OECD Public Governance Reviews

The Economic and Social Impact of Open Government

POLICY RECOMMENDATIONS FOR THE ARAB COUNTRIES

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Foreword

Around the world, governments are increasingly struggling to address the complex economic and social challenges they face, due in part to structural governance flaws, which have been exacerbated by the COVID-19 pandemic. While public trust was already declining before the health crisis, the current context may further erode people's trust in their governments – at a moment when citizens are calling for transparent and accountable management of the recovery phase. This holds particularly true for the Arab region, where many people have been expressing grievances related to social injustice, political disenfranchisement, economic inequalities and corruption for some time.

More and more countries use open government reforms to respond to some of these challenges, better engage citizens and spur broader socio-economic change. Reflecting a shift in the understanding of the role of the state and of policy making, open government can help Arab countries increase public trust, reduce the risks of instability and implement the Sustainable Development Goals (SDGs).

Against this background, the OECD and UN ESCWA decided to join forces to develop this report, which builds on the OECD Recommendation on Open Government and ESCWA's Framework for fostering open government in the Arab region. It also contributes to the work of the MENA-OECD governance programme and ESCWA's open government project in Arab countries.

The main objective of this report is to demonstrate the economic and social impact of open government, mainly through selected good practices and lessons learnt from OECD and Arab countries. The study shows how the principles of transparency, accountability and citizen participation can translate into better social services, inclusiveness and socio-economic development, thus contributing to the achievement of the 2030 development Agenda and its SDGs. The cases from Arab countries were mainly selected through an OECD-ESCWA questionnaire administered in 2020, while those from OECD countries stem from ongoing research and the OECD 2021 Survey on Open Government.

Based on this overview and analysis, the report proposes a number of recommendations to support Arab countries in fostering open government legal and policy reforms in the region and, ultimately, benefitting from their positive impact.

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Abbreviations and acronyms

AI	Artificial intelligence
CPI	Corruption Perception Index of Transparency International
CSO	Civil Society Organisation
DESA	UN Department of Economic and Social Affairs
DG	Digital Government
ECRI	Emerging and Conflict-related Issues Division of ESCWA
EGDI	E-Government Development index of UN DESA
EPI	E-Participation Index of UN DESA
ESCAP	UN Economic and Social Commission for Asia and the Pacific
ESCWA	UN Economic and Social Commission for Western Asia
GEMS	Government Electronic and Mobile Services maturity index of UN ESCWA
ICT	Information & Communication Technology
IEP	International Experts Panel of the IRM of the OGP
IOT	Internet of things
IRM	Independent Reporting Mechanism of the OGP
M&E	Monitoring and evaluation
NGO	Non-governmental organisation
OD	Open Data
ODC	Open Data Charter
OECD	Organisation for Economic Co-operation and Development
OG	Open Government
OGD	Open Government Data
OGDI	Open Government Development index of UN DESA
OGP	Open Government Partnership
SDD	Social Development Division of ESCWA
SDG	Sustainable Development Goals
TDD	Technology for Development Division of ESCWA

TI	Transparency International
UN	United Nations
WB	World Bank
WGI	Worldwide Governance Indicators of the World Bank
WJP	World Justice Project

Executive summary and key messages

In a context of complex policy challenges exacerbated by the COVID-19 pandemic, which revealed structural governance flaws, open government (OG) provides a response to citizens who expect to participate in the public sphere and their governments to manage the crisis in a transparent and accountable way.

While there is no single, universally accepted definition of open government, all definitions, including those developed by the OECD and ESCWA, focus on the core concepts of openness, transparency, accountability, and citizen participation and engagement. The OECD Recommendation on Open Government and ESCWA open government implementation framework provide the baseline for this analysis .

Open government directly supports the UN's Sustainable Development Goal (SDG) 16 to promote just, peaceful and inclusive societies, but its principles contribute to most of the SDGs and, indeed, to the whole 2030 agenda. Indeed, increasing transparency and engaging stakeholders in policy-making can support economic growth, job creation and increased productivity, through the development of new products, services and startups. Furthermore, engaging people in decision making on social services and providing them with public information and open data can significantly contribute to higher quality, more accessible and citizen-centred services in sectors such as health and education. With its focus on inclusion, participation and collaboration, open government is also uniquely placed to drive gender equality and women's empowerment. More broadly, open, collaborative and engaging environments, contribute to enhancing accountability and effectiveness of public decision-making and elected representatives.

The OECD and its members have been at the forefront of the global open government movement from the very start. A significant number of OECD countries' constitutions include provisions on open government-related principles and most mention the right to access public information, include provisions for citizen participation and for the protection of civic space. All OECD countries now have laws on access to information and some have specific laws on citizen participation, while others have recently adopted (or are currently drafting) a national strategy on open government. The majority have a number of policy documents indicating the government's intention to pursue and implement open government principles and have identified a specific governmental office responsible for the horizontal co-ordination of open government initiatives.

In OECD members, civil society and citizens are often involved in open government initiatives. The level of engagement, however, varies greatly and many forms of engagement are still *ad hoc*. Yet, there are many positive examples of meaningful involvement of citizens and civil society both at national and local level, from participatory budgeting and participation portals to more recent deliberative processes. Digital government, open data and public sector innovation are closely linked to open government and often facilitate reforms that enhance transparency, accountability and participation. Ongoing challenges include how to better co-ordinate, monitor and evaluate OG initiatives.

When it comes to the Arab region, three countries, namely Jordan, Morocco and Tunisia, have joined the Open Government Partnership (OGP)and adopt national action plans on a regular basis. Other Arab countries do not have specific policy/strategy documents for open government, and, while several have taken steps to create the legal environment for openness, only six have passed laws pertaining to access to information, and their implementation has been variable.

An area in which Arab countries have made considerable progress is digital government, as confirmed by the UN e-Government Survey 2020. There is an opportunity to build on this progress to move towards open government. Many Arab countries have launched open data strategies and open data portals, though these do not necessarily cover all sectors and no country in the region has yet adhered to the Open Data Charter.

Some Arab countries have launched initiatives to promote citizen participation, but none has a national strategy for citizen engagement. On digital participation, the UN DESA index shows that some countries score better compared to other countries in the world with similar levels of economic development, but many still underperform.

Based on this analysis and on a number of good practices from OECD and Arab countries, this report provides a number of policy recommendations to promote open government in the Arab region:

- Countries should establish a legal framework conducive to open government, including adopting modern access-to-information laws and legislation concerning transparency, personal data protection and privacy, civic space, fundamental freedoms, and anti-corruption. Arab states should also enforce, monitor and evaluate the implementation of the adopted laws.
- This report also suggests developing policies and strategies to promote OG principles and strengthening institutions responsible for the implementation and co-ordination of OG initiatives. Open government reforms should be designed and implemented in collaboration with all stakeholders.
- Arab governments are encouraged to promote a culture of openness, through awareness-raising campaigns, public communication and sensitisation targeting both public officials and citizens at large.
- Governments are also called on to disseminate and enhance open government data, including by establishing transparency portals and launching capacity-building programmes, and to better engage people on key public policy issues through public consultation, economic and social dialogue, and other participatory mechanisms.
- This report also identifies subjects that are particularly relevant for open government in the Arab region. These encompass the government budget and sectors such as education, health, employment, social protection, transport, energy, food security and agriculture.
- While Arab governments should consider launching a regional partnership on open government under the auspices of the ESCWA, a priority should also be to foster OG principles at subnational level, as municipalities and other local authorities are well placed to pilot initiatives for transparency and participation given their daily interactions with citizens.

1 Open government: Concept, definitions and implementation

After presenting the objective of the report, this chapter explores the definitions of open government, providing a brief history of the concept and its links with e-government, open data and the SDGs. It also proposes conceptual frameworks of how open government reforms can be implemented and can lead to broader impact, based on research from the OECD and ESCWA, and stresses the importance to monitor and evaluate such reforms.

Background and objective

Today, governments around the world are confronted with complex political, economic and social challenges, which have been exacerbated by the unprecedented COVID-19 pandemic. This context potentially risks further eroding public trust in governments at a moment when citizens expect their leaders to apply the highest level of transparency, accountability and integrity in managing the crisis and the recovery plans. In most parts of the world, people increasingly expect to participate in public affairs and have a voice .

Even before the pandemic emerged, many governments had started adopting Open Government (OG) principles and practices, while several international initiatives were launched at global and regional level with the aim to increase transparency and accountability of public institutions, help citizens better engage with their governments at central and local level, increase public sector integrity, develop innovative solutions and make use of new technologies.

In the Arab region, to a large extent, the uprisings that took place in 2011 were the result of weak and exclusive state institutions and a call for those institutions to be transformed into more effective and inclusive ones. The Arab people expressed, and some are still expressing, grievances that stemmed from social injustice, political disenfranchisement, economic inequalities, and large-scale corruption. These problems were the direct result of extractive security, administrative, judicial and political institutions, and the Arab people demonstrated their aspirations to transition from a Limited Access Order (LAO) to an Open one (OAO). In several countries, the uprisings reflected citizens' desire to redefine the social contracts that were tying them to their states. They often erupted into violent conflict due to the very nature of LAOs: elites were reluctant to give up their dominant position within both political and socio-economic systems, which are intrinsically linked in LAOs, and refused to reform unsustainable power structures that had reached a breaking point.

Arab states have been facing challenges in recent decades that have jeopardized political – and therefore socio-economic – stability. Likewise, open government can be a strategic solution that can help countries implement all 17 Sustainable Development Goals (SDGs) and reduce the risks of socio-political instability, civil strife and potential conflicts. Governments can perform better when they are transparent about their activities, procedures and data, and when they encourage public participation and meet their citizens' demands. This assumes they are prepared to be held accountable for successes and failures. Within the open government approach, progress towards sustainable development could be facilitated by innovations that give citizens a greater say over how they are governed. Examples include how public services (water, health and education) are provided; where and how infrastructure projects are built; or how budgets are allocated. Open government presents potential solutions to improve governance and unleash the developmental potential of Arab countries.

This report is a joint effort of the OECD and UN ESCWA. The OECD has a global working party on open government and signed a MoU with the Open Government Partnership (OGP) in 2019. It also has a regional working group on open and innovative government within the MENA-OECD governance programme, a strategic partnership between MENA and OECD countries to share knowledge, expertise and the standards and principles of good governance, as well as OG projects with several countries in the region (Morocco, Tunisia, Lebanon, Jordan, etc.). UN ESCWA has launched an open government project in the Arab countries enhancing institutional development of better service delivery towards the achievement of the sustainable development goals in Western Asia. It is actively working with all Arab countries for the development of institutional, legal, economic and social frameworks and partnerships on open government to better engage citizens and society.

The main objective of this report is to demonstrate the economic and social impact of open government and its essential role for accelerating the achievement of the 2030 Development Agenda and its SDGs. This important impact will be shown through selected good practices and lessons learnt from OECD countries, the Arab countries and the world.

The report investigates the contribution of open government to better social services and inclusiveness, as well as to social and economic development. It will illustrate how open government principles of transparency, accountability and citizen participation can translate into offering new opportunities for governments, private sector and citizens for better and innovative interactions in order to fulfil the needs of societies and the countries' economies.

The cases from Arab countries were mainly chosen based on the responses of the Arab countries to the OECD-ESCWA questionnaire on open government in 2020 whereas the OECD cases were selected to show various aspects and dimensions of the positive impact of open government on different socio-economic fields.

The report will analyse the trends of open government in the Arab region and its related aspects based on internationally recognised measurements and the collected case studies from the Arab region. This analysis will consider the GDP level of the Arab countries as one of the key indicators to reflect how living standards relate to the open government principles.

The report will also address the open government concept by presenting and discussing the OECD and ESCWA perspectives; and clarifying its linkage with other related concepts such a e-government, open data and SDGs. This is very important considering the continuous evolution of various concepts and approaches (see Introduction).

Based on the current status of open government in the Arab countries and considering the positive impact of open government on social, economic and governance development, the report will propose recommendations on the way forward for fostering open government reforms in the region and for maximising its benefits.

What is open government?

Open government is a **concept for governance**. While it has a long history, its major momentum followed the remarks made by U.S. President Barak Obama during the General Assembly of the United Nations in September 2011:

*"… Experience shows us that history is on the side of liberty; that the strongest foundation for human progress lies in **open economies**, **open societies**, and **open governments**… No one country has all the answers, but all of us must answer to our own people… When we gather back here next year, we should bring specific commitments to promote **transparency**; to fight corruption; to energize **civic engagement**; to leverage **new technologies** so that we strengthen the foundations of freedom in our own countries, while living up to the ideals that can light the world"*[1].

On the side-lines of the General Assembly, eight founding countries signed the Open Government Declaration[2] with civil society leaders, as a commitment to "*foster a global culture of open government that empowers and delivers for citizens and advances the ideals of open and participatory 21st century government*" and created the Open Government Partnership (OGP)[3]. Since then, 78 countries and a growing number of local governments—representing more than two billion people—along with thousands of civil society organisations have joined OGP.

The UN ESCWA defines open government as "a government that is effective and efficient in carrying out its duties, its work is transparent and accountable, and everyone can access its services. It is also a Government that responds to the needs of its citizens, values their participation, experience and knowledge

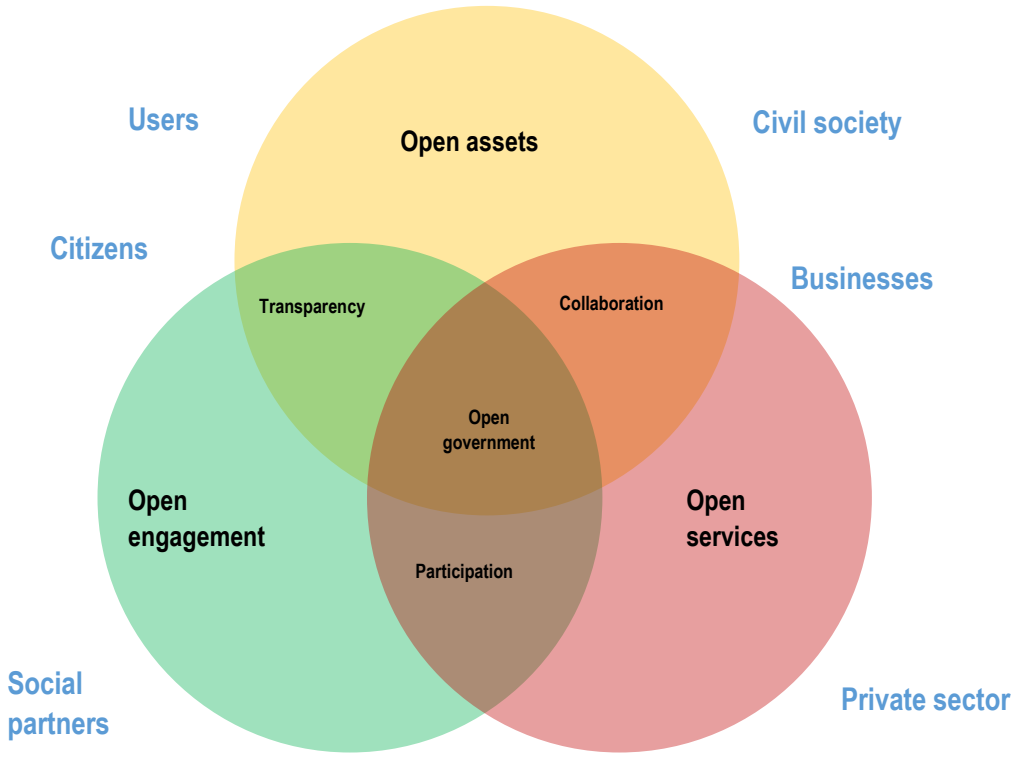
in decision-making, and relies on modern and emerging technologies to enhance its governance. ESCWA believes that improving **participation**, **transparency** and **accountability are the primary goals** of open government, regardless of its definition" (ESCWA, 2020[1]; 2018[2]).

The OECD defines it as "a **culture of governance** that promotes the principles of **transparency**, **integrity**, **accountability** and stakeholders' **participation** in support of democracy and inclusive growth" (OECD, 2017[3]).

However, there is no single, universally accepted definition of open government and it generally encompasses several approaches, definitions and principles while considering the varying legal, historical or cultural aspects of countries worldwide (OECD, 2016[4]). But (almost) all definitions include the same core concepts of **transparency, accountability and participation**.

For example, the EU has no formal definition of open government. However, it stated in its vision on public services (EU, 2016[5]) that OG encompasses three core aspects: Open assets ("*government data, software, specifications and frameworks that are open so that anyone can freely access, use, modify, and redistribute its content with no or limited restrictions such as commercial-use or financial charges*", i.e. Open government data), Open services ("*digital public services that can be re-used by other public administrations or eventually by third parties in order to provide value-added services*", i.e. efficient e-government) and Open engagement ("*opening up the processes for public policy making to the whole of society, including civil society, businesses, labour unions, or even individual citizens*") (Figure 1.1). The EU thus builds open government on the same concepts of transparency, participation and collaboration.

Figure 1.1. A framework for Open Government (EU)



Source: Millard (2017[6]), "European Strategies for e-Governance to 2020 and Beyond", in *Public Administration and Information Technology, Government 3.0 – Next Generation Government Technology Infrastructure and Services*, Springer International Publishing, Cham, http://dx.doi.org/10.1007/978-3-319-63743-3_1.

A brief history of open government

The concept of open government was clearly introduced in opposition to closed government, which legitimizes secrecy for reasons of state. OG is a "*governing doctrine which holds that citizens have the right to access the documents and proceedings of the government to allow for effective public oversight*" (Lathrop and Ruma, 2010[7]).

Thus, while the term "open government" was revived relatively recently, its history is long and initiatives to foster the principles of transparency, accountability, integrity and stakeholder participation have existed for a very long time. For example, the open government principle of access to information originated in 18th century Sweden, as the Swedish Freedom of the Press Act of 1766[4] guaranteed the public's right to access documents created or received by public institutions.

The term "open government" is often considered to having been formally used for the first time in 1957 when Wallace Parks, a member of the subcommittee on Government Information of the United States Congress, wrote the article entitled "*The Open Government Principle: Applying the Right to Know under the Constitution*". In his article, Parks wrote that "*open government and information availability should be the general rule from which exceptions should be made only where there are substantial rights, interests, and considerations requiring secrecy or confidentiality and these are held by competent authority to overbalance the general public interest in openness and availability*" (Parks, 1957[8]).

A slightly earlier use was found in a report commissioned in 1953 by the American Society of Newspaper Editors (ASNE) and written by Harold Cross under the title "*The People's Right to Know: Legal Access to Public Records and Proceedings*". In the report's foreword it is stated that Cross had "*written with full understanding of the public stake in open government*" (Cross, 1953[9]). The debate unfolding during those years in the US culminated with the passing of the Freedom of Information Act (FOIA) in 1966[5], another milestone in the history of the open government movement.

Over the years, the concept of open government has gradually expanded from identifying the disclosure of politically sensitive government information to a broader concept of transparency and then to an even broader range of government goals and functions, including public participation, public sector innovation, open data, the use of ICTs, as well as the improvement of public services and of government efficiency.

In particular, the term was revived by US President Barack Obama who started the "Open Government Initiative" when he issued his Memorandum on Transparency and Open Government[6] on 20 January 2009, his first day in office. This initiative conceived open government as based on the three pillars of **transparency**, **participation** and **collaboration**.

Open government and open data

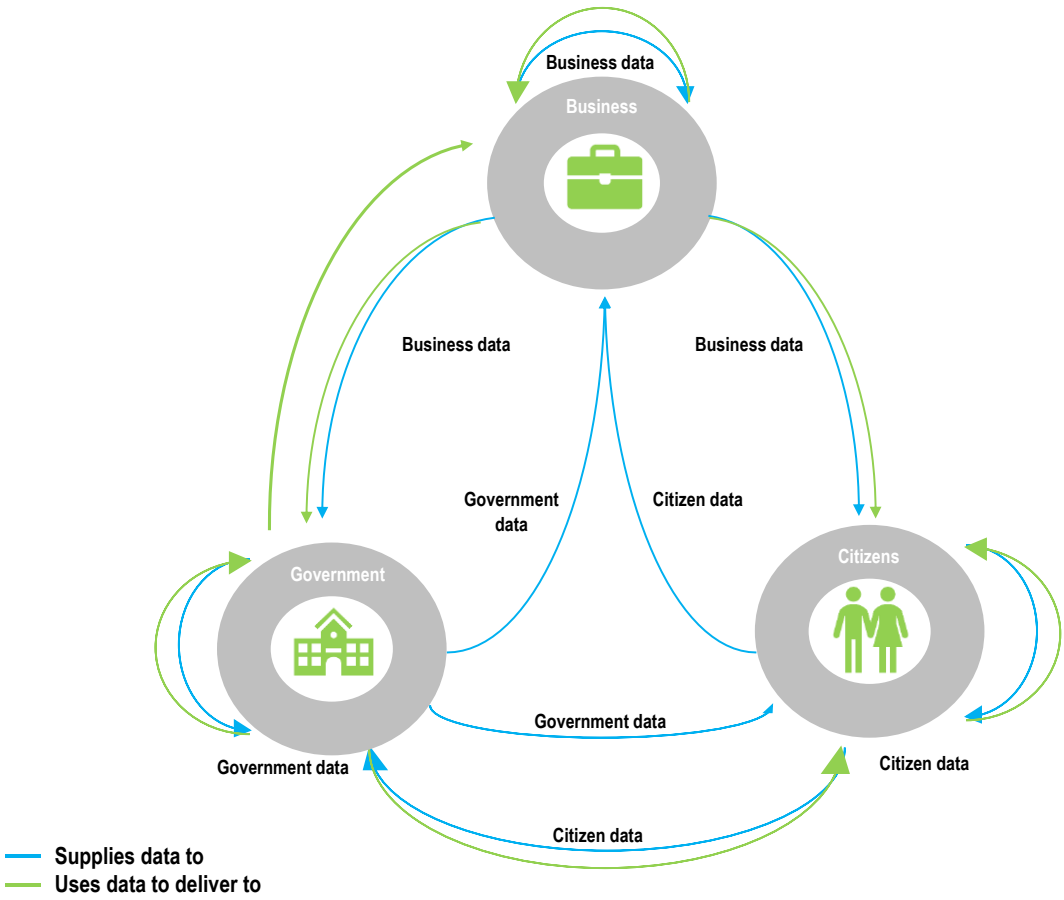
Open Government encompasses the more limited concept of **Open Government Data (OGD),** which involves the idea that in most government and public entities data should be freely available to everyone to use and republish as they wish, without restrictions from copyright, patents or other mechanisms of control, as they were financed by public money and constitute public good. This issue is addressed in SDG target 16.10. Open Government Data (OGD) is part of the necessary **openness**, as a first stage of Open Government (according to the ESCWA framework presented below).

OGD gained momentum in 2013 when G8 leaders signed an "**Open Data Charter (ODC)**" outlining five core principles for how data can support governments' transparency, innovation, and accountability. This charter gained international visibility during the 2015 United Nations General Assembly after a global consultation. The five principles became six, including that data should be open by default, timely and interoperable. The final formulation of the principles is as follows: ***1) open by default, 2) timely and comprehensive, 3) accessible and usable, 4) comparable and interoperable, 5) for improved governance and citizen engagement and 6) for inclusive development and innovation***. The ODC

defines open data as "*digital data that is made available with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime, anywhere*"[7]. Some 150 governments, cities, local authorities and organisations joined the ODC; none from Arab countries. Moreover, the ODC's activities developed along with the Open Government Partnership (OGP) and the international efforts to deal with climate change[8]. Its latest strategy consists in shifting focus towards purpose-driven publication of data[9]. According to the OECD, open government data is intrinsically linked to, and is an integral part of, the open government agenda. It stresses the importance of OGD as a key driver for transparency and in many other related ways, for example to counter disinformation in social media (Matasick, Alfonsi and Bellantoni, 2020[10]).

The conceptualisation of Open Government Data also emerged from the concept of **Open Data (OD),** which developed worldwide in parallel and in response to the development of intellectual property and the rise of their commercial value, especially with the acceleration of the circulation and accumulation of information through the web (the data revolution) (Kitchin, 2014[11]). OD involves the data produced by individuals, private sector enterprises and public institutions alike (Figure 1.2) (Deloitte, 2012[12]). The Open Knowledge Foundation[10] defines open data as all data "*that can be freely used, re-used and redistributed by anyone - subject only, at most, to the requirement to attribute and share alike*"[11]. This is the case of **open-source codes**, open educational resources, etc. It leads to **Open Knowledge** "*when it's useful, usable and used*".

Figure 1.2. The Open Data Ecosystem



Source: Deloitte (2012[13]), "Open data: Driving growth, ingenuity and innovation", *A Deloitte Analytics Paper*, https://www2.deloitte.com/content/dam/Deloitte/uk/Documents/deloitte-analytics/open-data-driving-growth-ingenuity-and-innovation.pdf.

