

The OECD Recommendation of the Council on Open Government

The pathway for the first international legal instrument on Open Government

Open government strategies and initiatives are needed more than ever to regain citizens' trust in governments. Countries are increasingly acknowledging the role of Open Government as a catalyst for good governance, democracy and inclusive growth. Open government principles – i.e. transparency, integrity, accountability and stakeholders' participation - are progressively changing the relationship between public officials and citizens in many countries. A scan of existing initiatives, however, reveals that there is a diversity of definitions, objectives, and implementation methodologies that characterize open government strategies. The OECD has therefore developed a **Recommendation of the Council on Open Government** that defines a set of criteria that will help adhering countries to design and implement successful open government agendas.

First international legal instrument on Open Government

- Informal Experts Group on Open Government
- 2016 Global Forum on Open Government – attended by 30 Ministers and 50 HoD
- Regional Networks on Open and Innovative Government in LAC, MENA, SEA

Online Public Consultation on the Draft Recommendation

- > 100 participants from 44 different countries
- Input received from NGOs, citizens, government officials, private sector, academia, media
- Remarkable outreach on social media



A firm evidence base for the Recommendation

- 2015 Survey on Open Government –54 countries (all OECD members)
- 2016 OECD Global Report on Open Government
- 2017 Survey on Ombudsman institutions

OECD at the forefront of Open Government for 15 years

- Open Government Reviews
- Capacity building seminars
- Open State
- Public Governance Reviews
- 2001 Citizens as Partners

Rationale for developing the Recommendation and its scope

1. Ensure that open government principles are rooted in the public management culture;
2. Identify an enabling environment that is conducive to an efficient, effective and integrated governance of open government;
3. Promote the alignment of open government strategies and initiatives with, and their contribution to, all relevant national and sectoral socio-economic policy objectives, at all levels of the administration;
4. Foster monitoring and evaluation practices and data collection.

Process for developing the Draft Recommendation

November 2016 (54th PGC):

- Establishment of the informal experts group on Open Government comprising 16 OECD Members and Partners

July – September 2017:

- Online public consultation

2016 | 2017

December 2016:

- Launch of the OECD Report on *Open Government: the Global Context and the Way Forward*

March 2017:

- First meeting of the Informal Experts Group to inform the development of the Recommendation

**December 2017:
Council adoption**



Definitions

Open Government: a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth.

Open State: when the executive, legislature, judiciary, independent public institutions, and all levels of government – recognising their respective roles, prerogatives, and overall independence according to their existing legal and institutional frameworks – collaborate, exploit synergies, and share good practices and lessons learned among themselves and with other stakeholders to promote transparency, integrity, accountability, and stakeholder participation, in support of democracy and inclusive growth.



Key Elements of Open Government Strategies and Initiatives

1. Develop and implement open government strategies and initiatives in collaboration with stakeholders and to foster commitment from politicians, members of parliament, senior public managers and public officials;
2. Ensure the existence and implementation of the necessary open government legal and regulatory framework while establishing adequate oversight mechanisms to ensure compliance;
3. Ensure the successful operationalisation and take-up of open government strategies and initiatives;
4. Co-ordinate, through the necessary institutional mechanisms, open government strategies and initiatives - horizontally and vertically - across all levels of government to ensure that they are aligned with and contribute to all relevant socio-economic objectives;
5. Develop and implement monitoring, evaluation and learning mechanisms for open government strategies and initiatives;
6. Actively communicate about open government strategies and initiatives, as well as about their outputs, outcomes and impacts;
7. Proactively make available clear, complete, timely, reliable and relevant public sector data and information that is: free of cost; available in an open and non-proprietary machine-readable format; easy to find, understand, use and reuse; and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders;
8. Grant all stakeholders equal and fair opportunities to be informed and consulted and actively engage them in all phases of the policy-cycle and service design and delivery. This should be done with adequate time and at minimal cost, while avoiding duplication to minimise consultation fatigue. Further, specific efforts should be dedicated to reaching out to the most relevant, vulnerable, underrepresented, or marginalised groups in society, while avoiding undue influence and policy capture;
9. Explore innovative ways to effectively engage with stakeholders to source ideas and co-create solutions and seize the opportunities provided by digital government tools;
10. Explore the potential of moving from the concept of open government toward that of open state, while recognising the roles, prerogatives, and overall independence of all concerned parties and according to their existing legal and institutional frameworks.



The full text of the Recommendation is available at: <http://oe.cd/ogrec>