money for six out of ten staff to have microphones. Since you don't have a microphone, you can no longer communicate with your boss. This leads to lower productivity and the decline of good communication. It is because we believe that everyone should have the opportunity to be heard that LIG also advocates for low-tech open government solutions. This is of special

importance in Nepal, which has an estimated 18.1 million citizens who have access to mobile phone technology out of a total population of 30.4 million (10% of whom have access to the internet). Looking at these numbers, it becomes clear that technology should not be the only medium to increase transparency. So what can be done?

Our answer to this question is illustrated by our new open government project where people who do not have access to technology in the Tanou and Mahottari districts of Nepal can tell their story of dissatisfaction with government services to one of our designated field officers who then sends each story to LIG headquarters where it is then mapped, making these experiences better publicized. In order to ensure a return to the community, we strive to make as much information as possible available through the use of leaflets and word-of-mouth communication networks in the field.

When you consider again the concepts of open data and good governance, it becomes apparent that they can become mutually reinforcing. The open provision of data on government activities goes a long way towards proving the accountability, transparency, effectiveness and efficiency that make up good governance as an overarching concept. And, by using crowdsourcing technology, there can be a direct two-way conversation about this information between the government and its citizens. These programs can only be effective, however, if you, your neighbors, your colleagues, your family and so on, are able to actively participate in this process – regardless of the availability of technology. ■