The case for Open Government Data is the strongest in this context, as it is produced with taxpayer money. But open data is overseen in a more global perspective, within the interactions between developed and developing countries, and between multinational companies and the countries' economies and their populations' livelihoods. As assessed by Deloitte, "*businesses will need to overcome the inevitable tension between the value they traditionally ascribe to proprietary data and the value of opening up, making their data more accessible and combining it with other sources will dramatically increase its value to the economy… Open data will be a vital driver for growth, ingenuity and innovation*" (Deloitte, 2012, p. 3[12]).

In this perspective, ESCWA adopts the simple and more general definition of the Open Data Institute[12], as "*data that anyone can access, use and share*" (ESCWA, 2016, p. 12[14]). Thus, Open Government Data is not only seen for its value for a particular country governance, but also for promoting economic (and social) global development and growth.

Open government and e-government

E-government is a strong enabler of open government when it supports the same principles. E-government is mainly related to the use of modern ICT technologies by government and local authorities to provide better public services to citizens[13]. However, there is a clear difference between e-government and open government, the latter being a governance issue. In fact, new ICT technologies facilitate open government and allow innovative approaches; but open government can be implemented even with low penetration of ICT technologies. This can be the case, for example, when investigative media requests the release of public contracts and makes government open and accountable for their content. At the same time, e-government does not necessarily always lead to openness. Thus, open government usually includes the use of ICT by governments but is in no way limited to it. "*If a government agency adopts digital records, they may indeed see gains in efficiency even if they do not make those records publicly available. But unless the reform increases public access to these records, this would not qualify as open government*" (Williamson and Eisen, 2016[15]).

Many UN agencies uses interchangeably the terms "e-government" and "**digital government**", as no formal distinction is made between them among academics, policymakers and practitioners. In many countries, the term e-government is embedded and institutionalised in national policies and strategies, though in some cases reference is made to digital government as the next phase of e-government. UN DESA does not differentiate between e-government and digital government in its worldwide surveys[14]. The UN DESA Survey last defined e-government in its 2014 edition, as "*E-government can be referred to as the use and application of information technologies in public administration to streamline and integrate workflows and processes, to effectively manage data and information, enhance public service delivery, as well as expand communication channels for engagement and empowerment of people*."[15]

The OECD differentiates between the two concepts. E-Government *"refers to the use by the governments of information and communication technologies (ICTs), and particularly the Internet, as a tool to achieve better government", while Digital Government (DG) "refers to the use of digital technologies, as an integrated part of governments' modernisation strategies, to create public value. It relies on a digital government ecosystem comprised of government actors, non-governmental organisations, businesses, citizens' associations and individuals, which supports the production of and access to data, services and content through interactions with the government"* (OECD, 2014, p. 6[16]). In the latter concept, ICTs are therefore seen as an enabler and not the main focus. The OECD issued a Recommendation on Digital Government strategies, in addition to the one on open government (see below).

Most Arab countries use the two terms interchangeably, with also the term "smart government". However, the new trend is to use digital government to reflect the use of emerging technologies, such as artificial intelligence (AI), big data and internet of things (IOT) in government services, and some incorporate open data and citizen participation within digital government. For the purpose of this report, the terms e-government and digital government shall be used interchangeably.

Open government and the SDGs

The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015[16], aims at providing a shared blueprint for peace and prosperity for people and the planet, to be implemented by all countries and all stakeholders, acting in collaborative partnership. At the heart of the Agenda are the **17 Sustainable Development Goals (SDGs),** which seek to integrate the three indivisible dimensions (i.e., economic, social and environmental) of sustainable development[17].

Open government is not explicitly a goal within the SDGs but is a way to design and implement policies for the achievement of the whole Agenda. In particular, the concept is directly linked to the **SDG 16** "*Peace, Justice and Strong Institutions*", which seeks to "*promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*". The specified targets of SDG 16 precisely aim to (16.6) "*develop effective,* ***accountable*** *and* ***transparent*** *institutions*", (16.7) "*ensure responsive, inclusive and representative decision-making*", (16.8) "*strengthen the* ***participation*** *in global governance*"[18], (16.10) "ensure public access to information and protect fundamental freedoms" and (16.b) "*promote and enforce non-discriminatory laws and policies*".

However, several other SDG targets explicitly mention the open government principles of transparency and participation, such as:

- 5.5: *"ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making".*
- 6.B: *"support and strengthen the participation of local communities in improving water and sanitation management".*
- 9.C: *"significantly increase access to information and communications technology".*
- 11.3: *"enhance […] capacity for participatory, integrated and sustainable human settlement planning and management".*
- 12.8: *"ensure that people everywhere have the relevant information and awareness for sustainable development".*
- 17.17: *"encourage and promote effective public, public-private and civil society partnerships".*
- 17.18: *"enhance capacity-building support to developing countries […] to increase significantly the availability of high-quality, timely and reliable data".*

The whole 2030 Agenda, and not just SDG 16, can benefit from open government principles and approaches. Indeed, by promoting accountability, participation and transparency, Open Government strategies and practices can inform both the substance and the process of SDG implementation (OECD, 2016, p. 224[4]). Engaging citizens at all stages of the policy cycle and of service delivery, from design to implementation and evaluation, ensures that policies and services aimed at achieving all the SDGs are effective, meet people's actual needs and are perceived as legitimate. This is also clear in the Principles of Effective Governance for Sustainable Development, endorsed by the UN Economic and Social Council in 2018, which include all the OG principles of transparency, accountability, integrity and participation[19].

The link between open government and SDGs has been explicitly acknowledged by the OECD both in its 2016 global report on open government and in the Recommendation, with the latter "*recognizing that open government* […] *is a key contributor to achieving different policy outcomes in diverse domains including* […] *all major socio-economic targets within the framework of the 2030 Global Agenda for Sustainable Development Goals*"[20].

The same link was made by the Open Government Partnership (OGP) in its 2015 "*Joint Declaration on Open Government for the Implementation of the 2030 Agenda for Sustainable Development*"[21]. In this document, the signatory countries, including many OECD and some ESCWA members[22], commit themselves to promote the rule of law through transparency, openness, accountability, access to justice and effective and inclusive institutions, to promote public access to information and open data on

government activities related to the implementation and financing of the SDGs, to support citizen participation in the implementation of all the goals and to uphold the principles of open government when defining indicators for measuring the implementation of the 2030 Agenda. Some countries have even made an explicit link between their OGP national action plan and the SDGs. This is the case for Ukraine[23] and Mexico[24].

The ESCWA initially introduced the concept of OG based on its assessment of the SDGs, and in particular SDG 16 as "*achieving this goal needs good governance*" (ESCWA, 2019, p. 8[17]). It defined good governance as "*participatory; consensus oriented; accountable; transparent; responsive; effective and efficient; equitable and inclusive; and it follows the rule of law*" (ESCWA, 2019, p. 9[17]).

Accordingly, ESCWA launched an open government project in the Arab countries[25], with the overall objective to build the capacities of Member States so that officials can utilise emerging technologies effectively and efficiently to enhance transparency and accountability and adopt a more participatory approach to governance. The project directly targets SDG 16.

The frameworks for the implementation of open government

Beyond the issue of definitions and strong correlation with the SDGs, **open government is a governance practice** and efforts have been deployed by governments, civil society and international organisations, such as the OECD and ESCWA, to foster its adoption and implementation.

The OECD and its Member States have been at the forefront of the open government movement since its beginning. Years of research, analysis, data collection and exchange of good practices fed into the landmark report "*Open Government: The Global Context and the Way Forward*" (OECD, 2016[4]), which was published in 2016 and culminated in the abovementioned 2017 OECD Recommendation on open government (OECD, 2017[3]) (Box 1.1).

The OECD Recommendation defines a comprehensive set of criteria aimed at helping adhering countries to design and implement successful open government agendas. It features ten provisions corresponding to the following areas:

- the creation of an enabling environment, including the policy and legal framework (provisions 1, 2, 3, 7 and 8).
- the implementation framework (provisions 4, 5, 6 and 9).
- the way ahead (provision 10).

In particular, the Recommendation's ten provisions aim to support adhering countries to:

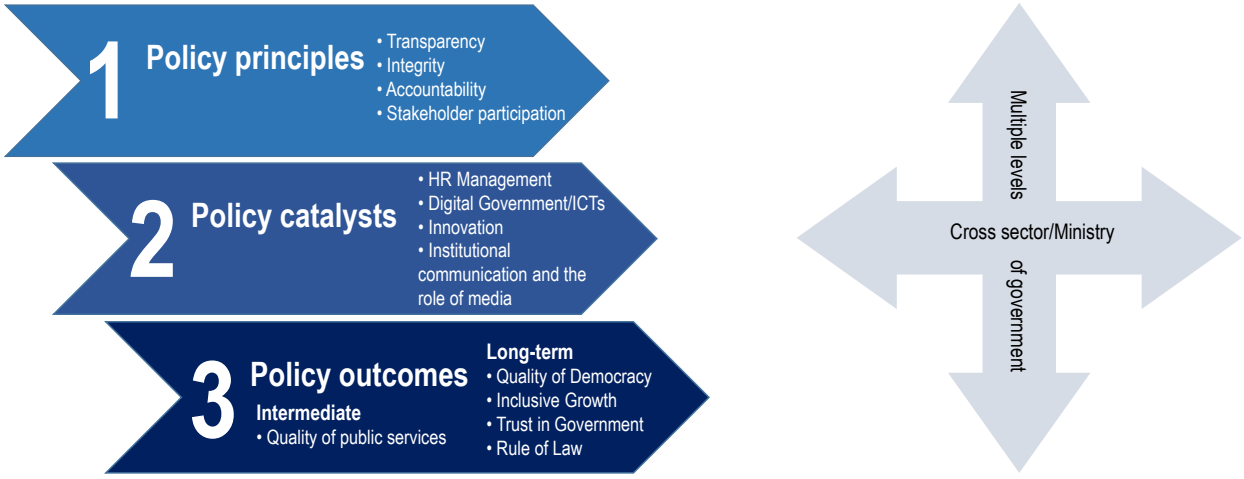
- ensure that open government principles are rooted in a public management culture.
- identify an enabling environment that is conducive to efficient, effective and integrated governance of open government.
- promote the alignment of open government strategies and initiatives with – and their contribution to – all relevant national and sectoral socio-economic policy objectives, at all levels of the administration.
- foster monitoring and evaluation practices and data collection.

It is worth noting that, at the time of writing this report, two MENA countries have officially adhered to the OECD Recommendation: Morocco on 26 April 2018 and Tunisia on 26 July 2019. They are among the only five non-OECD countries to have adhered to this legal instrument.

The OECD has based its open government work on a **theory of change** (Figure 1.3): the four open government principles of transparency, integrity, accountability and stakeholders' participation, also thanks

to policy catalysts such as change management, digital government/ICTs, innovation and public communication, can lead to the following policy outcomes: quality of public services (intermediate outcome), quality of democracy, inclusive growth, trust in government and rule of law.

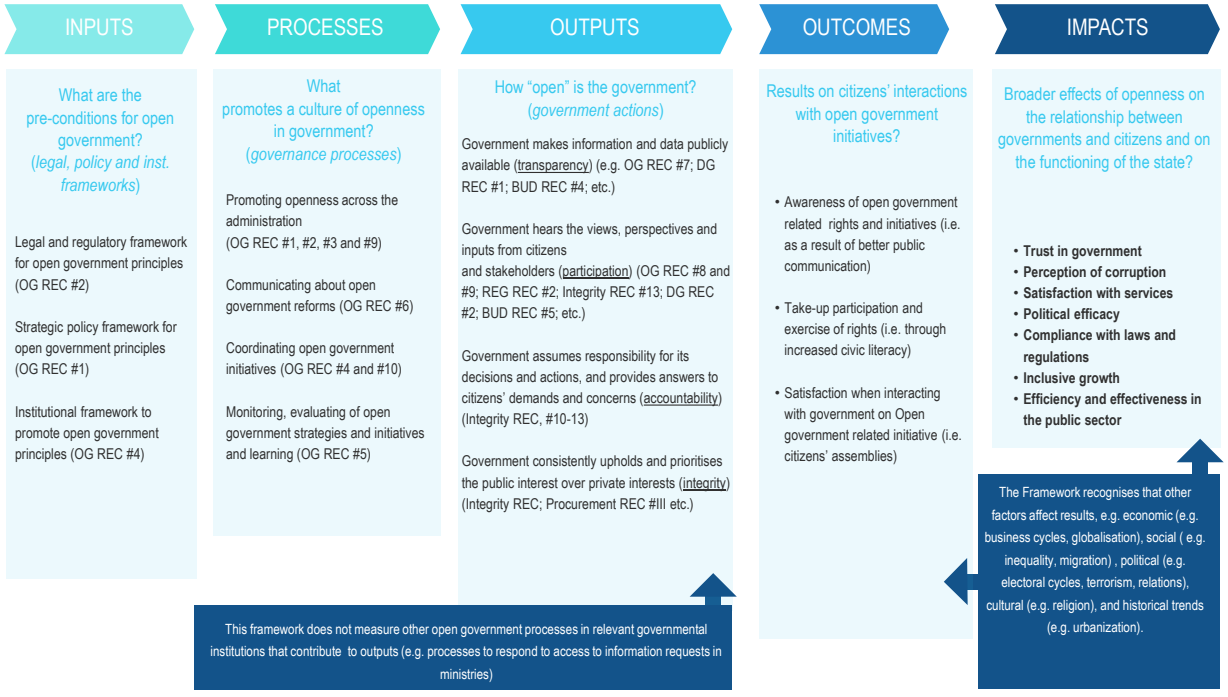
Figure 1.3. OECD Open government theory of change



Source: OECD authors' own elaboration.

The OECD Secretariat is currently working on a "**Framework for Assessing the Openness of Governments**" (OECD, 2020[18]) which will be further discussed with member countries throughout 2021-2022. The proposed framework, which is based on the provisions of the OECD Recommendation of the Council on Open Government, is structured as a theory of change and can therefore provide the basis for a model showing how the OG principles contribute to increased levels of openness and how openness, in turn, has a broader impact. When seeing this as an implementation model, which streamlines many aspects of the ESCWA framework (see below in this chapter), this framework can also represent a suggested "roadmap" for implementing OG reforms and assess how they lead to policy change results.

Figure 1.4. The suggested OECD Framework for Assessing the Openness of Governments



Source: OECD (2020[18]), *A Roadmap for Assessing the Impact of Open Government Reform*, GOV/PGC/OG(2020)5/REV1, OECD, Paris, https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=GOV/PGC/OG(2020)5&docLanguage=En.

According to the proposed model, the main **input** for open government is the "enabling environment", which comprises the legal, strategic, policy and institutional framework of a country. The legal framework could include legislation guaranteeing freedom of expression, of assembly and of association, laws on access to information and on open government data, on citizen participation and on integrity and anti-corruption, among others. The strategic policy framework could include an open government strategy, OG action plans (including OGD), major government strategies (like a national development programme) or sectoral policies promoting transparency, accountability and participation. As per the institutional framework, this would include a dedicated open government and open government data co-ordination structure and oversight institutions or organs, such as an access to information commission.

Once these inputs are in place, countries need to establish **processes** that transform inputs (e.g. laws and policies) into outputs (i.e. openness). These processes include:

- promoting a culture of openness across all levels of public administration (through awareness-raising and training initiatives);
- co-ordinating OG initiatives both horizontally (across ministries and branches of power) and vertically (at central and decentralised level);
- communicating about open government reforms internally and externally; and
- developing M&E and learning mechanisms to track implementation and measure progress on the ground.

If and when these processes are set up, the above-mentioned inputs will translate into outputs, in other words into "openness" of a government and of the state. But how do we know if a state is open? In line with the OECD definition, the framework considers that a government or a state can be considered "open" when its data, its actions, decisions and processes are transparent, accountable, participatory, and consistently demonstrate integrity. This openness must apply to all levels and sectors. More specifically and as per the open government principles, a state:

- is transparent when it proactively discloses information and data that help citizens make decisions on their own lives, do business and understand how public authorities make decisions and spend public funds; a transparent state provides information and data in ways that everybody can easily find, access, understand, use and reuse (including through digital tools), and establishes clear procedures to access the information that is not proactively disclosed.
- is accountable when it is responsive, assumes responsibility, explains its decisions and actions, and provides clear answers to citizens' and stakeholders' demands and concerns; it provides mechanisms for stakeholders to raise complaints, report irregularities and appeal decisions, taking action based on the complaints filed; an accountable state proactively seeks citizens' suggestions and feedback, indicating when inputs are included in the final decisions and explaining why other suggestions are rejected.
- is participatory when citizens and stakeholders can influence the activities and decisions of the state, when they can – safely, equally and without discrimination – contribute views to all the stages of public policy cycle and of public service provision.
- demonstrates integrity when all levels of the state consistently uphold ethical standards throughout their actions, prioritise the public interest over private interests (avoiding state capture by interest groups) and when their activities and decisions are guided by shared ethical values, principles and norms; a government/state that embodies integrity is one that encourages citizens, media and CSOs' oversight of its activities.

But once these four categories of outputs are in place, how can citizens benefit from them? How can a country take advantage of outputs related to transparency, accountability, participation and integrity? This is what the proposed framework defines as **outcomes** of open government, according to which citizens should be:

- aware of their rights and the opportunities provided for by OG policies and mechanisms in place, such as the possibility to request access to information, and be willing to make use of them; hence the importance for authorities to communicate and raise awareness of their OG reforms but also to promote civic literacy;
- satisfied with the experience of interacting with the authorities, for example when sending inputs in the framework of a consultation or when reporting a wrongdoing. This does not necessarily mean that the citizen's proposal has to be accepted; but it is crucial for citizens to feel that their inputs have been taken into account, hence the importance for authorities to provide prompt and clear explanations of how (and why) the final decisions have been made.

Finally, while objectives of OG reforms may vary from one country to the next, the framework identifies the most relevant measurable **impact** areas that increased levels of government openness can have, once the inputs and processes are in place and the outputs and outcomes are achieved. These impacts include:

- Higher levels of trust across all levels of state institutions (citizens believe that their State acts in the public interest);
- Decreased levels of perceived corruption;
- Increased levels of political efficacy (i.e., citizens' belief that they have a say in what their government does, similar to SDG indicator 16.7.2) [26];
- Increased levels of satisfaction with institutions and services such as education and healthcare, in line with SDG indicator 16.6.2;
- Increased levels of compliance with state laws, rules and regulations, which can, in turn, increase the level of revenues that the government and local authorities raise through taxes and other social contributions, such as social insurances, and allow authorities to decrease the resources allocated to policing;
- Increased efficiency and effectiveness of the public sector, implying better capacity to successfully design and deliver policies and services while saving public spending by reducing waste due to poor choices or misallocation of funds;
- Inclusive growth: while economic growth depends on multiple factors, the OG impacts of increased compliance with rules and regulations and increased efficiency can allow the government to better manage public contributions, spending, assets and goods.

While it recognises that the ultimate impact and success of open government reforms can be affected by a number of elements, including economic conditions, social protection, security and other governance aspects (such as functioning of public institutions and election cycles), the proposed OECD framework can be a useful way to streamline open government reforms in the Arab states, along with the ESCWA framework, and assess the results they achieve at different stages of implementation.

In its **framework** for the implementation of open government in Arab countries, ESCWA identified the following dimensions of open government: "**accountability**, **transparency**, **inclusiveness**, **effectiveness**, and **contestability**" (ESCWA, 2019, p. 9[17]). This framework is assumed to be "*consistent with the context of the countries, specifically the level of information and communications technology (ICT) investment, e-government status, and the legislative and regulatory aspects, Arab culture and the level of interaction between citizens and the public sector. The framework can be used as a guideline for a transformation towards open government*" (ESCWA, 2019, p. 9[17]).

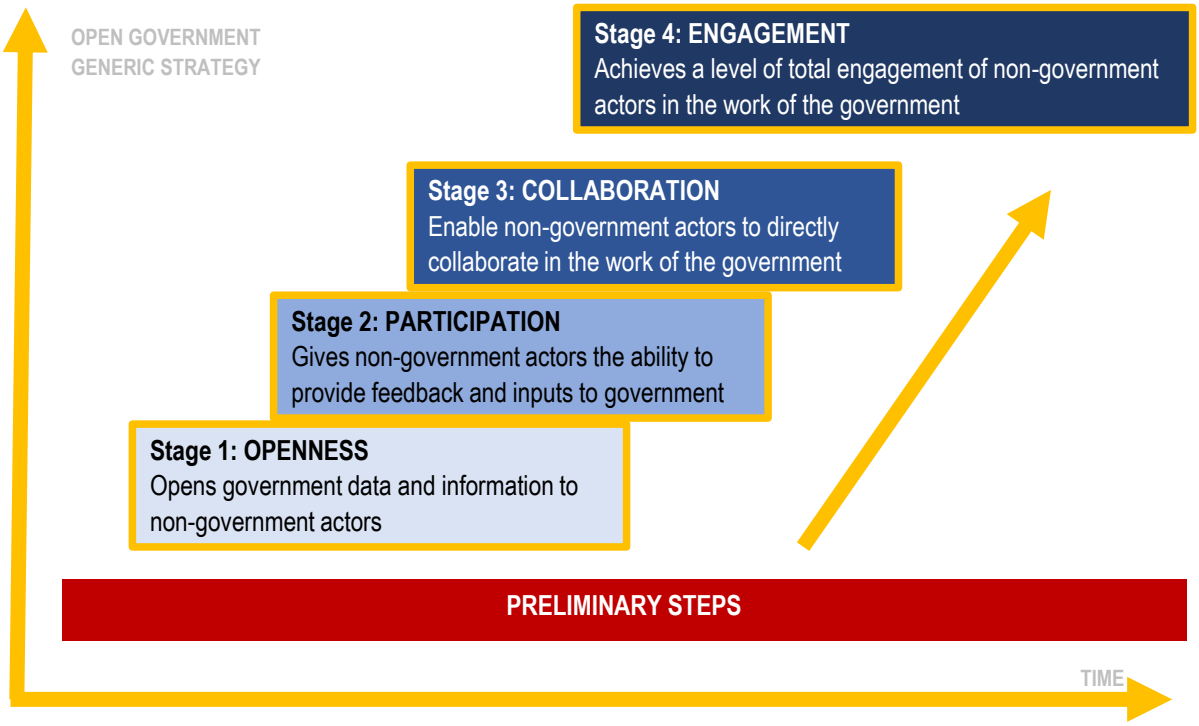
Box 1.1. The ten provisions of the OECD Recommendation on Open Government

1. Take measures in all branches and at all levels of the government to develop and **implement open government strategies and initiatives** in collaboration with stakeholders, and to foster commitment from politicians, members of parliaments, senior public managers and public officials, to ensure successful implementation and to prevent or overcome obstacles related to resistance to change.
2. Ensure the existence and implementation of the **necessary open government legal and regulatory framework**, including through the provision of supporting documents such as guidelines and manuals, while establishing adequate oversight mechanisms to ensure compliance.
3. Ensure the **successful operationalisation and take-up of open government strategies and initiatives** by: (i) providing public officials with the mandate to design and implement successful open government strategies and initiatives, as well as the adequate human, financial and technical resources, while promoting a supportive organisational culture (ii) promoting open government literacy in the administration, at all levels of government, and among stakeholders.
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 by: (i) identifying institutional actors to be in charge of collecting and disseminating up-to-date and reliable information and data in an open format (ii) developing comparable indicators to measure processes, outputs, outcomes and impact in collaboration with stakeholders (iii) fostering a culture of monitoring, evaluation and learning among public officials by increasing their capacity to regularly conduct exercises for these purposes in collaboration with relevant stakeholders.
6. **Actively communicate on open government strategies and initiatives**, as well as on their outputs, outcomes and impacts, in order to ensure that they are well-known within and outside government, to favour their uptake and to stimulate stakeholder buy-in.
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, 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. Promote **innovative ways to effectively engage with stakeholders** to source ideas and co-create solutions, and seize the opportunities provided by digital government tools, including through the use of open government data, to support the achievement of the objectives of open government strategies and initiatives.
10. While recognising the roles, prerogatives and overall independence of all concerned parties, and according to their existing legal and institutional frameworks, explore the potential of moving **from the concept of open government toward that of the open state.**

Source: OECD (2017[19]), "Recommendation of the Council on Open Government", *OECD Legal Instruments*, OECD-LEGAL-0438, OECD, Parishttps://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0438.

The ESCWA framework consisted of **four successive stages: 1) Openness, 2) Participation, 3) Collaboration and 4) Engagement** (Figure 1.5). The measures needing to be implemented as the preliminary steps were detailed, as well as the objectives and procedures of the four successive stages (ESCWA, 2019[17]) (Box 1.2). It stresses that stage 4 needs a full implementation of the previous 3 stages and that only stage 4 ensures the achievement of the "*total engagement of citizens and other non-government actors in government work, by providing comprehensive access to data and services, engaging all parties in policymaking and decision-making, building a citizen-centred and accountable government, ensuring open government sustainability and making an effective contribution to the achievement of the SDGs*" (ESCWA, 2019, p. 53[17]).

Figure 1.5. ESCWA framework for Open Government



Source: ESCWA (2019[20]). *Capacity Development Material on Participation, Collaboration and Engagement,* E/ESCWA/TDD/2018/TP.3., ESCWA, Beirut, https://www.unescwa.org/publications/capacity-development-material-participation-collaboration-and-engagement.

"Engagement makes it possible for non-government actors to take the initiative and the lead in creating public value, as long as this is legally compatible and complies with society's values and the 2030 Agenda for Sustainable Development and SDGs, which all Arab countries have agreed to" (ESCWA, 2019, p. 54[17]).

The ESCWA structured these four stages' generic framework with reference to six strategic objectives, as follows (ESCWA, 2016, p. 1[14]):

1. Developing policy and strategy.
2. Providing institutional frameworks.
3. Setting up legal and regulatory frameworks.
4. Upgrading government capacity.
5. Rolling out technology features and channels.
6. Improving public capacity.

Box 1.2. ESCWA Framework for Open Government

Preliminary steps

- Designing a general framework for open government based on a declared policy document, while outlining the national vision for and overall approach to open government and the principles needed for implementation;
- Elaborating a change management strategy across government is required to addresses both working procedures and mindsets, ensuring coordination and cooperation among various public sector agencies;
- Increasing the capacity of government employees to learn how to use data dissemination tools, as well as interpret feedback from non-government actors;
- Elaborating a clear policy will be needed for embedding ICT use across government, the use of social media;
- Raise awareness among non-government actors, through information and publicity.

Stage 1: Openness

- General objectives:
  - Focus on open data, its dissemination and quality;
  - Build a culture of cooperation among government agencies;
  - Raise public awareness about the importance of openness and the accountability of governments;
  - Encourage innovation and offer innovative services.
- Operational procedures: a) Government departments data inventory; b) Quality assurance of available data; c) Data dissemination and d) Management and evaluation.

Stage 2: Participation

- General objectives:
  - Enhance interaction with citizens, civil society organisations, and enhance receipt of feedback and suggestions;
  - Improve decision-making mechanisms;
  - enhance inclusiveness;
  - Intensify use of ICTs, particularly social media, to increase efficiency and timeliness;
  - Combat corruption, build trust and openness methodology.
- Operational procedures: a) Mechanisms for dealing with social media outlets and b) Implementation of participatory programmes.

Stage 3: Collaboration

- General objectives:
  - Involving all parties: government, the private sector, civil society/NGOs and the public;
  - Deliberations of public policies and decisions;
  - Responding by providing the right services according to the needs of the beneficiaries;
  - Work towards achieving an agile government and rejuvenating its institutions.

- Operational procedures: a) Collaborative technology use and b) Implementing collaborative projects

Stage 4: Full engagement

- General objectives:
  - Comprehensive access to data and services;
  - Engagement of all parties (citizens, civil society organisations/NGOs, private sector alongside government) in policy-making and decision making;
  - Build a citizen-centred and accountable government;
  - Open government sustainability;
  - Effective contribution to the achievement of sustainable development goals.
- Operational procedures: the operational procedures at the first 3 stages continue to be maintained, strengthened, expanded and transferred to new platforms (e.g., mobile platforms).

Source: ESCWA (2019[17]), *Social Protection Reform in the Arab Countries*, ESCWA, Beirut, https://www.unescwa.org/publications/social-protection-reforms-arab-countries-2019.

It also set monitoring and evaluation criteria for each of the stages. In addition, ESCWA assessed the impediments to the implementation of open government (Table 1.1) (ESCWA, 2018[2]; Lee and Kwak, 2011[21]).

Table 1.1. Impediments to the implementation of Open Government

Type of impediment		Indicator
Social, economic and political impediments	**Willingness**	Does the government have the political will to implement institutional reforms?
	Justice	Do all citizens have fair opportunities to participate in decision-making processes?
	Degree of trust	What is the level of trust between citizens and the government?
	Incentives	What are the incentives for citizens to participate?
	Capacity	Do citizens have a minimum digital literacy and the ability to manipulate information in a way that enables them to participate in decision-making processes?
	Legal framework	Is the necessary enabling legal framework in place at the country level (Law concerning the Right of Access to information)
Technical impediments	**Readiness**	Is there a certain level of cyber readiness at the country level (diffusion and usage of ICTs)?
	Convenience	Is the technology appropriate to the socio-economic context (use of traditional media)?
	Stability	Are the information and communication technology programs financially stable and socially sustainable in the long-term?
	Security	Do the technological solutions used ensure the information security requirements?

Source: ESCWA (2018[2]), *Fostering open government in the Arab region*, E/ESCWA/TDD/2018/INF.1, ESCWA, Beirut, https://www.unescwa.org/publications/fostering-open-government-arab-region.

The stakeholders of open government

The key issues of openness, transparency, inclusiveness, participation, collaboration, engagement, accountability and contestability of Open Government (OG) involve different stakeholders which need to be clarified in the frameworks and procedures related to implementation and assessment of impact.

The fist main stakeholder in OG, i.e. the "government", is understood differently in the different approaches. Some approaches consider government as the central executive branch of the state and others include in

this term all state pillars (i.e. the legislative, the judiciary and the executive, assumed independent from each other) and levels (central, regional and local).

The second main stakeholder of OG, often referenced as "the citizens", is also understood differently. It can include the individual citizens as such, but also the "social partners", often referred to as the "civil society", grouped in non-governmental organisations (NGOs), unions and syndicates, and various interest groups (such as the users of public services), media, academia, in addition to private "economic partners", such as large or small companies, business associations, or groups of sectorial economic interests.

Open government often focuses on the central executive body, so excluding the legislative and judicial branches, as well as the local/decentralised levels. Such focus introduces limitations, as it omits for example the close interaction between the local legislatures and executive bodies and their local constituencies of citizens and local stakeholders; which is the closest level of governance to the citizens.

In this context, the OECD encourages countries to move from open government, focussed mostly on the central executive power, to Open State that includes also the legislature (parliament), the judiciary, independent state institutions (including oversight bodies) and sub-national governments (such as provinces or regions) (see Box 1.1, recommendation 10). All these branches and levels should "*collaborate, exploit synergies, and share good practices and lessons learned*" to promote the core principles (OECD, 2017[3]).

ESCWA does not differentiate between Open Government and Open State, addressing all pillars and levels of state/government and all governed, including private sector enterprises, NGOs and individual citizens (ESCWA, 2018[2]).

In this report, the concept of open government is used to refer to all branches and all levels of the state, as well as to all stakeholders.

Measurement, monitoring and evaluation (M&E) of open government

The OECD and ESCWA, as well as the other institutions involved in the development of open government frameworks had made efforts to establish methodologies for measuring the progress in implementation of open government strategies, initiatives and action plans, as well as for assessing and evaluating its impact. The OECD had pointed to a "*prevailing gap between the initial step of monitoring open government initiatives and a sound evaluation of the results to enhance transparency, accountability and citizen participation*" (OECD, 2016, p. 111[4]). The first aspect concerns the performance management of the strategies, initiatives and action plans, while the second addresses the social, economic and governance outcomes. The OECD noted that "*a conceptual confusion between monitoring and evaluation appears to be relatively common*" (OECD, 2016, p. 121[4]).

The majority of OECD countries self-monitor their open government initiatives and such monitoring differs among countries. The Independent Reporting Mechanism (IRM)[27] of the OGP, overseen by an International Experts Panel (IEP), is one of the preferred monitoring mechanisms of OGP members. The IRM produces annual independent progress reports for each country participating in OGP and make technical recommendations for improvements[28].

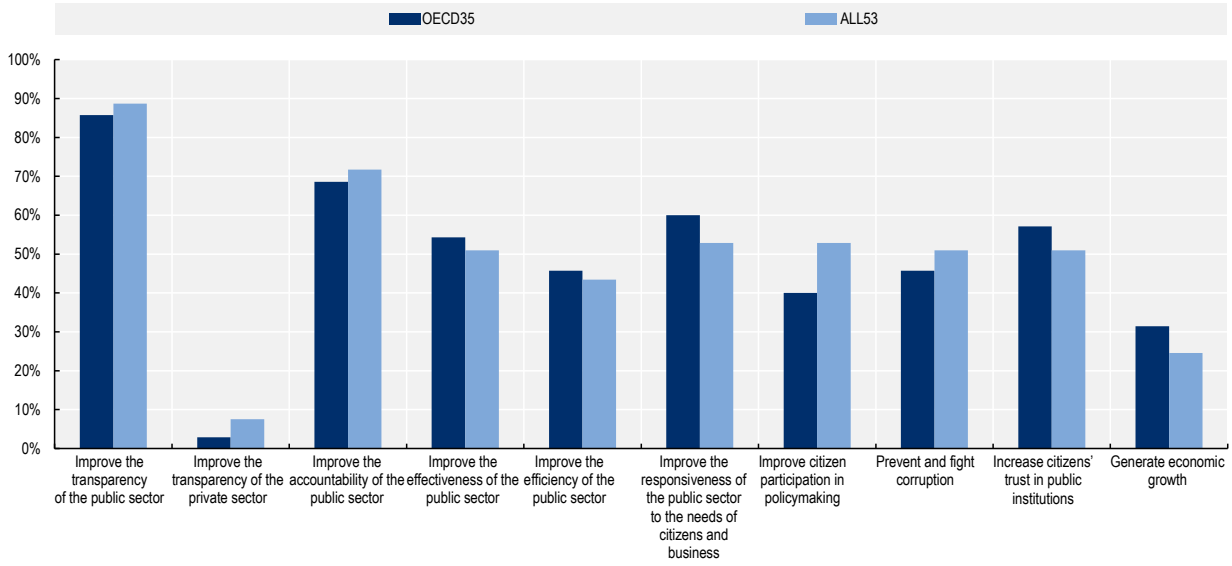
However, the OECD observed that "*few countries actually evaluate the impact of open government initiatives*" (OECD, 2016, p. 119[4]). The evaluation procedures, where they exist, are diverse: self-assessment, IRM, citizen and stakeholders survey, as well as independent assessment conducted by non-governmental organisations (NGOs). Also, not all countries make public the results of the impact evaluation.

The OECD also noted that monitoring and evaluation (M&E) must be conducted at both the whole of government and at sectoral levels (for example for the Ministries of Health or of Finance). However, not all

OGP members have a single central institution responsible for the co-ordination and monitoring of open government action plans, which creates difficulties for the monitoring, as well as for the evaluation and for following up on OGP commitments.

Given the wide range of goals that governments intend to achieve through open government reforms (Figure 1.6)[29], the OECD identified elements, still to be standardised in indicators, that can be used to build an evidence-based evaluation of the impact of policymaking, accountability and voice.

Figure 1.6. Objectives that countries wish to achieve through Open Government



Source: OECD (2016[4]), *Open Government: The Global Context and the Way Forward*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264268104-en.

On another level, the OECD assesses the main advancements and challenges related to the design and implementation of open government data (OGD) policies in its member and partner countries (OECD, 2019[22]).

As mentioned earlier, the OECD Secretariat recently started working on an OECD Framework for Assessing the Openness of Governments (OECD, 2020[18]). This work is expected to lead to the design of the first-ever OECD Openness Index, which will analyse the level of openness governments have achieved, and of Results Indicators showing the broader effects of openness on the relationship between governments and citizens and on the functioning of the state. The OECD Openness Index will estimate how open government reforms contribute to specific outcomes and impacts, based on specific statistical models and isolating the effect of potential confounding factors.

The ESCWA proposed measurements for the monitoring of the implementation of its open government framework in national initiatives and for each of its stages (ESCWA, 2018[2]). Some initiatives, especially at stage 4, are more focussed on the measurement of OG impact.

1. Openness: quantitative: such as frequency of visits, number of downloads, number of published datasets, etc.; qualitative: public understanding of open government initiatives and services; overall public satisfaction on interaction with government; culture change of government departments towards openness, data accuracy and consistency, timeliness and relevance of data.
2. Participation: quantitative: number of visitors, fans and followers of social media; the number of ideas presented by the citizen; ratio of publications to remarks; voting rate; trends in public

participation; number of "out of control" cases like harassment and abusive comments; qualitative: changing the culture of government departments towards openness; general satisfaction with government interaction; benefits of general comments; published innovative ideas.

3. Collaboration: quantitative: number of cases of cooperation between institutions and citizens; the number of instances of collaboration between the public and private sectors; the number and variety of external partnerships; and the number of value-added services that had been created; qualitative: extent of the quality and innovation of collaboration inputs and public satisfaction with government interaction.
4. Full engagement: mostly concentrated on outcome/impact, such as the increase in public participation and collaboration, both public and private; level of integration between open government services and procedures; tangible benefit of citizen engagement tools and applications; evaluation of the overall user experience; continued citizen participation over time; impact of the open government application at the level of transparency, accountability and trust; impact of the open government on the level of the open government responsiveness to the demands of citizens; and the impact of open government application on productivity and innovation.

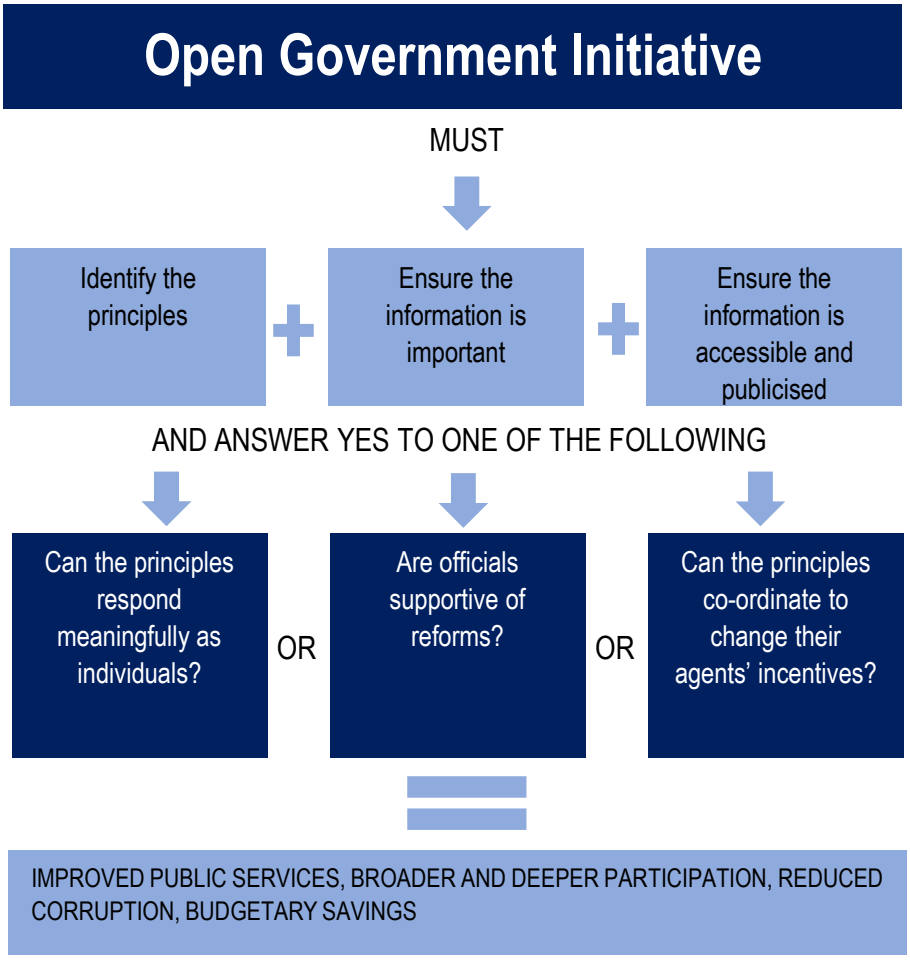
Other institutions have also developed specific indicators in relation to the implementation of open government. Most are focused on impact more than monitoring. This is the case for example of the Open Government Development index (OGDI), the E-Government Development index (EGDI) and the E-Participation Index (EPI) developed by UN DESA[30], of the Government Electronic and Mobile Services index (GEMS) developed by UN-ESCWA, of the World Bank's Worldwide Governance Indicators (WB WGI), the World Justice Project index (WJP), the Open Data Barometer indexes of the World Wide Web Foundation and Open Data Institute, and of the Corruption Perception Index of Transparency International (TI CPI). In addition, SIGMA, a joint initiative of the OECD and the European Union, developed the Principles of Public Administration, which include a methodological framework in the area of accountability[31].

A 2016 worldwide assessment of open government led to a proposed methodology (Williamson and Eisen, 2016[15]) for analysing the progress in its implementation, tackling the question "does open government work?". The methodology addresses the issue through the relation between the government/state institutions and the stakeholders/society through six features/questions:

1. Have the proponents identified the specific principals (e.g., segments of the public, civil society, media, and other stakeholders) intended to benefit?
2. Is the information revealed by the initiative important to the principals?
3. Is the information accessible and publicised to the principals?
4. Can the principals respond meaningfully as individuals?
5. Are governmental agents supportive of the reform effort?
6. Can the principals coordinate to change their governmental agents' incentives?", as the "willingness of officials to support reform is not independent of the mobilisation of informed citizens".

According to this methodology, the success of open government initiatives is linked to the responses to these questions (Figure 1.7), three broad categories of impact are defined: "*budgetary savings (including reductions in corruption), improvements to public services, and broader and deeper public participation*". These are not exclusive outcomes, but those that make "*a real difference in people's lives*" (Williamson and Eisen, 2016[15]). Budgetary savings can be assessed by accounting for whether the money top-level officials allocate for a particular purpose is actually spent on that purpose by local officials; public service improvements by higher educational attainment, better community health, or more reliable infrastructure; and public participation by broader and deeper public engagement in the political process, increased confidence in government and a strengthened social contract.

Figure 1.7. Steps to a successful open government initiative



Source: adapted from (Williamson and Eisen, 2016[15]), "The impact of open government: Assessing the evidence", *Working Paper December 2016*, Center of Effective Public Management at Brookings, https://www.brookings.edu/wp-content/uploads/2016/12/gs_20161208_opengovernment_report.pdf.

The COVID-19 crisis and open government

The COVID-19 pandemic has created an unprecedented social, economic and governance situation. It led to restrictions and confinement and had a strong impact on public management and transparency, but also on the use of ICTs for remote activities. Facing a unique challenge, governments are testing and implementing new policies and approaches in a moment of peak uncertainty. While civil society and citizens are observing a shrink in the civic space in many countries, the principles of transparency, accountability, participation and engagement have come under intense pressure; On the other hand however, this tension could also meaningfully contribute to better outcomes[32].

The OGP has launched an initiative to share examples[33] on how the OG principles are applied in the context of the pandemic. In the same spirit, the OECD launched a call for evidence on the release and use of Open Government Data (OGD) by different actors (such as entrepreneurs, media, researchers, CSOs, and the public sector) in response to the COVID-19 pandemic[34] and is tracking innovative responses to the crisis[35]. A first assessment was made by the OECD of the impact of the COVID-19 crisis on government transformation[36]; however, the results were mixed. According to the assessment, all stakeholders are experiencing a shock with regard to the basic workings of the state and the delivery of service by the public

sector, which will "*likely change the default expectations of what is "normal" and how things should or could be*". It acknowledged UN experts warning on the democratic compromises resulting from the emergency situation that need to be "*proportionate, necessary and non-discriminatory*"[37]. It referenced the V-Dem's Pandemic Backsliding Project[38] assessing how much state responses to the pandemic undermined democratic principles to reflect the "*increasing calls for the removal of restrictions to access to information and civic freedoms – many of which are not deemed proportionate, necessary and non-discriminatory – and heightened concerns about censorship, the use of emergency laws to delay the enactment of data protection laws, and other government abuses of power in their responses to the pandemic. At the heart of these debates, in OECD member countries and beyond, there are concerns about privacy and surveillance".*

The OGP formulated a guide on Open Government and the Coronavirus (OGP, 2020[23]). Acknowledging the pandemic's impact on civil society organisations (CSOs), it states that "*it is essential that the freedoms of association, assembly, and expression are respected in the context of these dramatic public health measures. A healthy civic space is even more important in times of crisis, from incubating innovative pandemic responses to ensuring vulnerable communities receive vital support. Government changes to civic space must take a transparent, accountable, participatory, and legal approach to ensure that the freedoms of assembly, association, and expression are upheld despite the pandemic*". For this, it elaborated recommendations on open response, involving legal principles and processes and institutions, as well as on open recovery and reform.

The Arab countries implemented policies and measures dealing with the COVID-19 crisis. For the purposes of this report, it is meaningful to assess how such policies and measures were in line with OG principles and framework.

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2 Impact of open government on economic, social and governance development

This chapter presents an overview of the socio-economic impact of open government reforms, including a number of concrete examples. It looks at economic impact for the private sector, citizens, the public sector and the economy at large. As per the social impact, it investigates more particularly the positive outcomes on health, education and gender equality. It concludes by presenting how open government principles improve public governance.

It has been argued that the concept of governance has four underpinnings: structure, process, mechanism and strategy. As a structure, it refers to both formal and informal institutions. As a process, it implies the complex dynamics of lengthy policymaking. As a mechanism, it entails the existence of institutional control and compliance procedures. As a strategy, it reflects stakeholders' decisions on design, structure, processes and mechanisms (Levi-Faur, 2012[1]). Similarly, according to the OECD, "sound public governance consists of the formal and informal rules, procedures, practices and interactions within the state, and between the state, non-state institutions and citizens, that frame the exercise of public authority and decision-making in the public interest" (OECD, 2020[2]). Central to the concept of governance is the state's capacity in the Weberian sense, which is based on a modern bureaucracy. This bureaucracy includes a clearly defined hierarchy of offices, each with a defined sphere of competence, staff selected on the basis of technical qualifications, salary-based remuneration, careers developed in-office, and strict discipline and control of public servants.

The challenge of building peaceful, just and inclusive societies is emphasised in SDG 16. Among the main determinants of differences in development achievements and prosperity across countries are differences in the governance structure, the effectiveness of institutions and public administration. Economic growth necessary for inclusive sustainable development is related to the ability of a society to increase its human and physical capital, and improve its innovation capacity, which is increasingly true in a knowledge-based economy. To analyse why some countries are much richer than others or why they grow much faster than others, it is paramount to look for potential fundamental causes, which may be underlying these proximate differences across countries in their development trajectories.

In fact, institutions greatly matter for economic growth and social development because they shape the incentives and performance of key socio-economic actors in society. And because of their influence on the distribution of economic gains, not all individuals and groups typically prefer the same set of institutions. This leads to a conflict of interest among various groups and individuals over the choice of institutions, and the social and symbolic capital of the different groups will be the deciding factor. This was an important factor for the widespread uprising that took place in Arab region in the past decade including Tunisia, Egypt, Syrian Arab Republic, Yemen and Libya (see Box 2.1).

Box 2.1. Uprisings in the Arab Region and the demand for citizen-oriented public services

The Arab uprisings in 2011 unveiled a widespread resentment and discontent with the poor governance models, inefficient institutional performance and lack of basic services. This disenchantment with public institutions' performance was further exacerbated by the recent COVID-19 pandemic crisis. Major changes in social, cultural and economic fields are usually the result of fundamental political transformation. This implies—for governments and public institutions—significant change in the provision of services for their constituencies. Citizens' demands and expectations from public institutions have been changing and increasingly diversified. Because of the changes ushered in by ICTs, citizens expect a high quality and efficient service and demand its provision fast and in an effective way. Citizens in the Arab region no longer want to receive insufficient and ineffective public services that do not address their needs and priorities. They instead expect consideration of their demands and expectations in the provision of the service and flexibility by the public servants and officials in this process. When it comes to access to justice, they also want to be able to convey their grievances and file their complaints in case they find the service insufficient or inefficient and expect to receive a swift response to these complaints by the public authority. This citizen-oriented public service represents an approach to service provision that considers involvement of the citizens in the process, consideration of their demands, wishes and priorities and citizen satisfaction in all phases of the processes.

Source: ESCWA authors' own elaboration.

Driving economic impact through open government and open data

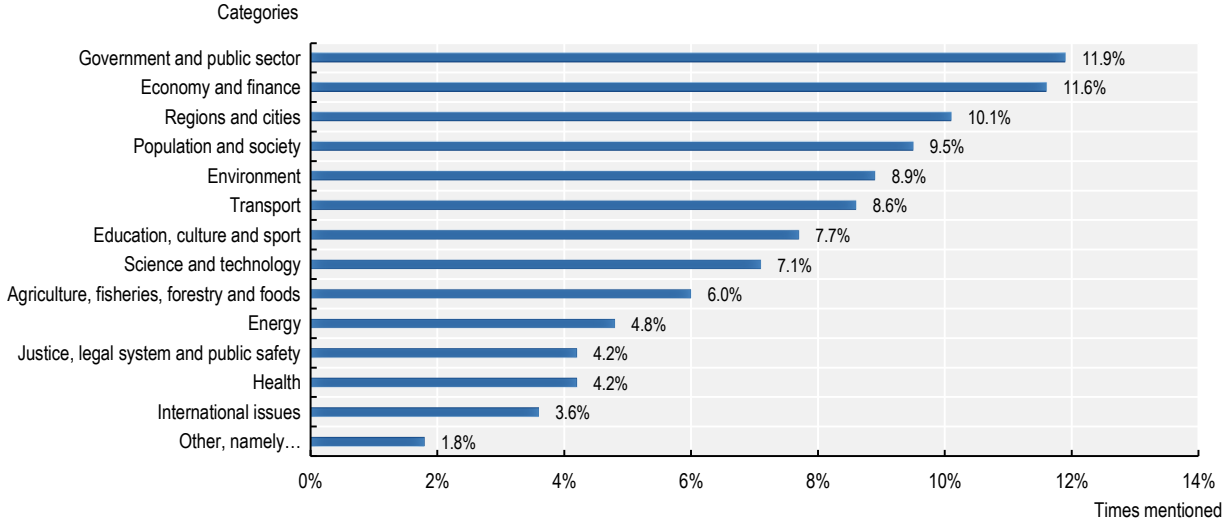
Open government includes the concept of open government data (OGD), which is about granting access and proactively sharing public sector data without any legal, technical, or financial restriction. In that sense, open data is not only a driver of public sector accountability and transparency, but also of civic and govtech innovation, entrepreneurship, discovery, and other public benefits (OECD, 2018[3]; Meyer, 2014[4]). Based on experiences from the world and various sectors and stakeholders, open government and open data can have a positive impact on economic growth and job creation; and their application can support, among others, the achievement of SDG 8 on decent work and economic growth, especially the realisation of targets 8.1 on sustainable economic growth, and target 8.2 on promoting policies to support job creation and growing enterprises.

The local and regional market size of OGD could be important when the data is well presented and promoted among SMEs and entrepreneurs. As an example, in the EU27+ countries, the market size was estimated in 2019 at EUR 184 billion, and was expected to reach somewhere between a baseline of EUR 199.51 billion and an optimistic EUR 334.21 billion in 2025, employing 1.09 million people in 2019 with up to 80% forecast increase in jobs in the upcoming six years under the optimistic scenario (European Data Portal, 2020[5]). Open data can play a more important role in some sectors as compared to other sectors. Additionally, stakeholders can benefit in different ways from open government and open data.

Private sector

In the private sector, firms undergo the most notable potential economic impacts through growth and increased productivity via efficiency improvements and through the development of new products and services enabled by open data. Open data enables faster and easier access to more information, which in turn enables the establishment of new companies. Moreover, re-using open data can improve existing products and services or be used to develop new ones, especially for SMEs and startups, which usually face challenges in terms of generating or having access to specific datasets. Based on an EU survey, the most re-used data category is the government and public-sector data, intended as public administration and how the public sector functions, followed by the economy and finance (European Data Portal, 2020[6]) (see Figure 2.1).

Figure 2.1. Most used data categories in the European Data Portal



Source: European Data Portal (2020[6]), *Re-using Open Data: A study on companies transforming Open Data into economic and societal value*, European Union, https://data.europa.eu/sites/default/files/re-using_open_data.pdf.

Open data, when data quality is high and can be used as a tool for transparency, can create a range of opportunities in the private sector which can be summarised as follows (Capgemini Consulting, 2013[7]):

1. New Firm Creation: Through reusing government data freely in novel ways, open data can be the driver of growth and creation of new firms. Several applications and platforms are built using government data such as the New York City portal (City of New York, n.d.[8]; NYC Open Data, 2019[9]) which allows small businesses to use data to identify the best neighbourhoods in which to open or expand their companies. Moreover, many firms and networks all over the world are being established as the result of open data. In Spain, a study estimates that there are over 150 companies focused solely on the infomediary sector with an estimated business volume of around EUR 330-550 million and an estimated number of employees ranging between 3 600 and 4 400 employees (Datos.gob.es, 2012[10]).
2. New Products and Services: SMEs with products and services based on open data such as global positioning systems, financial services, and software applications are now able to generate new businesses and jobs (Capgemini Consulting, 2013[7]). A study shows that firms that reuse government-released geographical data either freely or at marginal costs grew annually 15% faster than those located in countries in which public sector GI is priced according to the cost-recovery principle (Koski, 2011[11]).
3. Supplementing Existing Products: A blend of public sector and proprietary information can be the path to innovative solutions such as data as-a-service. For instance, a company that develops applications, called CloudMade, generates profit through leveraging OpenStreetMap data from the transport domain and supplementing it with various datasets from alternative sources in order to create comprehensive location data, after which the data is sold to developers and application publishers (Capgemini Consulting, 2013[7]).

Citizens

For citizens, the economic benefits of open data can include job creation, free access to data that was once expensive, and the time and costs saved in traffic or using public transport. In the process, open data is creating new jobs and new ways for citizens to prosper in the world. In Europe where open data has been developing in the last decade, it is forecasted that in 2025 the number of direct and indirect open data employees could reach 1.97 million employees in the EU27+ countries in an optimistic scenario, at a growth potential of 884 000 open data employees from 2019 (European Data Portal, 2020[5]). In 2020, citizens benefited from the 100 000 new job opportunities created by open data in the EU28+ (Berends, Carrara and Radu, 2020[12]). Moreover, cost and time savings in public transport and road traffic will have a significant economic impact as well. Aside from saving commuters time stuck in traffic, using open data apps on the roads to find alternative routes that avoid traffic can lower gas consumption and reduce the costs on the citizens as well. Citizens in the EU have saved 2 549 hours in finding parking spots (Berends, Carrara and Radu, 2020[12]).

Public sector

For public sector organisations, opening up data and processes offers income generation, cost savings, and an opportunity to improve accountability and efficiency of service provision. Open government is improving governments around the world by making them (a) more accountable by adding transparency to a host of government responsibilities and functions notably budgeting, which aids governments against corruption; and (b) more efficiency through ameliorating public services and resource allocation (Young and Verhulst, 2016[13]). For example, projects (e.g., the Finnish ‘tax tree’ programme and the British ‘where does my money go’ initiative) foster transparency through showing how tax money is actually being spent by government. New public value creation is possible because government-owned data provide an essential resource for business and technological innovations and socio-economic developments in the

information society (AlAnazi and Chatfield, 2012[14]). This is reflected in various aspects; some of which are as follows:

1. Generating Revenues from Open Data: For instance, the Austrian public sector body responsible for geographic information lowered charges on reusing raw data by as much as 97%, which resulted in a 7 000% growth in demand for certain product groups (see Box 2.2) (European Commission, 2011[15]).
2. Increased Tax Income from Commercial Usage of Open Data: Governments can sustain long-term tax revenue growth through a variety of direct and indirect applications of open data across the economy (see Box 2.2). The aggregate direct and indirect economic impact from such applications and their use across the EU27 economy is estimated to be EUR 140 billion annually (European Commission, 2011[16]).
3. Reducing Transactional Costs and Redundant Expenditure: Public officials use much of their time and resources to answer citizens' queries and questions. Opening the data to citizens online in a searchable and accessible format can have a direct impact on diminishing the cost of servicing. For instance, the Bristol City Council in the UK reduced transaction costs when it introduced an open data catalogue, where the cost to the council for a typical service transaction was found to be 15 times more expensive if answered in person or over the telephone than if answered over the Internet (Pollard, 2011[17]).

Box 2.2. Re-use of Public Sector Information

Case of Austrian Federal Office of Metrology

The Austrian Federal Office of Metrology and Surveying (BEV), in charge of surveying and mapping, and the Austrian Cadastre, adopted in 2006 a simplified and more market-oriented Public Sector Information (PSI) pricing approach, resulting in drastic price cuts of up to 97%. The new model was reviewed and amended in 2008 and 2010.

The reduced prices for PSI have led to a substantial increase in the number of datasets sold. During 2007, the sales for many PSI products rose significantly: a 200–1 500% increase for cartographic products, 7 000% for digital orthophotos, 250% for the digital cadastral maps, 250% for the digital elevation mode, 1 000% for the digital landscape model, and a 100% increase in external-use licenses. The bulk of this additional demand came from Austrian SMEs. Many such business activities, mainly involving SMEs, have evolved since the implementation of the new model.

Case of Danish Enterprise and Construction Authority

Public sector bodies, which have drastically cut their charges for re-use of public sector information have seen the number of re-users increase by between 1 000% and 10 000%. For instance, in the case of Danish Enterprise and Construction Authority (DECA) the number of re-users went up by 10 000% leading to a re-use market growth of 1 000% over eight years. The additional tax revenue for the government is estimated to be four times the reduction in income from fees.

Sources: European Commission (2011[15]), Pricing of Public Sector Information Study (POPSIS) - Models of supply and charging for public sector information (ABC). Shaping Europe's digital future.
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Economy as a whole

The economic impacts of opening up government data, processes and policy-making may also be observed at the level of the overall economy, especially if open data can be used broadly across different sectors of the economy. The benefits of open government on the economy can be reflected positively on the macro-level across the borders as well.

1. Economic growth and business environment: Greater policy transparency and frequent and accurate disclosure of macro-economic data is associated with a positive impact on the foreign direct investment (FDI) inflows and credit ratings (Drabek and Payne, 2002[18]). Recent research confirms that fiscal transparency, in particular during the budget execution phase, has a strong positive impact on attracting FDI inflows, and this is even more true for non-OECD countries (Cicatiello et al., 2021[19]).
2. Improved trade: An analysis of more than 100 trade agreements shows that each additional transparency clause enhances the public visibility and predictability of applicable terms for all trading partners and is associated with a one percent higher flow in bilateral trade (Lejárraga and Shepherd, 2013[20]).
3. Expanded economic opportunity: In the European Union (EU), the total direct economic value of open public data is expected to increase from a baseline of EUR 52 billion in 2018 for the EU28 to EUR 194 billion in 2030 (European Commission, 2020[21]) coupled with thousands of new job opportunities that will stimulate the economy.

On the micro-level, studies evaluating costs and benefits of open data initiatives confirm that the benefits outweigh the costs for organisations, while on an aggregated level, they suggest that the added GDP value associated with open data fluctuates between roughly 0.4% and 1.58%, which can further increase by 0.5% when adopting a free access model (Berends, Carrara and Radu, 2020[12]).

Social Impact of Open Government

Social impact refers to an effect on an existing social challenge that brings about significant positive change and furthers social progress (University of Michigan, n.d.[22]). Open government, in its focus on developing institutions that are accessible to all and respond to people's needs and value their participation, can drive this social impact. Some of the areas where open government initiatives can bring about the sought changes are related to health and well-being, quality education and gender equality, included in SDGs 3, 4 and 5 respectively.

Health and well-being

Open government initiatives around open data and the engagement of people in decision-making could help governments expand access and delivery of health services, build better health systems and garner investments in clinical research. Areas that could benefit from open government are universal health coverage, primary care, reproductive health, and health budgets (OGP, 2019[23]). During the COVID-19 pandemic, these initiatives helped to build trust in government actions, which is needed to increase compliance with the measures to reduce the spread of infection. The transparent sharing of valid information and data on the pandemic is necessary to dispel misinformation about the health crisis and the virus. For example, data on infections, recoveries and locations can be used innovatively by researchers, practitioners, journalists, developers and entrepreneurs to develop insights on the virus and its epidemiology and web applications that help better safeguard citizens (Pyo, S. et.al., 2020[24]; Straface, 2020[25]).

Open health data

Open health data is the most common open government initiative in the area of healthcare, and its benefits extend beyond ensuring transparency and accountability to supporting new clinical research using artificial intelligence (Harvey, 2018[26]). For example, the United States National Institute of Health released in 2017 anonymised chest X Ray images and data to be used by researchers to teach comparative computers disease detection and diagnosis. This helps in developing a virtual radiologist that would benefit patients, especially in countries where these skills are lacking (Summers, 2017[27]).

The publishing of open public health data could enhance transparency and accountability in healthcare coverage. Through this data, people and civil society organisations can scrutinise how systems work by voicing concerns and questioning decisions. Open budget and expenditure data can be used to analyse and track spending to ensure the delivery of goods and services (OGP, 2019[23]). However, the concern lies when data identifies the people concerned, while anonymity is necessary in open health data in order to have long-term social impact across all elements of the healthcare system.

The use of open data for COVID-19 cases has many benefits, yet there were some privacy concerns when the data was used in applications to warn people of the location of infected cases. While the aim was to reduce the risk to the population, the privacy of individuals was compromised in some cases and was coupled with social stigma and confrontations that would further marginalise vulnerable groups (Pyo, S. et.al., 2020[24]). Therefore, it is essential to consider what information to release about those impacted by the pandemic.

Participation and collaboration for better health

The public access to information on health services helps people make informed decisions and could improve systems and hold authorities accountable. Initiatives include platforms that allow citizens to provide feedback on health systems and to share ideas based on their needs. The sharing of health information and adoption of a participatory approach contributes to the delivery of better services to the most vulnerable and marginalised groups (Pyo, S. et.al., 2020[24]).

In Buenos Aires, for example, a gap existed in the access to sexual and reproductive health services, even though it is guaranteed by law, and this was coupled with an increase in HIV diagnosis among youth. In response, the government created a digital platform to provide related essential information and locations of services delivery centres; and this has facilitated access to these services and the ability to provide feedback or complaints on performance or violations of rights, especially the rights of women (OGP, 2019[28]).

Quality education

Education is a basic human right that provides hope and a sense of future and contributes to stability and security and to achieving sustainable development. Quality education is the focus of SDG 4, which aims at achieving inclusive and equitable education for boys and girls and promoting lifelong learning opportunities for all (United Nations, 2015[29]; United Nations General Assembly, 1948[30]).

Open government initiatives in education seek to provide equal and equitable access and quality education to children, adolescents or adults, regardless of gender, economic and social status, orientation, ethnicity and disability, so no one is left behind. These initiatives also focus on transparency, with open data and open budgets, and on participatory mechanisms that could help scrutinise the expenditure of institutions. Open data on schools, infrastructure, numbers and geographical data could help better assess and find solutions to issues in education infrastructure. The opportunity to provide feedback and suggestions allows teachers, students, parents, authorities and businesses to contribute to policies and regulations and subsequently enhance school systems to better meet the needs of all stakeholders (Huss and Keudel, 2020[31]).

Supporting open education

Open education evolved from the ideals of open content in the years after the advent of the Internet, and open government contributes to advancing open education as an additional means to accessing knowledge and lifelong learning (Blessinger and Bliss, 2016[32]). It helps in developing social capital, participation and inclusion while improving education systems; and the inclusion of open education in open government initiatives can help in pursuing their outcomes as part of national agendas and in achieving equitable education. Examples of open education initiatives include: developing a virtual school library in Romania; mapping open educational resources in Slovakia; and use of open resources in Chile to support digital education and provide curriculum, lesson plans, teacher training and evaluation mechanisms as part of the package (OGP, n.d.[33]).

Open school data and accountability

School report cards can hold data on school facilities, textbooks, students and teachers and their achievements and qualifications, as well as funds and enrolments. This data could help stakeholders collaborate on appraising schools (UNESCO, 2018[34]; Huss and Keudel, 2020[31]). This open data also helps enhance transparency and accountability of institutions, and allows both stakeholders and governments to provide feedback and monitor the use of resources, or to draw up plans and identify issues to be addressed for improving the quality and equality of education.

An example is the 2010-launched "My School" website in Australia, which provides open access to school-level data collected from the national census. The data covers, among other things, staff and students, locations, profits and expenditures, enrolments and completions, performance, vocational training, and disabilities (Rabinowitz, 2018[35]). The website allows users to compare between schools, monitor their performance, plan and report on developments and trends, and identify where support and donations are needed. Another education-related example from Mexico is included in chapter 2.

Participation, collaboration and education

The participation of people can have a social impact at all levels of the education system. Local authorities can create mechanisms to allow all stakeholders to provide feedback on national education policies. For example, a reporting mechanism in Buenos Aires allowed people to query and raise concerns on work progress and delays in education infrastructure (OGP, 2019[23]). The collaboration between the general public and school authorities could ensure better education options; for example, Honduras has proposed a plan to engage citizens to help evaluate prospective school directors and in the search for new personnel.

Gender equality

Much has been done worldwide to advance the rights of women and achieve gender equality, under SDG 5, yet women continue to face discrimination and barriers to economic, social and political participation. The world labour force participation rate for women between the ages of 25 and 54 is about 52%, while it is around 95% for men. Women therefore still find it difficult to enter the job market and many end up in vulnerable jobs and the informal sector, which places them at further risk with no social safety nets. Even when entering the labour market, women experience a pay gap where they get paid less than men for doing the same work (ILO, 2020[36]; ILO, 2018[37]). An unequal representation in leadership and a restricted political participation negatively impacts the empowerment of women, making it difficult to engage as voters or take up high positions in government (at local and national levels). Discriminatory laws and regulations also make it difficult for women to participate in politics, voice their opinions and provide feedback and suggestions on public services. Even when new laws are enacted, their implementation lags leaving women economically, socially and political on an uneven playing field (UN Women, 2013[38]).

The COVID-19 pandemic has also placed women at a greater risk of infection as 70% of the healthcare workforce are women. Less attention and resources to women and girls could negatively impact their health and susceptibility to infections and diseases. The economic crisis that has followed in the wake of the pandemic also threatens to push more women into unemployment and poverty, with more women losing their jobs and likely to be doing unpaid care work. Domestic violence has also increased with the lockdown measures during the pandemic (United Nations, 2020[39]).

To achieve gender equality, more initiatives for collaboration between governments and people are essential to empowering women and girls, ending discrimination and violence, and ensuring their participation in political, economic and social life (United Nations, 2015[29]). Open government with its focus on inclusion, participation and collaboration is uniquely placed to drive gender equality (Brandusescu and Nwakanma, 2019[40]).

Gender data and gender-inclusive development

The inclusion of gender data in open data initiatives is an emerging issue that needs significant attention. The provision of sex-disaggregated data and collection of indicators that affect women and girls could raise the visibility of inequalities in all activities. Once included in open data, gender data can be used for better solutions and gender-inclusive development (Juma et al., 2018[41]). It can contribute to the development of new services and applications that help in the inclusion of women and enable people to question the decisions, activities and actions undertaken by governments. An example from Indonesia showed that the gender data in public budgets helped in determining whether specific funds were actually spent on the development of women and girls; and the related data analysis contributed to making the government accountable and to enhancing future projects (Open Data Labs, 2017[42]).

Participation and collaboration for gender equality

The limited participation of women in economic, political and public life and the need to address violence against women make it essential to have participatory initiatives and collaboration for policy and strategy formulation. In Argentina, for example, the National Women's Institute worked with other ministries and government authorities to develop a Plan on Equal Opportunity and Rights launched in 2018 (OGP, 2019[43]). In Mexico, the Panic Button Boni application was co-created between citizens and authorities to help fight violence against women in Tlaxcala. The application allows women in distress to report on violence and alerts the police with her contacts to respond to the incident, while safeguarding her privacy. The data collected can be mapped to display dangerous areas and can be used to revise policies and programmes to improve women empowerment and eradicate violence (Sánchez et al., 2019[44]).

Improving Governance features through Open Government principles

Open government incorporates social and political aspects and fosters emerging technologies that contribute to better governance and it is perceived as the remedy for existing shortcomings in governance systems. Open government approaches improve governance features by operating its core principles of transparency, accountability, openness, inclusiveness, effectiveness, contestability and responsiveness (ESCWA, 2018[45]). Below are some ways in which accountability and citizen engagement can improve governance.

Enhanced accountability and effectiveness

Democratic governments as we know them nowadays have been based on the principle of representative democracy. This form of government requires a public administration with a set of institutions, tasked with organising and managing the common resources and the public funds, which are derived from taxation, for the benefit and the welfare of the national community at large.

Nevertheless, representative democracy has faced several challenges such as limited citizen engagement and perception of disconnect from people's concerns which in turn has translated into loss of trust. Open government can greatly contribute to mitigating some of these challenges. Below are some examples of the positive impact of open government principles and approaches to governance.

Improving development cooperation: Open data can support transparency and accountability of development cooperation. In 2010, a reform agenda for Swedish development cooperation was launched by the government to bring increased transparency to donor funding through opportunities created by technological advances (Clare, Verhulst and Young, 2016[46]). Part of this reform agenda included an aid transparency guarantee that required public actors to make available all documentation and public information related to international development cooperation, where the data hub, which is built on open government data, shows when, to whom and why aid funding was paid out and what the results were (Clare, Verhulst and Young, 2016[46]).

Prevention of corruption: the transparent publishing of public data can be an effective tool in upholding accountability and decreasing corruption. For example, the Brazilian application "Meu Congresso Nacional" (My National Congress) focuses on the transparency of parliamentarians through analysing and publishing data. It also publishes all laws and amendments to the constitution proposed by parliamentary deputies, commissions in which they participate, and data detailing parliamentary expenses (dos Santos Brito et al., 2014[47]).

Transparency of public contracts: Transparency in public contracts can foster the introduction of new bids, which leads to competition that lowers bid prices and results in costs savings in terms of contracting services. For example, in Slovakia, moving to an open contracting system that required the default publication of contracts and the use of e-procurement systems have almost doubled the number of bidders, leading to increased competition (Open Contracting Partnership, n.d.[48]).

Strengthening citizen participation

Citizens are at the core of open government, and their effective participation represents a fundamental principle of the open governance approach. An inclusive polity should be able to guarantee that citizens and political groups are able to actively and effectively partake in public decision-making, especially in matters that directly affect them. Participation thus offers citizens a chance to influence public policy. It can be argued that political participation is the action by which the distribution of social goods and values is shared (Rosenstone and Hansen, 1993[49]).

Voting is the most common form of political participation. Yet, participation can go beyond electoral participation to include many options for taking part in public life, including requesting information, providing feedback, making proposals and collaborate with public authorities during all phases of the policy cycle and of service design and delivery. In the political sphere, participation can be enabled through an institutional structure where power is shared. Participation involves the ability of citizens individually or collectively to effectively participate in political processes; participation also entails representing different groups better (social class, subnational, ethnic, religious, etc.) in the governance arena. The socio-economic dimension of participation refers to an inclusive state providing basic services and care, such as universal education, health and protection to all layers of the population (ESCWA, 2021[50]). Through the innovative ways offered by the Open government approach in terms of citizen participation, structural

reforms of governance systems are enabled in ways that strengthen citizens participation and promote further the establishment of peaceful and inclusive societies.

Participatory budgeting or citizen-based budget

Participatory budgeting is a good practice that can increase transparency and hence lead to public budgets being spent in a way that is more in line with citizens' expectations and needs. It implies a certain degree of power sharing and citizen implication in public finances. According to the World Bank, participatory budgeting has led to direct improvements in a number of developing countries, as it does not merely allow citizens to shift funding priorities in the short term but also can yield sustained institutional and governance change in the long term. The growing demands for change make modernisation of the management and its civil servants and improvement of the service provision mechanisms a must to prevent further conflict and socio-political unrest. Citizens should become a strong element in the provision of the services and the operation of their public administration.

According to the German Participatory Budgeting Network,[1] adopting transparent and participatory budgeting offers several advantages, while taking into account specific contexts and circumstances. It helps harmonise priorities, especially when funds are limited and require wise and cautious management. Transparent and participatory public debate on the budget can foster consensus about the main priorities and how budget allocations should be decided collectively. By taking into account citizens' opinions, institutions increase their efficiency as the input shared by citizens is essential in improving the use of scarce resources, particularly in times of crises such the one we are currently enduring due to the COVID-19 pandemic. Participatory budgeting also enhances institutional capacity to meet challenges and resolve problems, as it is more likely for citizens and politicians alike to consider the interests of all stakeholders, thus reducing the risks of conflicts of interest. Discussing different disbursement options creates awareness among citizens about budget limitations, and the cost of various line items. Besides, through a participatory approach, citizens increase their engagement in public affairs, as they gain opportunities to shape budgets, and become more understanding and trusting in their public institutions. This in turn reduces political disenchantment and disillusionment. Last but not least, participatory budgeting gives politicians an opportunity to better familiarise themselves with citizens' concerns, grievances, interests while developing closer contacts with their constituencies. Political disenchantment and disenfranchisement, which are existential threats to any democracy, are thus reduced.

Box 2.3. Participatory Budget in the city of Cologne (Germany)

The citizens of Cologne have been participating in the municipal budget since 2007 via an online platform that acts as the central channel in a multi-channel participation process. Participation has also been facilitated by removing impediments and changing themes on a regular basis. The 'Cologne model' has set a standard for numerous participatory budgeting processes in Germany. Its key feature is the use of the Internet as the main channel in a multi-channel procedure. Using the website http://buergerhaushalt.stadt-koeln.de/, citizens can submit, discuss and rate their own and each other's proposals. The accountability and monitoring of implementation of citizens' proposals also take place online. It is easy to use the online platform, which only requires a username and a password to get started. Citizens who do not have Internet access can submit proposals though a call centre or in writing. Thanks also to the intensive public relations work in Cologne, very high active participation rates were achieved, with 11 000 and 14 000 in its first and second participatory budgets. The participatory budgeting process in Cologne is consultative and theme based. Citizens can submit, comment on and rate proposals on expenditure and cost savings for specific budget areas. The council selects the top proposals from a shortlist, and subsequently provides accountability.

Source: The German Participatory Budgeting Network. https://www.buergerhaushalt.org/en/netzwerk-buergerhaushalt

All told, participatory budgeting is an important tool for inclusive and accountable governance and has been implemented in various forms in many developing countries around the globe (Shah, 2007[51]). Through participatory budgeting, citizens have the opportunity to gain first-hand knowledge of government operations, influence government policies, and hold government to account. Other examples of citizen budgeting are provided in chapter 3.

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Note

[1] The German Participatory Budgeting Network is an initiative launched in 2003. It has currently 300 members and is available to German municipalities, civil society organisations as a platform for information exchange.

3 Open government in OECD countries: An overview of good practices

OECD countries have long been implementing initiatives to foster the OG principles, which in some cases are included in their constitutions. This chapter provides an overview of the legal, policy and institutional frameworks underpinning open government in OECD countries, as well as linkages with digital technologies and data, and looks at stakeholder engagement practices. It then proposes some innovative practices and the way forward, with a specific focus on open government at local level, and highlights some key challenges that countries still face, before providing a number of concrete examples of good practices from OECD members and partners.

Overview of open government in OECD countries

The OECD and its members have been at the forefront of the global open government movement since its inception. Its pioneering role resulted in the OECD Recommendation of the Council on Open Government (2017), the first international legal instrument in the area. It was the fruit of years of international collaboration and exchange of experiences, extensive research and data-collection, and in-country policy analysis.

OECD countries have long been implementing initiatives that aim to foster openness. However, in recent years, national open government agendas have increasingly become broader and have included a wider range of initiatives. The first generation of open government initiatives, such as those aiming to strengthen the legal framework for open government, are being pursued with new emphasis while a range of new sectorial second generation initiatives – often inspired by public sector innovations and digitalisation – have been designed. As a result, countries' open government agendas now include initiatives that range from creating open government innovation labs to promoting open science and aid transparency (OECD, 2020[1]).

Yet, robust and appropriate legal, policy, institutional and implementation frameworks are still among the key enablers of open government, as they ensure that reforms are rooted in solid foundations and provide long-lasting effects.

Legal framework

A significant number of national **constitutions** of OECD member countries include provisions on open government-related principles, thus demonstrating the longstanding roles such principles have played in some countries. In particular, most constitutions mention the right to access public information and include provisions on citizen participation and on the protection of civic space (e.g. freedom of assembly, freedom of the press etc.), which form the foundation of an open government ecosystem. For example, the constitution of Norway (article 100) states that "Everyone has a right of access to documents of the state and municipal administration and a right to follow the proceedings of the courts and democratically elected bodies". Similarly, the Swedish constitution (Instrument of Government, Chapter 2) states that citizens possess the right to freely seek information, organise and hold demonstrations and found and join political parties. In another example, the 1917 Mexican Constitution specifies that "the state shall guarantee the right to information" (Article 6).

The 2020 OECD survey on open government shows that 75% of member countries' constitutions include provisions on the handling of citizens' complaints (e.g., on public services) within government entities or through an independent public institution, 68% on citizen and/or stakeholder participation in policy-making and/or service delivery, and 64% on petitions or other forms of citizen initiatives.

Besides constitutions, open government principles are often part of the **legal framework** of OECD countries. In particular, all OECD countries now have laws on access to public information, which is one of the key provisions of open government, and most texts include both the proactive and reactive disclosure of information. Access to information laws often apply not only to central governments but also to subnational levels of government (such as provinces or regions), and in some countries they also apply to the other branches of power (legislative and judiciary) and to private entities managing public funds.

As part of their open government legal framework, some OECD countries have specific laws on citizen participation, such as the Colombian law for the promotion and protection of the right to democratic participation from 2015[1], or legal requirements to involve stakeholders in law- or policy-making besides laws regulating democratic tools such as elections, petitions and referenda. OECD countries also usually have laws on accountability and integrity, which are two of the key open government principles. Said laws pertain to, for instance, conflicts of interest, financial disclosure, lobbying, whistle-blower protection and

foreign bribery, or accountability (e.g., Canada's Federal Accountability Act from 2006[2]. Other legislation most OECD countries have enacted, and which can potentially contribute to open government, include laws on decentralisation, digital technologies and the roles and functions of state institutions (Parliament, Ombudsman, etc). Open government principles of involving citizens are also often found in sectoral legislation on infrastructure, environment and social sectors as well as in budget laws.

Besides laws, some OECD governments have used acts such as **executive decrees** and directives to promote their open government agendas. This is the case, for example, of the Open Government Directive issued by the Office of Management and Budget of the United States in 2009[3] and of Canada's Directive on Open Government from 2014[4]. In other cases, OECD countries have made declarations that, although not legally binding, represent high-level political commitment. This is the case for Colombia's Declaration for an Open State (2017)[5], signed by the country's president, and Costa Rica's Framework Agreement to Foster an Open State (2017)[6], signed by the heads of state, the parliament, the judiciary and the electoral tribunal. In addition, many OECD countries have a civil service law, code of conduct or comparable legal documents outlining civil servants' obligations. These documents often make reference to transparency (78% of the time), integrity (78%) and accountability (74% according to the 2020 OECD survey on open government).

Policy frameworks

Moving from the legal to the policy framework, most OECD countries have a number of **policy documents** indicating the government's intention to pursue and implement the open government principles of transparency, accountability, integrity and participation. In some cases, such principles are mentioned in high-level, long-term government strategies or programmes: the Lithuania 2030[7] strategy features openness as one of its three pillars, Germany's 2018 Coalition Agreement[8] includes a number of initiatives to foster transparency and stakeholder participation while the Mexican National Development Plan 2019-2024[9] includes the promotion of participatory democracy.

OECD countries also tend to promote open government principles either within cross-cutting **strategies** to reform their public administration or by adopting specific strategies on single principles. An example of the former is New Zealand's Strategy for a Digital Public Service (2019)[10], which aims to contribute to an "open, accountable public service". In addition, Ireland's Open Data Strategy 2017-2022[11] states that "opening up government data will empower citizens, foster innovation and reform public services". The 27 OECD countries that are members of the Open Government Partnership also use OGP national action plans (NAPs)[12] as a tool to promote open government commitments, policies and concrete actions.

Finally, some countries such as Canada and Finland have been working on a full-fledged "national open government strategy", intended as a whole-of-government, long-term document providing a common and consistent vision to the country's open government agenda[13]. Such open government strategies can be also found at sub-national level, as it is the case for the Province of Alberta in Canada (see Box 3.1).

Box 3.1. The Open Government Strategy of the Province of Alberta (Canada)

The Open Government Strategy of the Province of Alberta in Canada is structured as follows:

- Vision: the main objective of the strategy. "A public service openly engaged with the citizens of Alberta"
- Mission statement: an explanation of the identified vision and the province's definition of open government. "To create a stronger, transparent relationship between the public service and citizens by providing access to government data and information, listening, and openly engaging with citizens while strengthening the collaborative culture within the Government of Alberta".
- Drivers: five key elements that motivated the province to design the strategy, such as "A growing demand for increased public access to government information including insight into the decision making process".
- Goals: four key objectives (citizen participation, collaboration, availability of information, accountability) and related sub-objectives, including "the public service working together with citizens to make government more responsive to meeting the evolving needs of Albertans."
- Outcomes: five main intended results including explanations and related measures of success. The outcomes are: increased transparency, improved engagement, citizen-centred government, better decision making and increased collaboration and coordination.
- Principles: three principles that guide the implementation of the strategy. These are 1) open-by-design, 2) innovation from quality data and 3) improved governance.
- Activity streams: three "streams" of effort identified by the government, each of them including a list of concrete commitments and corresponding ministry accountabilities. The three streams are 1) open data, 2) open information and 3) open engagement. Each activity stream is linked to the drivers and outcomes mentioned earlier.

Source: Province of Alberta (n.d.), Open Government Strategy, https://open.alberta.ca/dataset/3beca82e-c14a-41d0-b6a3-33dd20b80256/resource/b4661609-03a2-4917-84f8-41d0fe4d7834/download/open-government-strategy.pdf.

Institutional framework and funding

Turning now to the institutional arrangement, most OECD countries have a specific governmental office responsible for the horizontal **coordination** of open government initiatives (OECD, 2016[2]). This office is often located within the Centre of Government[14] and more precisely, in 62% of OECD countries it is placed either in the Office of the Head of Government or in the Cabinet Office/Chancellery/Council of Ministers. These offices can have different functions, from developing the open government strategy to evaluating its impact, but nearly all of them are in charge of the coordination of the implementation of open government initiatives. Actual coordination can be ensured through an ad-hoc open government committee, which often includes representatives of civil society and sometimes of other actors (parliament, judiciary, local governments, private sector etc), or can happen at sector, ministerial or even project level.

For example, in Canada, open government initiatives are coordinated through the interdepartmental Open Government Steering Committee (OGSC), chaired by a Treasury Board of Canada Secretariat (TBS), the Chief Information Office of Canada; the President of the Treasury Board is advised by the Advisory Panel on Open Government, consisting of experts from civil society, business, academia, including independent commentators from Canada and abroad. Mexico created a coordinating committee that is integrated in and chaired by the Presidency of the Republic. In the United Kingdom, a group of civil society organisations created the UK Open Government Network[15] that meets regularly with the Cabinet Office to coordinate the

development and implementation of the United Kingdom's OGP National Action Plans. Similarly, Italy has established a Forum on Open Government[16], coordinated by the Department of Public Administration of the Presidency of the Council of Ministers, in which public administrations and civil society organisations meet regularly.

When it comes to the financial means to implement open government initiatives, **funding** can come from a single central institution in charge of funding all open government initiatives or from the institution responsible for a specific initiative or from external stakeholders (private sector, the EU, multilateral institutions etc). In the vast majority of OECD countries (89%), funds are allocated by the institutions responsible for implementing each project; roughly half of OECD members consider that limited financial resources is one of the main challenges to both co-ordinate and implement open government initiatives (OECD, 2016[2]). However, countries such as Canada, Korea and the Netherlands do have a dedicated aggregated budget line called "open government" in their central/federal budget.

Building open and connected governments: the role of digital technologies and data

The digital transformation of the economy and societies has changed expectations about governments, leading to pressure for greater openness and the creation of spaces and mechanisms where people can voice their needs. When used effectively, digital technologies and data can help accelerate the implementation of the open government principles. New, digital environments and easy access to public sector information in digital form not only strengthen stakeholders' capacity to effectively question and shape political priorities, but also their ability to directly participate in the design and implementation of public services.

The **OECD Recommendation of the Council on Digital Government Strategies**[17] underlines the interdependency between digital and open government reforms. It states that governments should "develop and implement digital government strategies which ensure greater transparency, openness and inclusiveness of government processes and operations by adopting open and inclusive processes, accessibility, transparency and accountability among the main goals of national digital government strategies". In addition, the Recommendation promotes further engagement and participation "of public, private and civil society stakeholders in policy making and public service design and delivery".

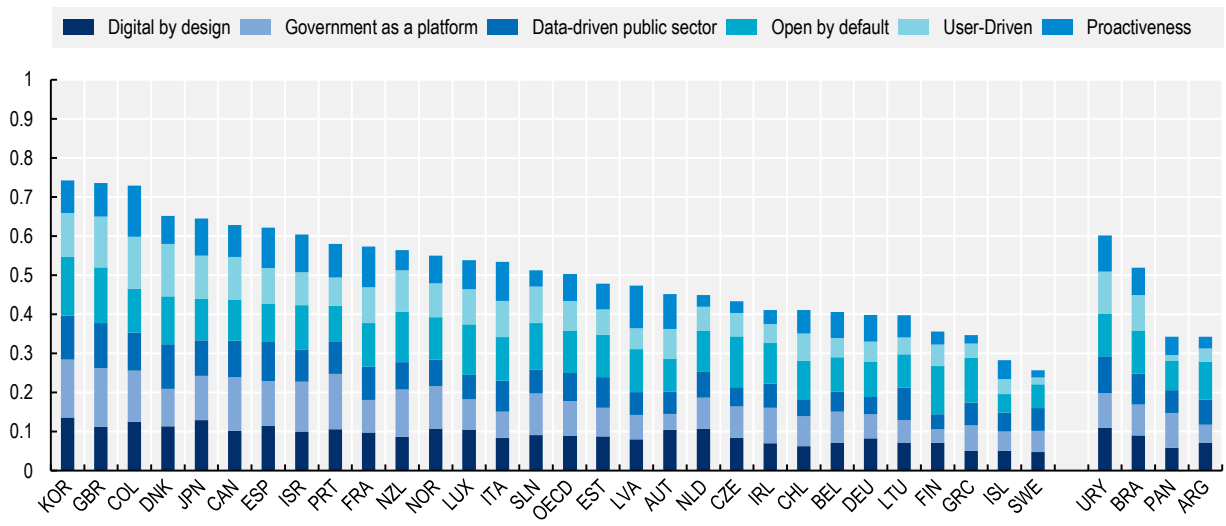
Building on the OECD Recommendation on Digital Government Strategies, the OECD Secretariat has developed the Digital Government Policy Framework (DGPF) (OECD, 2020[3]), which is designed to assist decision makers in the adoption of policy actions to achieve digital government. The DGPF forms the basis of a series of indicators that measure digital government maturity across six dimensions: digital by design, data-driven public sector, government as a platform, open by default, user-driven and proactiveness. In particular, a government is digitally competent when it is open by default, i.e. when makes data and policy-making process (including algorithms) available to the public to engage with, within the limits of existing legislation.

The OECD **Digital Government Index** (DGI)[18] aims to assess the implementation of the Recommendation and benchmark the progress of digital government reforms across OECD member and key partner countries. The Index is composed of six dimensions of the DGPF, each of them with an equal weight (0.16). Results from the 2019 edition (OECD, 2020[4]) suggest that only a few countries are progressing towards mature digital governments. While most countries have established institutional models that provide the necessary political and operational support for digital government reforms, limited efforts have been made to fully unlock the benefits of digital government and move beyond e-government. Results also suggest that digital transformation and the shift from e-government to digital government must be both sustained and resistant to political change. The OECD average of the DGI score was 0.5, with 15 out of 29 OECD countries surpassing this threshold. Korea (0.74), the United Kingdom (0.74) and Colombia (0.73) were the best performers in this edition of the DGI.

One of the six dimensions covered by the DGI, "Open by default", assesses the extent to which governments embed openness as a core principle by deploying digital technologies to open up data, services and processes. In the 2019 DGI, the average score for the 'open by default' dimension was above all other five dimensions of the Index[19], which underscores the strong relevance of the open government principles in digital government reforms. In 2019, Korea and the United Kingdom scored the highest[20] in the open by default dimension.

"User-driven" is another OG dimension that is assessed as part of the DGI. A user-driven government allows citizens and businesses to voice their needs and thereby drive the design of digital government policies and public services (OECD, 2020). In contrast to the open by default dimension, the user-driven dimension had the lowest OECD average score in 2019. For example, according to the underlying data, only around 30% of the surveyed governments use digital technologies to promote inclusion and participation by more vulnerable population groups (including minorities, elderly, people with disabilities, citizens living abroad or gender groups) in policy making and service delivery processes. The highest performing countries for the user-driven dimension are Denmark, Colombia, the United Kingdom and Korea.

Figure 3.1. The composite results of the OECD DGI



Source: OECD (2020[4]), "Digital Government Index: 2019 results", *OECD Public Governance Policy Papers*, No. 03, OECD Publishing, Paris, https://doi.org/10.1787/4de9f5bb-en

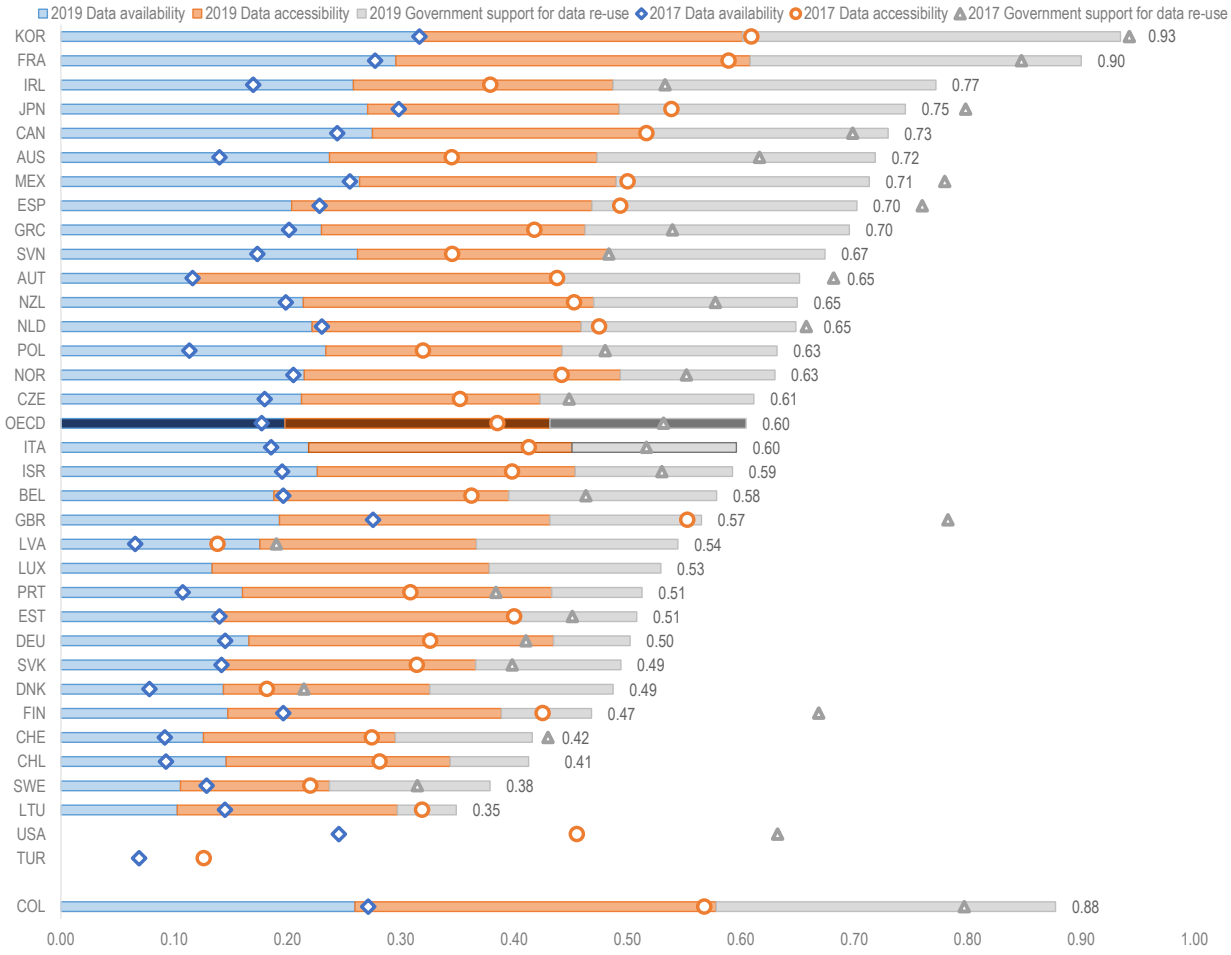
In Korea, the government has a so-called "Innovation Master Plan" based on a whole-of-government approach to achieve a "government of the people" through citizen participation and trust building[21]. The Ministry also adopts an open approach to the implementation of the digital government strategy and action plan, involving the Ministry of Economy and Finance, Ministry of Science and ICT with over 30 industry sector representatives in the Digital Government Implementation Committee. Informal forums on related topics (e.g., emerging technologies, digital public services, digital government ecosystem and international cooperation) frequently involve representatives from the public sector, private sector and academia in an advisory capacity.

Open data is another core element to the success of both open government and digital government reforms. Whereas the release of open data does not equal government transparency, accountability, citizen participation, or integrity, the open data movement introduced a shift in the expectations on governments from reactive transparency in terms of access to public sector information, to the proactive

provision of information in digital format. Today, open data is a critical complement to legal frameworks on access to information, especially given that the collection, generation, processing and interpretation of large quantities of data and information are facilitated by the widespread use of digital and emerging technologies.

Practices from OECD countries have shown that sound open data policies can indeed help promote government transparency, citizen participation, and expand civic space. During the last couple of years, the development and implementation of sound open data policies in OECD countries accelerated: in 2019, the OECD average score for the OECD OURdata Index increased to 0.60 from 0.53 in 2017. Korea and France remain the two top performing countries, with scores of 0.93 and 0.90 respectively (OECD, 2020[5]).

Figure 3.2. OECD Open, Useful and Re-usable data (OURdata Index): Results for 2019 and 2017



Source: OECD (2019[6]), "Open, Useful and Re-usable data (OURdata) Index: 2019", *OECD Public Governance Policy Papers*, No. 01, OECD Publishing, Paris, https://doi.org/10.1787/45f6de2d-en.

Stakeholder engagement

Civil society and citizens in OECD countries are often involved in open government reforms. Participation is advancing and evolving in OECD countries, even if it is not necessarily regulated in the legal or policy frameworks, because it is part of the political and institutional culture of most OECD members states. The level of engagement, however, varies greatly, ranging from online consultations to surveys, meetings and focus groups. Indeed, it tends to focus more on consultation than on more advanced forms of collaboration,

such as co-creation or co-management. Also, many forms of engagement are still ad-hoc rather than structured and institutionalised, affecting the overall quality of such engagement.

In addition, although the overall practice of engaging with citizens is advancing, it must be noted that in some OECD countries the **civic space** in which participation is supposed to take place is deteriorating somewhat. This raises concerns, since promoting and protecting civic space (defined as the set of legal, policy, institutional, and practical conditions necessary for non-governmental actors to access information, express themselves, associate, organise, and participate in public life) is a precondition for effective open government policies and stakeholder participation initiatives. Partly to address these challenges, the OECD launched the Observatory of Civic Space[22] in 2019. The aims of the Observatory are to monitor the legal, institutional and policy framework in which civil society organisations operate in OECD member and partner countries, as well as to support countries in promoting and protecting civic space and citizen engagement.

Despite these challenges, many positive examples of **meaningful involvement** of citizens and civil society can be found in OECD countries. This is the case for participatory budgeting in cities such as New York[23] and Paris[24] but also the world's first national participatory budget in Portugal[25], or the Civic Participatory Service Design Teams encouraging citizens to participate in the design of certain public policies and services in Korea (Baek and Kim, 2018[7]). It is also the case for the increasingly widely-adopted deliberative practices described in the paragraph below. Another key role for citizens and CSOs to be found in most if not all OECD countries is the watchdog role, whereby stakeholders monitor and sometimes even evaluate the implementation of public policies, programmes and projects. Only about half of OECD countries, though, had adopted an overarching document (law, strategy, policy etc) focusing on citizen participation in the policy cycle as of 2016; these include the Standards of Public Participation in Austria[26] and the Administrative Procedure Act in Korea[27], among others.

The way forward: open state and innovative practices

It is, finally, worth mentioning that many OECD countries are taking steps beyond open government towards the concept of an **open state**. This is defined by the OECD Recommendation on Open Government as follows: "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".

In practice, open state means mainstreaming open government principles beyond the executive branch to include the legislature (parliament), the judiciary, independent state institutions and sub-national governments (such as provinces or regions). This does not mean blurring the independence of the separate branches of the state from each other; instead it means adopting the open government principles of transparency, accountability, integrity and stakeholder participation as the guiding principles of the whole country, including all institutions and levels of power. As stated earlier, some OECD countries such as Costa Rica and Colombia have signed political declarations at the highest political and institutional level committing the country to moving towards an open state.

In other OECD countries, policies and projects for "open parliament", "open judiciary", "open municipalities" and so on have been designed or launched. Examples include Costa Rica's Policy for citizen participation in the judicial power[28] and initiatives such as the Open Justice Data initiative in Greece[29] and Open Justice in the Public Defender's Office in Chile[30].

More specifically in the legislative branch, OECD countries have seen a multitude of strategies, actions and commitments to making parliaments more open, as in the case of the transparency portal of the Spanish congress[31] and the OGP action plan of France's National Assembly on "openness, transparency

and citizen participation"[32]. Several OGP national action plans of OECD countries also include specific commitments on open parliament, such as the commitment of the current Dutch OGP plan to improve access to the House's website[33], the Greek commitment on open parliament data[34] or the "engagement with parliament" commitment to be found in the NAP of New Zealand[35].

In addition, the growing **public sector innovation** agendas in OECD countries, as studied by the OECD Observatory of Public Sector Innovation (OPSI),[36] is symbiotic with accelerating open government and open state agendas, as both agendas are mutually reinforcing. Countries are increasingly recognising that innovation is both: 1) an enabler of open government initiatives; and 2) an output of open government initiatives. In other words, on the one hand innovative approaches (e.g. crowdsourcing, citizen-centred design and prototyping) facilitate the achievement and success of open government initiatives. On the other hand, open government initiatives have resulted in new products, services, and ways of working.

OECD countries have made significant advancements in public sector innovation in recent years. Thirty-six OECD countries and six non-member countries have adhered to the 2019 OECD Declaration on Public Sector Innovation[37] in which they committed to embrace innovation as one of the ways governments achieve their goals, acknowledge the advantages of a culture of openness, give permission to public servants to explore and engage with new ideas and ways of working, diffuse lessons and share best practices, and to cultivate new partnerships and involve different voices, among other commitments. All of these are vital to advancing both innovation and open government.

OPSI's recent work, *Embracing Innovation in Government: Global trends 2020*[38]*,* has found that a number of the latest trends in innovation involve a focus on open government. Examples are included below.

- Under the trend of "Innovative Responses to the COVID-19 Crisis",[39] one of the key emphases for government has been developing digitally-enabled and timely open communications processes to keep citizens and residents informed and to combat misinformation, and another was issuing open calls to action for hackathons, challenges, and collective intelligence activities.
- Under the trend of bringing about "Seamless Government",[40] a major focus of governments has been developing new forms of "collaborative infrastructure" to allow governments to better collaborate and receive insights from businesses, civil society organisations, and the public.
- A number of governments in OECD countries and beyond are leveraging innovation to specifically address the needs of overlooked segments of society[41], including for example sophisticated analytics and user-centred approaches allowing to better prepare services and programmes for integration of migrants.
- Governments are also gaining access to richer data and better tools of analysis, allowing them to better tailor the services they deliver to their citizens, while responding to increasing demands for ethical practices to prevent potential misuse of data and mitigate privacy risks.[42]

When it comes to innovative open government practices, it is interesting to note that in the last few years and particularly since 2010, public authorities in many OECD counties (and beyond) at all levels of government have been piloting **deliberative processes** such as citizens' assemblies, juries, panels, and the like. In these processes, randomly selected citizens spend one or more days learning and collaborating through facilitated deliberation to develop informed collective recommendations for public authorities, including on complex and multifaceted public issues. The recent OECD report "Innovative Citizen Participation and New Democratic Institutions - Catching the Deliberative Wave" (OECD, 2020[8]) collected and analysed 289 case studies – of which 282 from OECD countries – of such deliberative processes.

A number of the deliberative models analysed were originated in OECD countries, such as the planning cell in Germany, the citizens' assembly in Canada and the consensus conference in Denmark. Some of the best known examples include The Irish Citizens' Assembly (2016-2018)[43] which involved 100 randomly selected citizens who considered five important legal and policy issues (abortion, ageing populations, referendum processes, fixed-term parliaments and climate change). Another example is the Citizen's

Convention on Climate in France, which is made up of 150 randomly selected citizens and has produced 150 proposals[44]. Also worth mentioning is the experience of Ostbelgien, the German-speaking Community of Belgium, combining a permanent representative deliberative body (a citizens' council formed by 24 randomly selected citizens with a mandate of 1.5 years) with the ongoing use of representative deliberative processes[45].

Open government at the local level

As part of the move towards open state, open government principles are also increasingly applied and promoted at local level, as that is where interactions with citizens are most frequent, demands for responsive public services are most pressing and there is often more space to innovate. Indeed, many local authorities in OECD countries have started to engage citizens in the different phases of the policy and service cycles by including exchange of opinions in gatherings, community councils, hearings or town hall meetings. Indeed, open policymaking process via open consultations at local level is one of the most important steps towards building a local open government. In addition, a number of local authorities from OECD countries and beyond have recently joined the OGP[46].

Some subnational governments have adopted, or are currently formulating, a comprehensive strategy for open government at local level. This is the case, for example, of the state of North Rhine-Westphalia in Germany which drafted a 2012-2017 open government strategy[47] and launched the Open.NRW portal, an information and open data platform. Other local authorities have drafted or are drafting their own OGP action plans, such as Scotland[48] as well as the Basque Country[49] and the city of Madrid[50] in Spain. Mexico included a commitment in its 2019-2021 OGP national action plan to "articulate the federal and local open government agendas, to turn them into a national strategy that allows progress towards the consolidation of an Open State in Mexico"[51].

Many local authorities in OECD countries have also launched specific initiatives to foster transparency, accountability and citizen participation, among which the very well-known Decide Madrid[52] and Decidim Barcelona[53] platforms in Spain, Saxony's Beteiligungsportal (participation portal)[54] in Germany and the initiative for open local authorities in France[55]. In particular, over recent years, the trend towards participative budgeting has been taken up with success in a number of OECD countries particularly at the level of cities and municipalities. A notable example is Paris, France where participative budgeting has developed significantly since its introduction in 2014, including in terms of the scale of the budget subject to participation (EUR 500 million in its last year) and the mechanisms adopted for submitting, selecting and prioritising projects; as of October 2020, 2 481 projects had been implemented since the initiative was launched in 2014[56].

Remaining challenges

It is important to point out that while in recent years OECD countries have made significant progress in implementing the open government principles, the path has not always been easy and straightforward, and challenges remain.

A common challenge many OECD countries are confronted with is the scattered nature of open government interventions and the difficulty to ensure a consistent, coordinated approach. Indeed, despite the presence of offices in charge of horizontal coordination, open government initiatives tend to involve a wide range of institutions and actors, while cutting across sectors and line ministries, hence many governments are struggling to ensure overall coordination and that all initiatives contribute to the same goals. One of the ways to address this common problem is the OECD Secretariat's proposal to develop long-term national strategies on open government.

A second, recurrent challenge is the difficulty to measure and show the impact of open government reforms. While most OECD countries do closely monitor implementation of their open government

reforms—and all of them are able to report such empirical evidence—it has proven far more difficult to assess the long-term impact of such reforms on broader policy goals such as better healthcare or education. One of the goals of this paper is precisely to look more closely at the impact of open government initiatives.

Related to that, in some cases there is a risk of strongly focusing on one key component of open government, such as for example open data or online portals, which becomes the main or sole objective, thus clouding the focus on the ultimate goals of transparency, accountability and participation.

Especially during the first years of the recent open government movement, there was a strong focus on technological and ICT solutions, often considered a solution in itself, which overshadowed the important issues of changing the culture and practices of public administration. What is more, a sole focus on ICT has sometimes translated into widening the digital divide, further marginalising the citizens who are not at ease with modern technologies.

Challenges more specifically related to access to information and open data include finding the right balance with personal data protection, the problem of interpreting data and the difficulty to release “useful” data that citizens are interested in, instead of merely pumping out too much data.

When it comes to digital government, a key challenge is completing the transition from government-centred use of technologies to citizen-centred use, and finally to a citizen-driven approach to service design and delivery.

In addition, human resources remain a considerable challenge. In the OECD 2015 survey on open government, 22 OECD countries pointed out limited communication/awareness of the benefits of open government reforms among public officials as the main HR challenge and 19 countries cited general resistance to change/reforms in the public sector. The lack of sufficient or dedicated financial resources is also one of the main challenges to both implementing and coordinating open government initiatives.

Finally, it is fair to mention that progress has been slower than expected, on all open government principles and across all institutions and sectors. As a culture of governance, a behavioural change is needed in order to promote openness and this can take time. Some sectors related to national security or strategic interests might be more reluctant to embrace transparency, while some officials have only been recently confronted with accountability practices. Civic space has been shrinking in some countries and citizen participation often remains limited to basic forms of ad-hoc consultations, while more ambitious approaches of citizen engagement and deliberative democracy are not yet widely used. This often translates into weak, limited participation. More generally, limited trust between government and citizens or NGOs is often quoted as one of the main challenges in implementing open government initiatives, including in OECD member countries.

Selected experiences from OECD countries

As OECD countries have been playing a leading role in the global open government movement, following the overview of the previous paragraph it seems appropriate to provide some more detailed, specific examples of how open government principles are put in practice concretely. Thus, this section looks at a number of case studies. While the list is by no means exhaustive and is not intended as a ranking, it does provide some more insight on specific open government measures and actions as well as their impact. The first cases concern the national level while the others are carried out locally, thus highlighting how open government initiatives can be successfully implemented at different levels.

While each country has its specificities and it might not be appropriate to replicate these initiatives in other contexts, Arab governments could find some inspiration in the following examples and reflect to which

extent these actions – once properly adapted and tailored to their local needs and contexts – could work in their countries and have a positive socio-economic impact.

Portugal Participatory Budget[57]

The Portugal Participatory Budget (PPB) is a democratic, direct and universal process that allows civil society to decide on public investments in different governmental areas. While participatory budget is a reality in many cities and local governments across OECD countries and beyond, as seen in the previous section, PPB is the first country-level public participatory budget in the world. It allows citizens to propose and vote on ideas for public spending funded by the National State Budget of Portugal.

The PPB addresses the problem of citizens feeling disconnected from politics, excluded from decision-making processes and eager to participate in shaping public policies. Indeed, the PPB consists of a hybrid participatory model that combines face-to-face interactions between citizens and the state with the use of ICT tools. The face-to-face approach is mainly based on participatory meetings held nationwide, in which the population is able to present and discuss their ideas in person, with the assistance of specialised personnel managing these sessions. Still, Portuguese citizens can also submit their proposals at Citizens Spots (assisted digital services counters) and at some public libraries all around the country. Allowing citizens to participate both through digital and more traditional channels, the initiative aims for greater inclusiveness and makes sure that those who are not tech-savvy can also participate.

For people who are more comfortable using ICTs, the proposals can be submitted online at the PPB portal. The portal aggregates all the information about the projects, allows citizens to submit their ideas for proposals and allows citizens to vote on the final set of options (which can also be done through free-of-charge SMS). The voting phase allows each citizen to vote twice: one vote for regional projects and another for national projects.

The first edition of the PPB was carried out in 2017 and gathered 1 015 ideas (Phase 1 – Collection of citizen's ideas), which resulted in 599 projects to be voted (Phase 2 – Technical analysis of the submitted ideas according to defined rules and criteria), 78 815 votes by the population (Phase 3 – Voting) and 38 winning projects, to be implemented by the government and by the respective sectorial services of the Public Administration. The first edition had a EUR 3 million budget, while the PPB 2018 had EUR 5 million at its disposal.

"Decide Madrid" and the Consul Platform[58]

CONSUL is an online platform for public participation in decision-making that was launched initially by the Madrid city council and subsequently adopted by several governments all over the world. The platform benefits from its open source code, making it openly available for any government, or CSO, to make use of it and propose improvements. CONSUL is designed for citizens to voice their concerns and participate through the development of proposals, voting on new laws, debates, "crowd laws", participatory budgets and consultations.

The initiative was initially conceived to address declining trust in public institutions and demands by Spanish citizen movements in the early 2010s for better democracy, in particular more transparency, accountability and participation in public life. The city of Madrid was determined to find a new way to engage with citizens and developed the CONSUL software, and launched it under the name "Decide Madrid" (Madrid decides) in 2015. Decide Madrid is the official platform serving as a one-stop shop for all official open governance processes in the municipality: it features several areas for participation such as spaces for debates, consultations, citizen proposals and participatory budgeting.

In particular, citizens can propose new local laws through a simple questionnaire and then local residents (aged 16+) can support their favourite proposals. Proposals that receive support from at least 1% of the population are sent to the final voting phase: registered users can contribute to the debate on the select initiatives, vote for or against motions and provide additional comments. The municipality has 30 days to

assess these proposals: if the assessment report rules in favour of the proposal, an action plan is written and published, while if the initiative is deemed unfeasible, then the City Council must draft an alternative proposal to address the same issue or publish the reasons preventing the initiative's implementation.

In terms of impact, Decide Madrid has achieved a high level of participation with more than 400 000 people registered. As of November 2017, almost 20 000 proposals were submitted and the amount allocated to participatory budgeting rose from EUR 60 million in 2016 to EUR 100 million in 2018.

As it is an open software platform, CONSUL's code can be used for free by any person or entity and be customised by any entity to suit its needs. It was developed in a participatory way and the development teams provide ongoing support to its users. Hence, it can provide a viable option for institutions and public administrations that are willing to develop digital participation but do not have the means or the expertise to develop their in-house solutions.

Today, CONSUL is used by 135 institutions in 35 countries, mostly local authorities, and it received the United Nations Public Service Award in 2018.

"STOP the Bureaucracy" portal in Slovenia[59]

The "STOP the Bureaucracy" online platform of the Slovenian Ministry of Public Administration provides users with an on-line one-stop-shop solution, where they receive information about ongoing government activities to streamline public services and procedures as well as create better legislation. The portal allows for systematic collection of citizen proposals on how to reduce red tape and a monitoring function for the implementation of such proposals.

This initiative is a response to the grievances of many citizens, business entities, interest associations and public servants that repeatedly complained about the burden of administrative barriers arising from laws and their enforcement.

The portal, which has been online since 2005, enables users to inform the ministry about the administrative barriers they encounter and in turn the complaints are forwarded to the competent authorities. The portal also allows users to review all proposals by category or entity and to access statistics on the number of messages received, the number of replies from authorities and so on. It also includes a section on best practices that result from cooperation between citizens, business entities and public administration bodies in reducing bureaucracy.

Thanks to the portal, the ministry estimated that EUR 365 million were saved between 2009 and 2015, following changes in regulations and simplification of procedures, counting for more than 30% of the perceived and measured administrative burdens. As of January 2021, the ministry estimated that with the help of submitted initiatives and related implemented measures, EUR 420 million are saved on an annual basis. At that time, 557 initiatives were reported as completed, 48 were in progress and only 39 were still awaiting a response by authorities.

"Mejora tu escuela" platform in Mexico (Huss and Keudel, 2020[9])

"Mejora tu Escuela" (Improve Your School) is an online platform launched in 2013 by the Mexican Institute for Competitiveness (IMCO) with support from the Omidyar Network to "promote citizen participation to improve education in Mexico", as it is stated on the platform itself. It allows parents to consult vast resources of open data (more than 25 databases are easily accessible through one entry point), rate and compare schools, provide feedback and report problems, such as cases of teacher absenteeism.

The initiative was intended as a response to a lack of information on the side of parents and to corruption-related problems. Indeed, the platform enables parents to compare schools, which empowers them to demand better education and helps them get involved in their children's schooling. With 40 000-45 000 unique visits a day, Mejora tu escuela has proven to be indeed a successful tool for citizen information and participation.

However, it is also a powerful tool against corruption in education. Thanks to the platform, the IMCO was able to detect large-scale misappropriation of funds for non-existent schools and teachers by comparing data with parents' feedback. In fact, ten states launched independent audits of their education systems' funding and there were several cases of teachers being fired due to absenteeism.

While the use of open data in education has been questioned in some cases for raising inequalities (because parents can see how schools score, they may have an incentive to move their children to the schools with the best results), this specific case seems to be a good example on how to balance transparency with broader societal impact.

Open government principles in procurement

An area where the open government principles of transparency, accountability and integrity can have considerable socio-economic impact is public procurement. Indeed, opening up data across procurement procedures and stages can lead to a reduction of information asymmetries as well as better social control over government spending.

In Poland, the GovTech initiative[60] has developed a challenge-based procurement model where the authors of the best idea receive a full implementation contract without the need for an additional cumbersome tender. This innovative approach addresses the reality that procurement regulations tend to be designed for large, experienced companies, to the detriment of small companies with original ideas. The impact is encouraging: a pilot run, tested in both central and local institutions, has increased SME participation in procurement processes by an average of a whopping 1 600% while one of the applications developed has decreased the tax fraud rate by over 80% in some markets. The Polish public administration sees GovTech as a possibility for cheaper and easier access to better solutions.

In Ukraine, which is not an OECD member, ProZorro[61] is a well-known government e-procurement system created by a partnership between business, government and civil society. Addressing allegations of corruption and limited competition, the system has been fully implemented since 2016 and is built on open source. In order to enhance transparency in procurement, ProZorro allows citizens to see all the information about the submitted proposals from all participants, decisions of the tender commission, all qualification documents and so on, and features monitoring tools to enable in-depth analysis and monitoring of public procurement. Speaking at a public event in May 2017, Ukrainian Prime Minister Volodymyr Groysman said that ProZorro has saved the nation UAH 24 billion (almost USD 900 million) since its launch[62] while the government later estimated that in its first two years of operation, ProZorro helped save USD 1.9 billion in public budget funds. The system has won several rewards including the World Procurement Award[63] and the Open Government Award[64], both in 2016.

In Colombia, the Bogotá School Feeding Programme (Huss and Keudel, 2020[9]) is another interesting example where open data on government procurement in the capital of Colombia has been used to introduce an open contracting process. Responding to the challenge of low quality school meals despite high public spending, largely as a result of limited competition, Colombia's Public procurement agency, the Ministry of National Education and city authorities started a consultative process in 2015 that culminated in the introduction of an open contracting process based on an existing open procurement data portal. Open data identified inflated prices and price fixing, which led authorities to make several changes in the procurement procedure. The initiative had a significant impact: according to the national assessment, the number of suppliers quadrupled, savings of 10-15% were made thanks to cuts in intermediaries and the quality of school meals in Bogotá reached 98% of the standard set by the government.

Transparency, participation and accountability in the judiciary in Argentina[65]

Argentina, which is not an OECD member, has made several steps towards a more open justice system in the last few years. Two key initiatives of the Ministry of Justice in this field are Open Justice and Justice 2020. These efforts are meant to address information silos and limited transparency of the justice sector.

Open Justice is an open data portal (datos.jus.gob.ar) that publishes datasets with relevant information from a wide range of justice-related topics (access to justice, fight against corruption, human rights and criminal justice among others) including from the sub-national judicial institutions as Argentina is a federal country. The Open Justice data portal, launched in 2016, currently includes 60 datasets that are downloadable for free and are regularly updated. As of December 2019, it boasted visualisations and statistics on more than 2.3 million criminal and 1.5 million civil justice cases[66].

The second key initiative of the Ministry is Justice 2020, a digital platform for civil society participation in justice-related issues (justicia2020.gob.ar). Initiatives and projects submitted by the Ministry are presented to 20 work teams and civil society can debate any topic in virtual debates and in-person workshops. As of September 2019, the platform counted 60 000 active members[67].

These two initiatives contributed to Argentina moving up 37 places in the Open Data Index from 2015 to 2016[68] and some of the changes proposed in the Justice 2020 platform have been or are being implemented. These include the modernisation of registry processes and a simplification of processes in cases of flagrant violations.

Interestingly, open justice reforms in Argentina are also being promoted at local level. This is the case for the Open Justice and Innovation Lab (Juslab)[69], a space for discussing, co-creating and designing solutions for justice sector problems in the capital city of Buenos Aires. JusLab holds periodic meetings, including training sessions, an annual open justice conference and hackathons. The capital city of Buenos Aires also has its own justice open data portal (https://jusbairesabierto.gob.ar/) with tools for transparency and citizen participation.

Crowdsourcing the Mexico City constitution[70]

Moving now to initiatives that are more specifically conceived and implemented at local (sub-national) level, Mexico City adopted an innovative crowd-sourcing approach when drafting the city's first constitution.

Responding to widespread mistrust in government and perceptions that the city's first-ever constitution would be drafted by the city administration only, the mayor created a working group to draft the text, consisting of academics, activists, former mayors and other citizens representing a diverse cross-section of the population.

In addition, the municipality created several channels for public input. These included a survey "Imagine Your City" that asked citizens about their hopes, fears and ideas for the future of the city. Moreover, the city used Change.org to capture citizen petitions for the constitution: petitions receiving 10 000 signatures were presented to three representatives of the working group while those which received 50 000 signatures were presented directly to the mayor who committed to including them in the draft constitution. Finally, citizens were allowed to form their own meetings to discuss topics, and the meetings were advertised on the official web page of the Constitution.

In terms of outputs, the survey garnered 31 000 submissions, the Change.org platform collected 341 citizen proposals which received over 400 000 votes (11 received more than 10 000 signatures and 4 more than 50 000) while more than 100 discussion groups were formed. In the end, it was calculated that no less than 14 articles of the new constitution were based on citizen petitions. The constitution of Mexico City was published in February 2017 and came into force in September 2018.

Mayor's office Fix-it team in San Francisco[71]

The "Fix it team" was created in 2016 when the Mayor of San Francisco, California (USA) launched the Safe & Clean Neighborhoods Promise. The team, hosted in the Mayor's office, collaborates with residents to identify and address critical cleanliness and safety issues. It is a multi-agency collaboration, coordinating directly with city departments.

In the beginning, the team started working in five areas ("Fix-It Zones") based on quality of life concerns raised by residents to the mayor. Later on, the team created an equitable, transparent and data-driven model to determine the Fix-It Zones based on resident feedback collected through community surveys and an analysis of mapped 311[72] data and police data.

The team mostly addresses issues focused on the 'built environment' that do not require a capital investment to resolve, such as sidewalk cleanliness, street lighting, bus stop, street conditions, graffiti and more. In addition, the team provides residents with information about processes to address health and human service concerns. By working directly with city agencies, the Fix-It Team is able to draw on a diverse range of city services to address issues immediately, while also explaining complex municipal processes to residents. This makes the team a "one-stop-shop" for residents, thus removing barriers to accessing city officials and agency representatives.

The Fix-It process includes five stages: Identification of the challenges and opportunities (data and information gathering), Evaluation (mapping concerns and walking the area with the residents), Validation (walking the area with the relevant city agencies), Execution (action plan creation and service monitoring), and Reporting (sharing successes and roadblocks with residents, survey and feedback).

Over a two-year period, Fix-It has engaged with nearly 1 500 community members, completed nearly 4 000 identified "fixes" and hosted nearly 60 community meetings over 30 neighbourhoods in San Francisco. Through surveys and interviews with residents before and after its interventions, the team has found largely positive feedback from the community.

"Finding Places" in Hamburg: Public participation in refugees' accommodation process[73]

CityScope FindingPlaces is a Human Computer Interaction (HCI) platform designed and deployed to facilitate community meetings in order to find locations to accommodate refugees in the City of Hamburg, Germany.

This initiative was a response to the expected arrival of almost 80 000 refugees in Hamburg between the end of 2015 and early 2016. This influx posed major challenges, in particular given the limited space for refugee accommodation in densely built urban areas. Ad-hoc, temporary solution included hosting refugees in tents, warehouses or gymnasiums. In Hamburg, accommodation facilities concentrated in certain neighbourhoods while others received little to no refugees at all, raising tensions among the population. In early 2016, the city's mayor asked the City Science Lab of MIT and Hafen City University Hamburg to develop a participatory process that would enable citizens to engage in finding accommodations for refugees: the project was named FindingPlaces.

To enable well-documented, accessible and scalable citizen participation, MIT CityScope was proposed as a decision-making and knowledge-support tool. Featuring a Human Computer Interaction (HCI) urban modelling and simulation platform, CityScope is able to present contextualised information in an easy-to-comprehend and easy-to-interact manner. A CityScope platform features a tangible urban model, a local computational analysis unit, data and analysis server integrated with a Geographic Information System and a feedback module. CityScope usually includes a set of LEGO bricks acting as intractable spatial user interface (UI) elements. The computational analysis unit has sensors or cameras and computers for real-time scanning of interaction in the scene. The feedback module contains display screens, projectors and as well as AR, MR, VR or touch feedback.

The impact of this process was remarkable. Thanks to 34 workshops involving nearly 400 participants, 161 locations and accommodation solutions for almost 24 000 refugees were proposed by the participants, exceeding the initial targeted goal of 20 000. These proposals were evaluated by city authorities and while many were deemed unsuitable (due to nature or landscape conservation reasons or because of previously-planned housing projects), six locations were given the green light and 10 were taken into consideration for future planning.

Molenwaard Nearby[74]

The former municipality of Molenwaard was the Netherlands' first local council to operate without a town hall, deciding that instead of sitting at a service desk in the traditional sense of the concept, the local authority should go out into the community and always be "nearby".

Molenwaard was created on 1 January 2013 through the merger of three smaller municipalities in Western Netherlands, becoming a town of almost 30 000 inhabitants. This innovative idea came partly as a response to one of the challenges of merging three pre-existing towns, namely the need to decide where to build the new Molenwaard town hall, a project that would have cost around EUR 15 million, a sum exceeding what the three smaller municipalities had budgeted for.

Instead of building a new town hall, the local authorities launched Molenwaard Nearby: the municipality operates based on the idea that any place is suitable as a workplace for civil servants. Their workplaces are hosted in a Virtual Office that can be accessed at home or at one of the existing village halls, local clubs, cafés or at one of the buildings where the local authority rents office space. For personal dealings with citizens, the local authority basically goes out to where citizens or businesses are, functioning entirely by appointment.

The impact of this innovative practice was, on the one hand, the saving of the public funds that would have been needed to build a new town hall, and, on the other hand, the increased proximity between citizens and their local authority, which made local public services much more personal. On 1 January 2019, Molenwaard merged with another town, forming the new municipality of Molenlanden.

How can these good practices inspire Arab countries

As each region and each country of the world is different, because of specific cultural, historical, political and social specificities, it would be a mistake to assume good practices that worked well in a certain country can always be translated and replicated identically elsewhere. However, sharing and discussing case studies can indeed prove a useful and powerful source of inspiration and innovation as it can provide governments at central and local level with new ideas, show alternative paths and stimulate reflection. The overview of open government in the OECD countries and specific case studies indicated in this chapter can inspire a number of avenues to be further explored by Arab leaders and citizens.

A first element to be highlighted is that open government initiatives can be conceived and successfully implemented at **different levels** and **across sectors**. Indeed, this chapter shows that transparency, accountability and participation can inform cross-cutting approaches across the whole public administration, such as simplification or procurement, but also sectoral policies and public services such as education. What is more, they can be applied beyond the executive branch of power, as many examples of "open justice" and "open parliament" projects clearly show.

These same principles can be pursued at central government level or locally. Indeed, some of the most innovative open government practices have been piloted or are more widespread at local level, as this is where interactions between citizens and public authorities tend to be more frequent and more concrete. In addition, it is also where there is often more space to experiment new approaches. This is certainly the case for participatory budget, now a reality in many cities, while still very limited at national level. The Consul platform is also much more widely used by cities and regions/provinces than by national governments. Many other local/municipal public services can largely benefit from openness, transparency and participation, as demonstrated by the cases of San Francisco, Hamburg and Molenwaard above. It might therefore be easier and more appropriate to start introducing and piloting new open government principles and practices at local rather than national level.

Another key lesson to reflect upon pertains to the **use of technology** as an enabler of open government reforms. Indeed ICTs are at the core of some of the most successful open government initiatives, which would not have been possible (or would have been much more limited) without a modern, user-friendly and interactive digital platform, portal or application. However, while ICTs can be a powerful means to increase transparency and citizen engagements, they are a tool rather than an end in and of itself. An open government initiative will be successful if, on top of adopting technology, it is participatory, well-designed, supported by political will and evaluated. On the other hand, the use of modern ICTs should always be balanced or complemented by offline tools to avoid widening the digital divide among sectors of the population: a hybrid blend of online and offline tools can indeed be found in the examples of Portugal, Mexico and Argentina provided above, among others.

In addition, the overview of this chapter shows that open government initiatives are not necessarily very costly for public administrations. While some budget is indeed often necessary, in some cases other **resources**, such as time, cultural shift and high-level leaders' engagement, can be even more important. Furthermore, the resources allocated to open government should be seen as an investment rather than an expense, as reforms in this field can lead to very concrete social economic impact, such as improving services while generating considerable savings for the public coffers, as some "open procurement" initiatives clearly demonstrate.

Finally, these examples show that an open government initiative is more likely to have an impact when it is part of a **larger, long-term strategy** and is well coordinated with other actions. For example, a participation portal is more likely to be successful if it is part of a larger citizen engagement strategy including other initiatives at different levels, while an open procurement project will probably lead to better socio-economic impact if it is part of a wider effort to improve integrity and accountability.

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4 Open government in Arab States: An overview of good practices

This chapter focuses on the efforts that Arab countries have made to promote open government principles and the challenges they still face. With a comparative angle, it analyses the policy and legal frameworks, with a specific focus on access to information, the significant progress made on e-government and open data, as well as the limited initiatives to promote citizen participation. After providing a number of concrete examples of good practices from ESCWA member states, the chapter concludes by looking at the impact of COVID-19 on open government in the region and proposes some strategic directions for Arab countries.

Overview of open government in ESCWA countries

Many countries in the Arab region have become aware of the importance of moving towards consolidating the concepts of open government, as an element of good governance, developing transparent, effective and accountable institutions; especially as they all adhered to the 2030 agenda for sustainable development and its goal SDG 16 (ESCWA, 2019[1]). The large penetration of information and communication technologies (ICTs) and the rapid development of e-government in many of them can facilitate open government by applying its principles. Efforts have been deployed in the domain of open government data (OGD) thus far in several Arab countries.

This chapter presents the status and efforts related to open government and its enablers in the Arab countries based on internationally recognised indexes and monitoring. It considers the GDP level of the Arab countries as one of the key indicators of how living standards relate to the implementation of open government principles. The analysis also discusses good practices based on the responses from the Arab countries to a specific ESCWA-OECD survey for the purpose of this study.

This chapter uses "e-government" and "digital government" interchangeably as do the UN (UN DESA in particular) and several Arab countries, while the OECD considers "digital government" as the next phase of e-government (see Introduction chapter, section 1.5).

Policy framework for open government

In the Arab region, three countries, namely Jordan, Morocco and Tunisia, have joined the global Open Government Partnership (OGP) and have therefore committed to applying policies and strategies to implement the commonly agreed recommendations. Other Arab countries do not have a specific policy/strategy or action plan for open government; however, some countries have initiated partial or comprehensive national plans that include the implementation of some dimensions of open government especially on open government data. In reality, it is observed that "*most of the initiatives and programs that have been approved were designed as part of standing e-government projects and were not in fact part of any government strategy towards open government*"[1]. ESCWA, as well as the OECD for some partner countries, is assisting the Arab countries in their efforts and has already established a dedicated framework to foster open government in the Arab countries (ESCWA, 2019[1]).

Jordan elaborated its fourth OGP action plan for the period 2018-2020. It is currently implementing the following five commitments of this last plan: 1) enhancing partnerships and dialogue between the public sector and civil society, 2) development and enhancement of the application of Government Open Data Policy, 3) fostering national dialogue to achieve political reform, 4) unification and development of the national complaints mechanism regarding human rights violations and 5) institutionalisation of the enforcement measures for the Access to Information Law[2]. The results of the third action plan were reviewed by the Independent Review Mechanism (IRM) and three partial commitments were starred[3].

For the case of Morocco, and following an initial OECD assessment in 2015[4], the government elaborated its first action plan for the period 2018-2020[5], with 24 commitments: 18 for the executive branch and six for the Parliament. These commitments focus on participation in law making, open regulations, right to information, transparency and participation in fiscal openness[6]. The progress in the achievement of these commitments can be followed on a specific platform[7].

In Tunisia, the Independent Review Mechanism (IRM) judged that Tunisia had substantially or completely implemented 6 of the 13 commitments of the second national action plan 2016-2018, with one initiative having a major contribution in opening government[8]. The ensuing 2018-2020 action plan continued the efforts with 13 new commitments[9] with four main focuses: 1) enhancing the right to access information and opening up public data, 2) promoting transparency in the natural resources management field,

3) encouraging integrity, participatory approaches and local governance, and 4) improving the administrative services equality.

In Lebanon, the Office of the Ministry of State for Administrative Reform (OMSAR)[10] had observed that the Access To Information law was still not implemented[11], even though the decree of its application rules was published by the Ministry of Justice in 2020[12] and the National Anti-Corruption Commission provided for by the law has not been established yet. An action plan was elaborated in partnership with the OECD for the period following 2020. A public information package[13] on RTI has been issued, clarifying that in case of non-compliance by the administration, a complaint can be filed to the State Council (administrative court) or to the National Body for Combatting Corruption[14]. The national anti-corruption strategy, Ombudsman Law and Whistle-Blower Protection laws have not been fully implemented either.

It is also worth noting that 56 local authorities[15] have joined the OGP, of which some are in Arab countries: Karak and Salt municipalities in Jordan, Tangier-Tatouan-Al Hoceima in Morocco, El Kef and Regueb municipalities in Tunisia. They are in the process of elaborating their own action plans.

Implementation framework of open government

The institutional framework encompassing activities related to e-government, open data and open government varies significantly among Arab countries[16]. In most countries, no differentiation is made between the institutional setting for e-government, focused on ICTs, and that for open government, focused on governance, except in the case of countries that joined OGP.

The institutional framework in Tunisia and Jordan for open government specifies specific entities/commission for its implementation. In the latter, a specialised commission was created to ensure implementation of the RTI law, and particularly to develop the ATI protocols, in line with the country commitments to OGP. Furthermore, as per article 3 of the ATI law, there is an Information Council headed by the Minister of Culture, assisted by the Director of the National Library and includes the Ministries of Justice, Interior and Defense, the High Council for Information, the Office of Statistics, the National ICT Center and the high Commissioner for Human Rights.[17] In addition, several amendments, currently working their way through parliament, seek to include CSO representatives in the Council. The ATI law gives the Director of the National Library the authority of “information commissioner”, to whom the complaints should be filed. In addition, an Integrity and Anti-Corruption Commission (JIACC)[18] was created in the country.

In Tunisia, in addition to the ATI commission, there is an official open government focal point who coordinates the OG agenda, the E-government unit at the Presidency of Government, and a Strategic Council of Digital Economy, reporting to the Council of Ministers, pilots Open data as well as E-Government activities. In Morocco, the Department for administrative reform at the Ministry of finance, economy and administrative reform coordinates the open government agenda and acts as the OG focal point, while an inter-ministerial committee (abbreviated CIGOV), headed by the Minister of Industry, Trade and New Technologies defines e-government policies and evaluates/monitors progress[19]. In addition, an ATI commission has been created by the law 13-13 of 2018[20; 21].

These three Arab countries, members of the OGP, have established dedicated steering committees to coordinate and monitor commitments the countries make in their OGP national action plans. The OGP steering committees typically include members from both government and civil society.

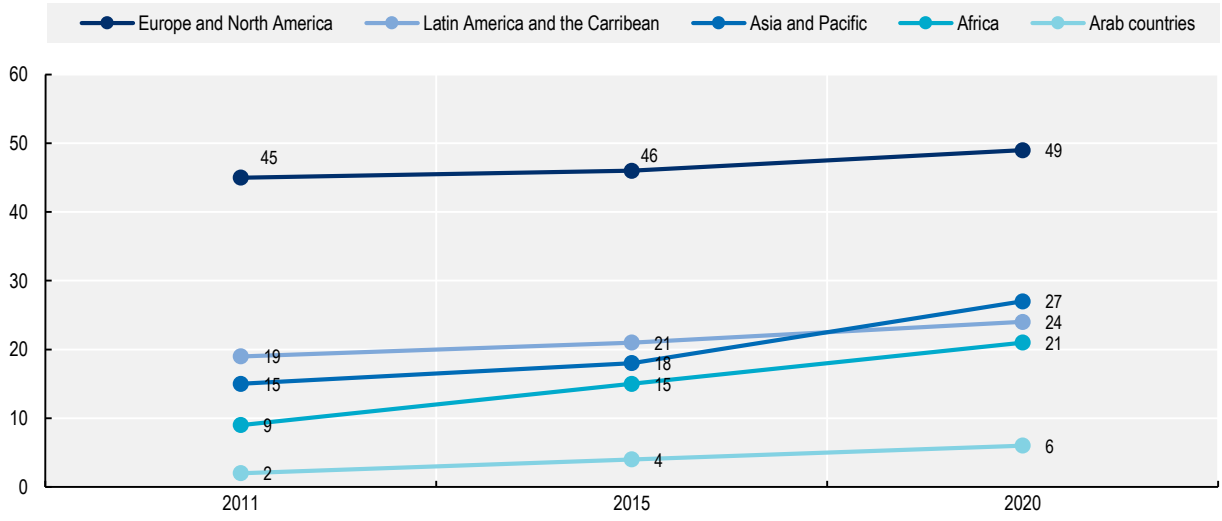
As it will been seen in the following sections, other Arab countries have adopted nearly the same institutional framework for e-government and open data initiatives. Moving towards open government will require the identification or establishment of specific entity/commission to lead and coordinate the open government agenda, like what was done for e-government, noting that coordination is crucial yet often a major challenge for countries in the region and beyond.

Legal framework for open government

Several Arab countries have taken advanced steps to create the legal environment that is necessary for the principles of open government to develop fully. In line with this, ESCWA has accompanied these steps by laying the legal groundwork, especially the rights to access information, transparency and open data (ESCWA, 2020[2]).

The legal aspect concerning the right to access information is the key building block for good governance based on transparency and accountability, and forms the very foundation of openness. Having an ATI law is one of the eligibility criteria to join the Open Government Partnership. UNESCO has reported that as many as 127 countries in the world had enacted Access to Information (ATI) laws up to 2020, including all OECD countries but only six Arab countries (Figure 4.1)[22].

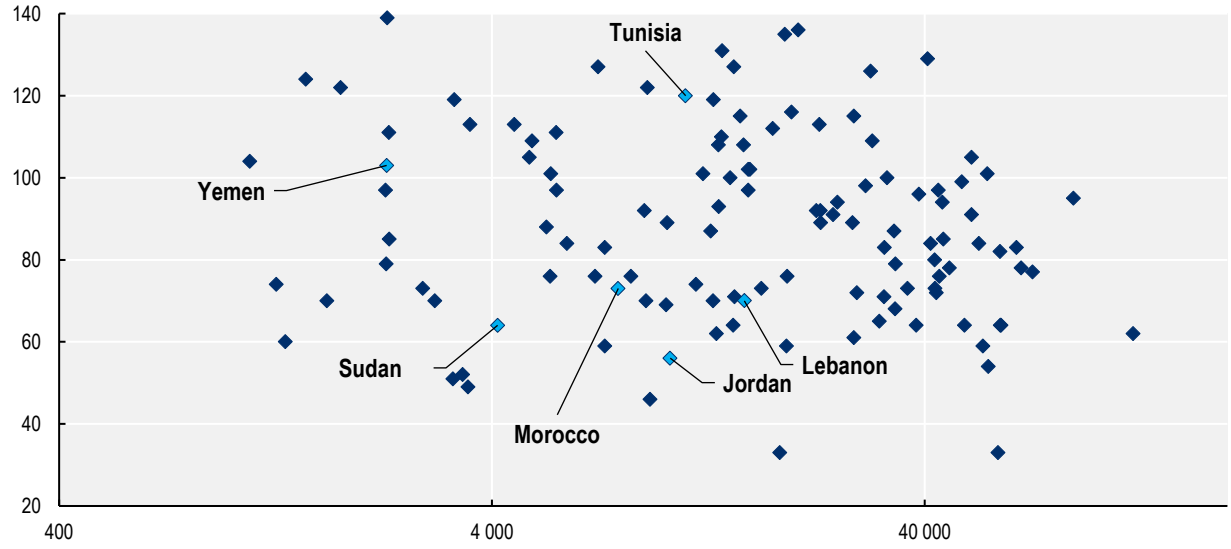
Figure 4.1. UNESCO tracking of ATI laws by region



Source: Adapted from UNESCO (2020[3]), From Promise to Practice: Access to Information for Sustainable Development, https://unesdoc.unesco.org/ark:/48223/pf0000375022.

However, access to information involves many complex aspects. Countries should not only enshrine this right in law or in the constitution, but also clarify that it applies to the largest part of institutional information, and specify procedures for access, exceptions, and claims, as well as sanctioning actors who do not comply. Accordingly, the Center for Law and Democracy[23] has elaborated a worldwide Right To Information (RTI) rating[24] for ATI laws according to seven categories of indicators, namely: right of access, scope, requesting procedures, exceptions and refusals, appeals, sanctions and protections, and promotional measures. On a scale of 150, 25 countries obtained a score above 110, including Tunisia from the Arab region, and 25 countries a score below 65, including Jordan and Sudan from the Arab region. As it can be observed on Figure 4.2 (OECD countries are indicated and coloured orange for comparison), the scores seem independent of the level of economic development of the country, as some countries with high GDP per capita (PPP) have low scores[25].

Figure 4.2. Scoring of Arab countries on ATI Laws



Source: ESCWA Compilation based on data from: https://www.rti-rating.org/
Note: Vertical axe shows the value of the index,
Horizontal axe shows the GDP per Capita based on PPP (2015), PPP = Purchasing Power Parity

In general, the ATI laws adopted in Tunisia and Yemen were deemed to be stronger than similar laws in more economically developed countries.[26] Jordan, however, scored low, including by local critics[27]. It should be noted, however, that the RTI ranking evaluates only the content of the ATI laws but not their enforcement or implementation in practice. Table 4.1 gives the situation of the ATI laws of the six Arab countries. Three Arab countries don't have yet the institutional structure for the enforcement of the ATI law namely Lebanon, Sudan and Yemen.

Table 4.1. Access to information laws in the Arab States and RTI rating

Country	Enshrined in Constitution	Enshrined in Law	Year of Law	Score by RTI ranking
Jordan	Yes	Yes	2007	56
Lebanon	No	Yes	2017	70
Morocco	Yes	Yes	2018	73
Sudan	No	Yes	2015	64
Tunisia	Yes	Yes	2016	120
Yemen	No	Yes	2012	103

Source: ESCWA compilation based on multiple sources.

Tunisia's law has obtained the best score and is ranked 13th in the world. But ATI is even enshrined in Tunisia's 2014 constitution, which "*guarantees the right to information and the right of access to information and communication networks*" (article 32). It guarantees and protects the "*freedom of opinion, thought, expression, information and publication",* which *"shall not be subject to prior censorship*" (article 31) and "*protects the right to privacy and the inviolability of the home, and the confidentiality of correspondence, communications, and personal information*" (article 24)[28]. The ATI law, an organic law, was enacted in 2016[29] and it created an independent ATI authority[30] to receive and decide on appeals concerning the implementation of the law (detailed below in best practices).

An RTI commission, linked to the Prime Minister's office, which includes several members of CSOs, has also been created in **Morocco**. It launched its platform[31], developed by the Department of Administrative Reform with technical assistance by the OECD, in March 2020. At the end of 2020, 102 public institutions were involved, 2 500 requests had been filed and 1 130 answered within an average of 62 days.

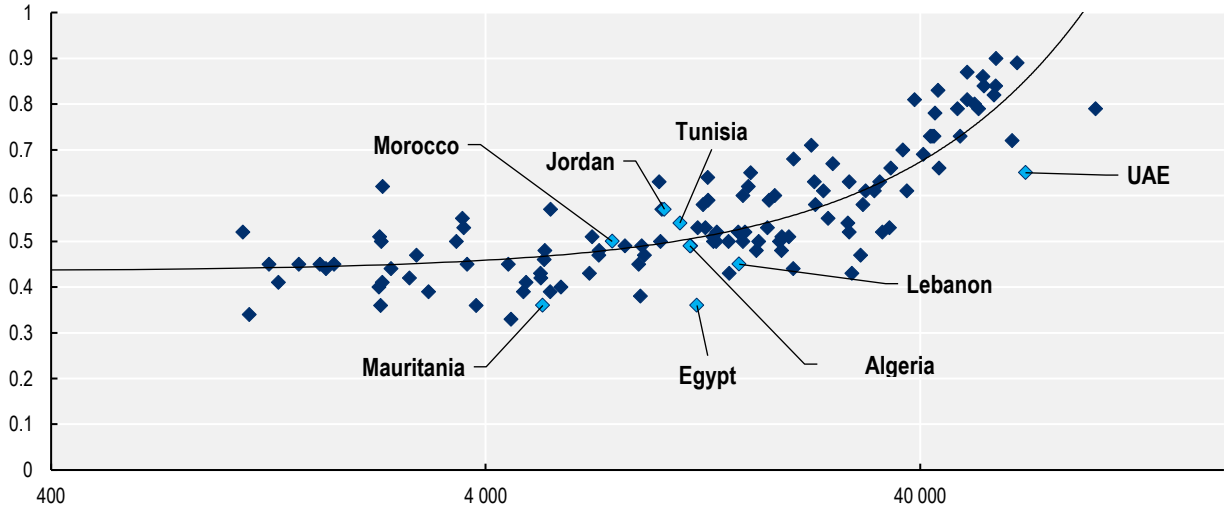
Four Arab countries collaborate with UNESCO to report on RTI guarantees and its implementation (UNESCO, 2020[3]) namely Algeria, Kuwait, Morocco and Tunisia. UNESCO is in fact responsible for reporting worldwide on the progress of SDG 16.10.2, which is related to the adoption and implementation by countries of constitutional, statutory and/or policy guarantees for public access to information.

The legal framework for open government, as defined by ESCWA (2020[2]), also includes legal aspects related to the open by default principle that need to be embedded in RTI acts. Government must also specify the nature of potential restrictions and secret information, as well as other issues related to the protection of personal data and private life, to the freedom of opinion, expression and media, to the preservation and dissemination of archives, to statistics, to data classification and the enabling laws for public participation (public consultations and petitions) and to accountability (anti-corruption, protection of informants on corruption, dissemination of revenues and properties of civil servants). This is in addition to the legal issues related to Open Data in general and to intellectual property in particular.

The laws also need to be implemented in a general context of rule of law. Having a good law does not necessarily mean that it is implemented, as is the case of Yemen where there has been a longstanding conflict. Two major institutions assess the implementation of rule of law worldwide: The Department of Economic and Social Affairs of the United Nations (UN DESA), precisely to assess progress on SDGs and open government, and the World Bank, in general.

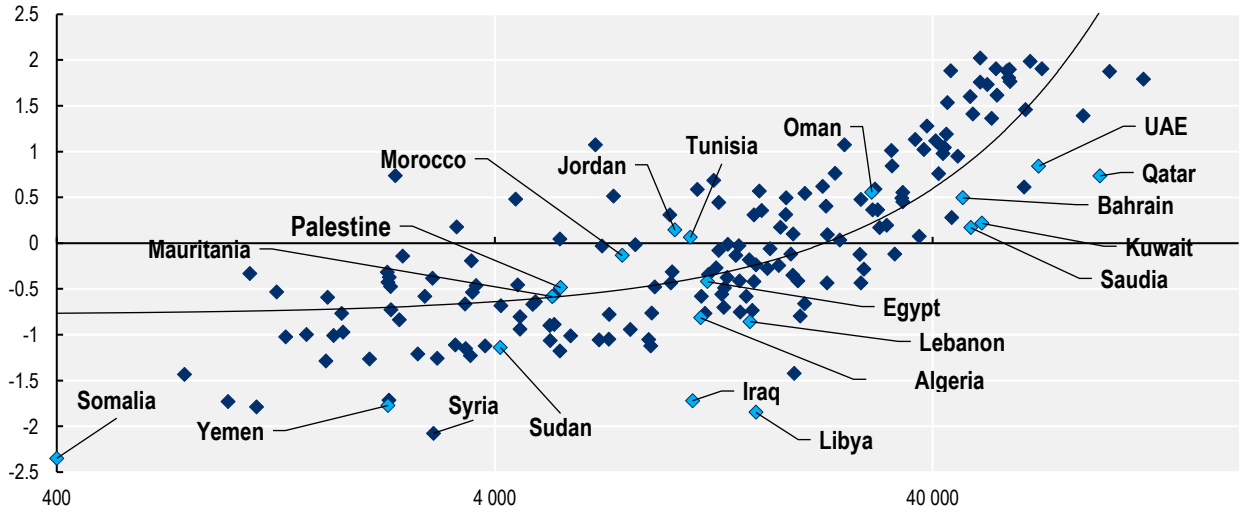
The UN DESA assessment for 2020 (see Figure 4.3), although still not covering all countries, shows a strong correlation between rule of law and GDP per capita. Some middle-income Arab countries namely Jordan, Morocco and Tunisia, and to a certain extent Algeria are assessed in line with other countries with similar level of economic development. The World Bank rule of law (see Figure 4.4) indicator also confirms the worldwide trend of a strong correlation between rule of law and GDP per capita PPP. However, both low- and high-income Arab countries score generally lower than their global counterparts. Yet, some middle-income Arab countries obtained relatively good scores for rule of law. The two methods of assessment seem consistent.

Figure 4.3. UN DESA Rule of Law assessment



Source: ESCWA compilation based on UN DESA Rule of Law, and World Bank Rule of Law assessment.

Figure 4.4. World Bank Rule of assessment 2019



Source: ESCWA compilation based on UN DESA Rule of Law, and World Bank Rule of Law assessment.

Efforts on the legal frameworks for open government

Beside the ATI, there are many laws that facilitate the transition towards open government. The Arab countries continue their efforts to develop legal frameworks towards open government, whether or not they are OGP members. Below, the most important initiatives in this regard are described.

All Arab countries have signed and ratified the UN Convention against corruption adopted in 2003. Only Syria, in conflict, signed it but did not ratify it[32]. In Algeria, the law 06-01[33] was enacted in 2006 on the prevention and the fight against corruption sets out penalties of two to ten years' imprisonment in the case of corruption of public officials.

In 2018, Bahrain enacted Law No. 30 with respect to Personal Data Protection. Also, Bahrain has set up a legal anti-corruption framework and the Penal Code criminalises most corruption offenses in both the public and the private sector[34]. In Egypt, a right of information law had been discussed and drafted in 2008[35], but not enacted yet. Recently, in 2020, Egypt adopted its first law to protect personal data, law No. 151 of 2020[36]. In Syria, several draft laws that are linked to open government exist but they have not been adopted yet. These laws pertain to access to information, personal data protection and a law on financial disclosure for government officials.

In Iraq, laws pertaining to the right to access information and freedom of expression and peaceful demonstration have been drafted and submitted to the Parliament[37]. A law from 2011 created an independent integrity and anti-corruption commission[38] and a law on human rights and accountability was adopted in 2019.

In Jordan, a law was enacted in 2014 that aims to prevent public officials from making illicit financial gains[39]. Moreover, a law on integrity and anti-corruption was passed in 2016[40], and its revision is currently being discussed by the Parliament[41]. Also, the old law of 1952 on management and classification of official documents was amended successively in 2001, 2005 and 2017[42]. A new revision is currently presented for public consultation. The Ministry of Information and Communications Technology (MoICT) is working on drafting a Personal Data Protection Law. In 2020, the Jordanian Government approved the Open Government Data Quality Framework. It also developed, in late 2020, three protocols on classifying, enforcing and managing information. Their overall objective is to provide clear procedures and standards for public bodies subject to the access to information law. The protocols were elaborated by a multi-

stakeholder committee composed of government officials, CSOs, academics, and international experts, and were subject to a public consultation. They were recently adopted by the Council of Ministers in December 2020.

In Kuwait, a law establishing the Kuwait Anti-corruption Authority was enacted in 2016[43]. Lebanon passed in 2018 a new law on e-transactions and personal data (no. 81/2018). In April 2020, during the severe crisis that the country experienced, the parliament adopted an anti-corruption law, almost a decade after a first draft was introduced[44], and a National Anti-Corruption Strategy (2020-2025) was prepared, the first ever in the country. The strategy seeks to pave the way for the future establishment and activation of the National Anti-Corruption Institution, which will eventually be responsible for administering ATI requests and related disputes. In May 2020, a law on "*Fighting Corruption in the Public Sector and establishing the National Anti-corruption Institution*" was adopted[45]. In June, a law protected "whistleblowers" on corruption[46] and in October another law was passed on asset disclosure of public servants and punishment of illegal enrichment[47].

Libya, presently in conflict, is living under an interim constitutional declaration while a new constitution was drafted by a constituent assembly in 2017. The draft is criticised in terms of right to information and public freedoms[48]. However, a national anti-corruption law was adopted in 2014 that still needs to be implemented. Otherwise, it is worth noting that the Libyan government signed in 2012 a memorandum of understanding with the United Kingdom to develop open government[49].

The Mauritanian Constitution does not specifically provide for the right to access information or the freedom of the press, although the Freedom of the Press Law states that the access to information and freedom of the press "*are inalienable rights of the citizen*". However, the law also notes these freedoms can be limited "by law and to the extent strictly necessary for the preservation of the democratic society". Moreover, the legal framework for combating corruption includes the provisions set out in the Criminal Code, the Code of Criminal Procedure and the law No. 014-2016 of 15 April 2016 on combating corruption. However, the Act has yet to be enforced[50].

In Morocco, a decree of one article (no. 2.14.267)[51] was issued on 4 November 2015 to set terms, conditions and rules to manage, sort and destroy current and intermediate archives, and deliver the final archives. In 2018, the parliament enacted law no. 31-13[52] to exclude from the right to information the data that could pose a national security risk, such as financial and monetary policies, foreign relations, industrial property rights and copyrights. Also, as part of the first Moroccan OGP action plan, the government is working on implementing the provisions of Organic Law No. 130-13 related to budget transparency and performance-oriented budgeting. Morocco has a law governing privacy and data protection since 2009, it is Law No. 09-08, dated 18 February 2009.

In Oman, a draft law on access to information was submitted to the Shura council in 2010 but has not been ratified. A Media Charter of Honor was signed in 2017, that stated "*the right to access to information and news, and access to non-prohibited official documents from their sources*", and a Penal Code was enacted in 2018 (Decree 7/2018) containing provisions for corruption. In Palestine, an anticorruption law was enacted in 2005[53]. An administrative development plan was set in 2010. A draft law on right to information has been prepared with the support of the Geneva Centre for the Democratic Control of Armed Forces (DCAF)[54] and submitted to the Parliament. Also, in 2018, a draft law on protection of personal data was prepared[55].

In Qatar, a law No. 13 was enacted concerning privacy and protection of personal data in 2016; the first in GCC countries. And while there is no law for freedom of information, the Penal Code (law No. 11/2004) acts as an anti-corruption legislation[56]. In Saudi Arabia, the Shura Council drafted a "right to information" and a "personal data protection" laws in 2014, however they are not enacted yet. In Sudan, a law concerning access to information was promulgated in 2015. The Act established a High Commission for information to act as the sole information provider for the government of Sudan. However, Sudan has no

data protection authority and no data protection law regulating the collection, storage and use of personal data by governments and the private sector[57]. Also, it has no anti-corruption law[58].

Besides its right to information law, Tunisia enacted the Organic Act 2004-63 of 2004 on the Protection of Personal Data[59]. In 2008, a law created an independent institution for the protection of personal data, the INPDP[60]. Several articles of the law were superseded by those of Convention 108 of the Council of Europe[61], ratified by Tunisia in 2017. However, despite a recent law on whistleblower protection[62], the efforts to combat corruption in Tunisia have been slow to materialise[63].

The UAE has enacted several legislations to protect the data and the privacy of the persons and the companies, the Federal law 1/2006 on Electronic Commerce and Transactions and that 5/2012 on combatting cybercrimes that includes articles related to personal data protection. Access to information is regulated by a guide and Law 26/2015 on the Organization of Dubai Data Publication and Sharing[64]. This is while the Federal constitution provides for the "freedom of communication by means of post, telegraph or other means of communication and guarantees their confidentiality in accordance with the law"[65]. The UAE has no specific anti-corruption legislation. However, there are laws such as the Penal Code (Federal Law 3/1987) and the civil service law (Federal Law 21/2001), which provide sanctions related to corruption[66].

In Yemen, despite the myriad challenges that the country is facing, the parliament passed Law 13/2012 regarding access to information in 2012, before the crisis. This came after the country's first specific anti-corruption law was introduced in 2006, which replaced the more general law on bribery passed in 1994.

As this overview shows, many interesting OG-related laws and regulations have been passed in recent years in Arab countries, representing in some cases major steps forward. However, in most cases the legal framework is not yet comprehensive from an open government point of view and countries should consider addressing the loopholes.

Overview of e-government in the Arab States

E-government can be an enabler/facilitator for the transformation towards open government (OG), as stated in the introduction. Based on the ESCWA framework for OG, openness is the first stage for the implementation of open government. E-government can contribute to more government openness but does not automatically lead to open government. As stated in the OECD recommendation "*For digital government to contribute to more open public sector, there should be a shift to use technology to shape public governance outcomes, and not simply to support government processes"* (OECD, 2017[4]).

In the following section, the analysis of e-Government in the Arab countries considers the GDP level as one of the key indicators to reflect how living standards relate to government development. The analysis will be complemented by good practices shared by Arab governments with ESCWA-OECD through the dedicated survey for this study.

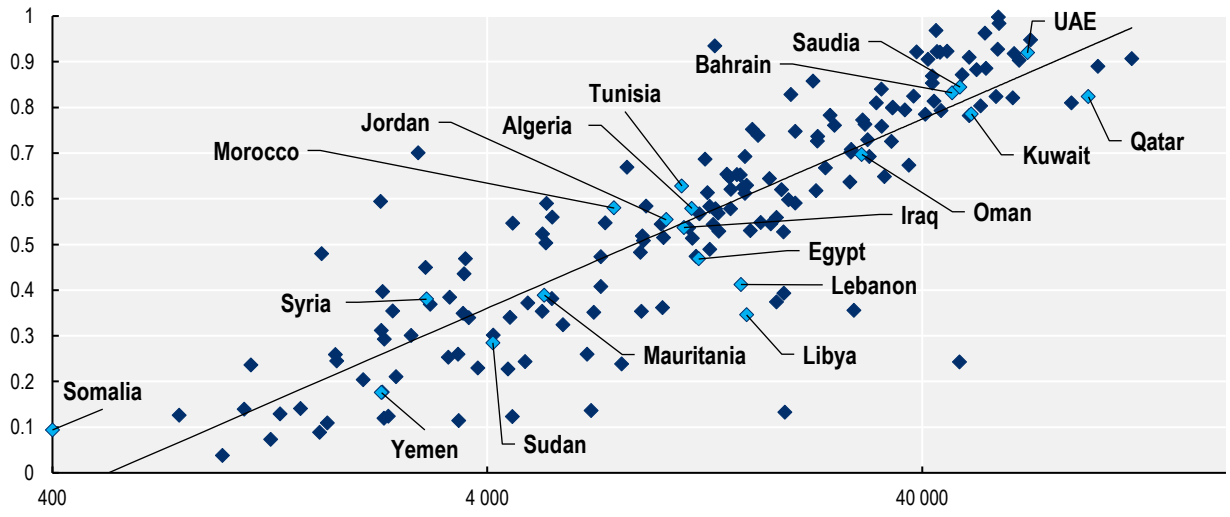
Many Arab governments have strongly engaged in e-government and made considerable efforts to move to openness, notably through the development of Open Government Data (OGD) portals and adopting participation at different levels. The Department of Economic and Social Affairs of the United Nations (UN DESA) has been commissioned to monitor e-government progress worldwide in line with the adoption of the sustainable development goals. The UN e-Government Survey provides a global view of the e-government development through various indices: the e-government development index (EGDI), open government data (OGD) index (OGD) and e-participation Index.

A general assessment of e-government development in the Arab countries can be made through the EGDI index of UN DESA. This index combines three important dimensions to assess e-government scoring: the

status of the development of telecommunication infrastructure, the inherent human capital and the scope and quality of online services (UN DESA, 2020[5]).

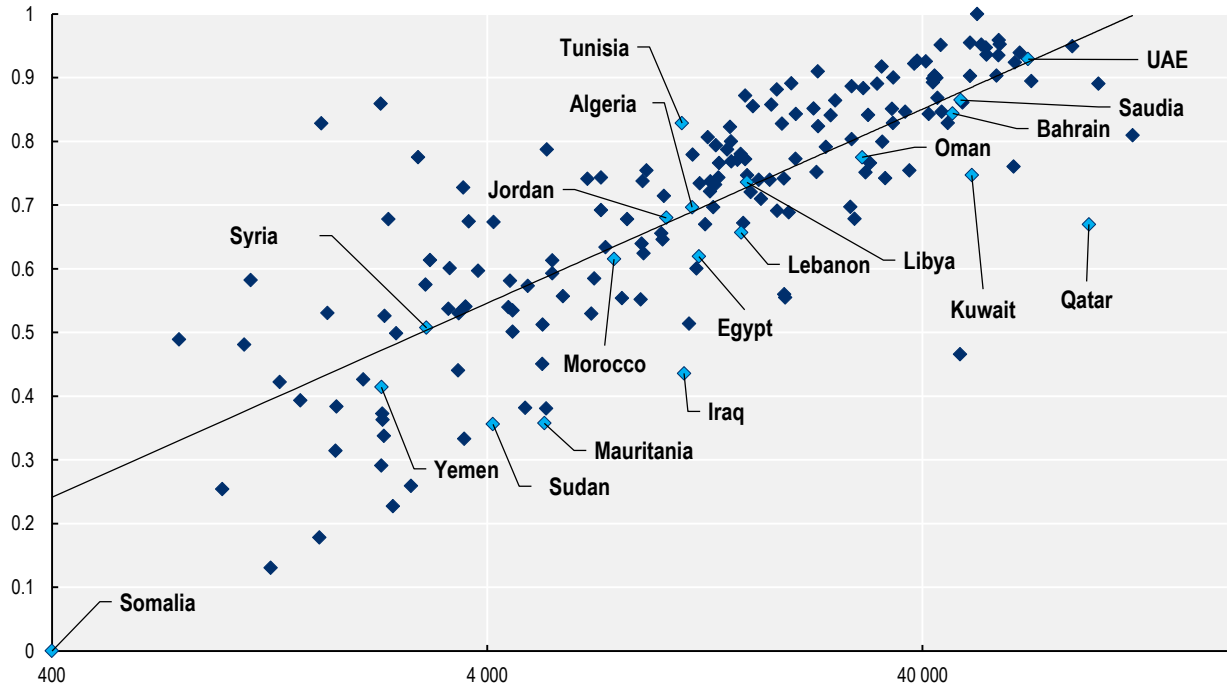
In the Arab region, the development of telecommunications infrastructure has advanced significantly, and so has its penetration among the population, as well as human resources in information and communication technologies (ICTs). This resulted in the creation of a favourable enabling environment. The telecommunications infrastructure index of UN DESA (Figure 4.5) shows that Arab countries follow the international trend, with some under-achievers mostly due to conflict or crisis situations, such as Libya or Lebanon. The same applies to the human capital index, with a notable overachievement of Tunisia (Figure 4.6), and unfortunately with several countries underachieving such as Yemen, Mauritania and Iraq. The good level of ICT spread is an interesting factor as it can facilitate the access to inclusiveness to services and data.

Figure 4.5. UN DESA Telecom infrastructure index 2020



Note: The horizontal axe shows GDP ppp and the vertical axe show the value of the Index.
Source: Compilation by ESCWA based on UN e-Government Survey 2020

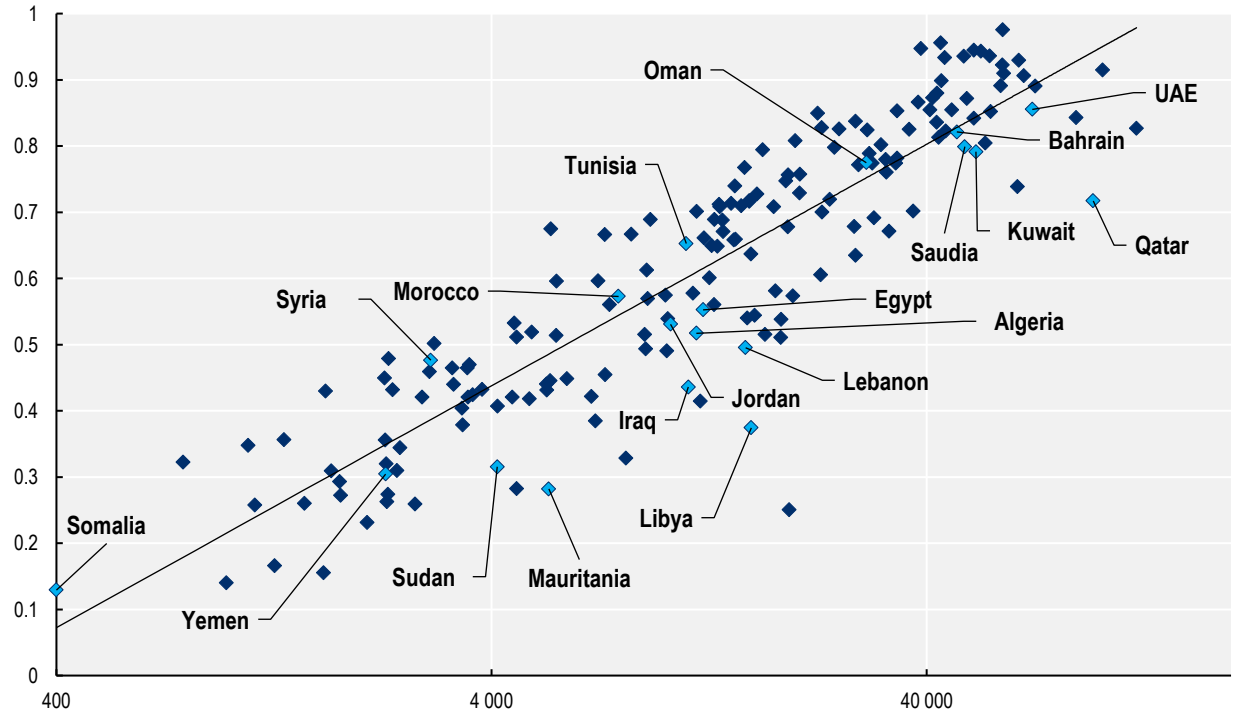
Figure 4.6. UN DESA Human capital index 2020



Note: The horizontal axe shows GDP ppp and the vertical axe show the value of the Index.
Source: Compilation by ESCWA based on UN e-Government Survey 2020

Many of the Arab countries are under-achievers in terms of online services deployed and their quality such as Libya, Mauritania, Sudan, Algeria, Jordan, and Lebanon. However, certain countries such as UAE, Tunisia, Oman, Kuwait, Bahrain, and Syria[67] were clear over-achievers when considering their GDP (Figure 4.7).

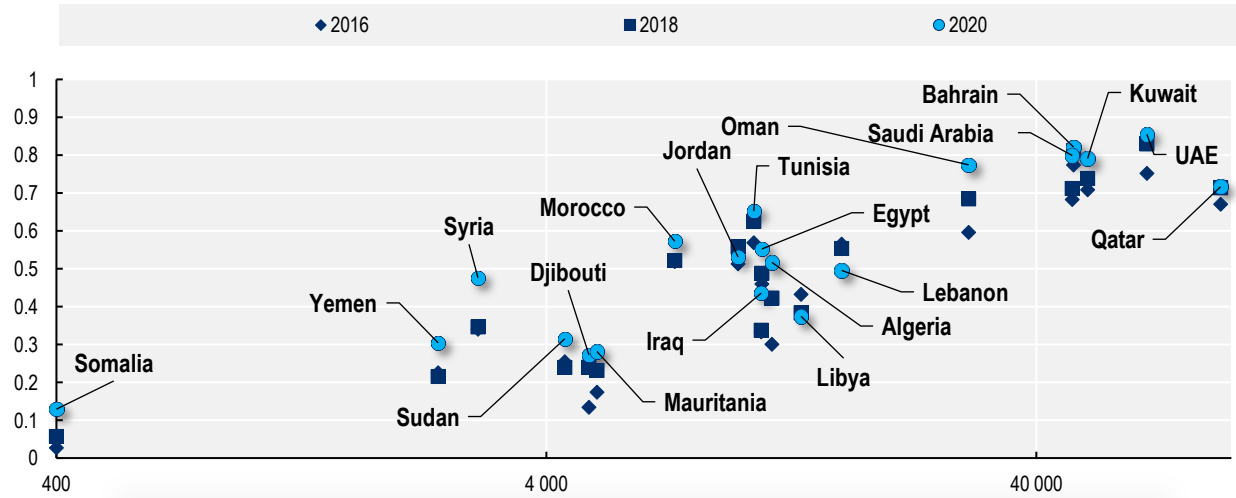
Figure 4.7. UN DESA e-government online services index 2020



Note: The horizontal axe shows GDP ppp and the vertical axe show the value of the Index.
Source: Compilation by ESCWA based on UN e-Government Survey 2020

This assessment in 2020 recognises that all Arab countries[68] have made considerable progress in their e-government (EGDI) index in the last five years (Figure 4.8). The OECD and ESCWA are assisting countries to further this progress. The OECD Digital Government Policy Framework (DGPF) has served to guide recent OECD work in the MENA region to support the digital transformation of the public sector, as done through the report to benchmark MENA countries' digital government strategies (OECD, 2017[6]) and the dedicated study on Morocco (OECD, 2018[7]).

Figure 4.8. Evolution of the EGDI index of the Arab countries



Note: horizontal axe shows the GDP PPP, the vertical axis shows the EGDI value
Source: compiled by ESCWA considering UN e-Government Survey 2016, 2018, 2020.

Arab countries have progressed in recent decades towards the adoption of digital technologies and data to promote more efficient public sectors, which in turn increased transparency. The development of e-government policies has brought significant benefits in the digitalisation of public sector organisations yet it also introduced challenges to achieve a more integrated and cohesive public sector in order to enable a whole-of-government transformation of public services and operations.

Significant steps were made to create a digitally inclusive environment addressing digital divides and other forms of digital exclusion. Targeted interventions were made to improve access to ICT, and improve the comfort and familiarity of all population groups, including the disadvantaged, with using ICT to interact with government. Some of the existing initiatives to reduce digital divides in the MENA region include the establishment of kiosks in rural areas, and the collaboration of the private sector and post offices to improve access to ICT and promote digital literacy (Egypt), as well as government funded training and awareness campaigns (Jordan) (OECD, 2017[6]). Despite these efforts, the digital divide and relatively high illiteracy rate still represent a challenge in some countries.

In line with this progress, all Arab countries have significantly developed online services, e-government applications and e-government portals (Table 4.2), which could help the move towards open government and participation. They simplified access to these services through the development of one-stop-shops for digital services, or centrally available lists that define all services provided by the public sector. However, fully developing such an approach requires governments of the region to achieve significant levels of interoperability of public sector information systems and, at times, cross-organisational service solutions (OECD, 2017[6]). Table 4.2 shows the e-government portals in the Arab countries and the relevant responsible institutions of e-government development in each country. Based on the experience in e-Government implementation and its institutional structure, it is recommended to have a specific entity/committee responsible for the coordination and implementation of the open government agenda, including to prevent potential overlapping of similar initiatives such as online portals.

Table 4.2. E-government portals in Arab countries

Country	Relevant institutions	e-Government Portals
Bahrain	Information and eGovernment Authority	https://bahrian.bh/
Egypt	Ministry of Communications and Information Technology	www.egypt.gov.eg
Jordan	Ministry of Digital Economy and Entrepreneurship	https://portal.jordan.gov.jo/
Kuwait	Central Agency for Information Technology (CAIT)	https://www.e.gov.kw/
Lebanon	Office of the Minister State for Administrative Development (OMSAR)	http://www.dawlati.gov.lb/
Mauritania	Ministry of Higher Education, Scientific Research and ICT	http://www.servicepublic.gov.mr
Morocco	Ministry of Trade, Industry, Investment and Digital Economy	http://www.egov.ma/
Oman	Ministry of Transport, Communications and Information Technology	https://www.oman.om/
Palestine	Ministry of Telecommunications and Information Technology	…
Qatar	Ministry of Transport and Communications	https://hukoomi.gov.qa/
Saudi Arabia	National Committee for Digital Transformation, which includes the Saudi e-Government Program (Yesser) of the Ministry of Communication and Information Technology	https://www.my.gov.sa/
Sudan	National Information Centre (NIC)	www.esudan.gov.sd
Syrian Arab Republic	Ministry of Communication and Technology	http://e.sy or http://www.egov.sy/
Tunisia	Presidency of Government	http://fr.tunisie.gov.tn/
United Arab Emirates	Telecommunications Regulatory Authority (TRA)	https://u.ae/
Yemen	National Information Centre	http://www.yemen.gov.ye/portal/

Note: "…" indicates having no information.
Source: Compiled by ESCWA.

Below are some examples of good practices in e-government extracted from the responses of member countries to the ESCWA-OECD survey and selected as most relevant on a path towards open government.

Oman has even developed an e-voting system for the elections of the Shura (Senate) and local councils (11 governorates), which take place every four years[69]. The system allows the candidates for the elections to submit their applications online. The electors can also register and vote, through on-line, polling stations or mobile applications. The system verifies the identities of candidates and voters through their national registration system (NRS) with biometric authentication. The system was fully enhanced and deployed for the municipal elections of 2020[70], finally postponed due to COVID-19 confinement. The control of the election and the complaints are managed by a Committee nominated by the Minister of Interior without independent scrutiny by candidates or CSOs. The system profited from the deployment of the national public key infrastructure (PKI) in Oman, with digital identity (eID), mobile identity (mID) and digital signature, connected to 77 electronic e-government services, including ID or residency cards (100% of residents connected), the registration system of SIM cards[71], easy business formalities[72] and Zakat payment[73].

Lebanon is developing, within its 2020-2030 Digital Transformation Strategy, its single point e-government platform for commercial registry and formalities[74], a courts automation project, a civil servants e-learning project[75], an e-procurement platform for public entities[76], a unified database for all public sector planning studies[77], an e-appointment mechanism in the senior vacant positions in the Lebanese public administrations and institutions[78], an integrated solid waste management system[79] and a sectoral and organisational performance measurement and inspection programme for civil servants[80].

Qatar has deployed extensive e-government services[81], based on the development of a centralised Government Data Exchange platform (GDX) facilitating the back-end, day-to-day exchange between public entities. The services to the population are available through comprehensive portals on the internet and smartphones, named Metrash[82] and Hukoomi[83].

Also, Qatar was the first country in the world to implement a generalised electronic patient medical record in 2016[84] deployed to reach 90% of its 2.7 million population. This clinical information system (CIS) connects hospitals, primary healthcare centres, physicians and laboratories and enables them to retrieve quickly all information on patient health record. Other examples of e-government in Qatar include[85]: the single window for investors[86]; the initiative for digital transformation of small & medium business enterprises (SMEs)[87]; the labelling of local commerce, Theqa[88]; the assistive technology center, Mada[89], dedicated to connecting people with disabilities to the ICTs (that ranked in 2020 as 1st in the world by the Global Initiative for Inclusive ICTs)[90]; the worldwide media analytics information service[91] to government entities scanning 150 million sources of information including social networks in order to capture and analyse the community opinion; and a network for building a database of volunteers and connecting volunteer pioneers, named TAMM[92].

One of the most impressive areas of progress in terms of e-government is the UAE and especially the emirate of Dubai. The flagship e-government portals are called Smart Dubai[93], Smart Abu Dhabi[94], Smart Sharjah, Smart Fujairah, etc. offering all public services and administrative documents interactions through mainly mobile phones for citizens, residents, visitors and investors by providing them quick access to information without the need to visit government entities or their websites. This includes the Abu Dhabi TAMM portal[95] as a single point of access to 350 government services and Dubai Business Ledger on Blockchain, online court audiences, etc. The UAE also launched electronic ID cards, carrying biometric details for the whole population, nationals and residents, as well as a “smart pass” to access e-government services and a “UAE Pass App” with similar functions and secure digital signature on smart phones.

The "*Digital Egypt e-platform*" enables people to access public services online. Currently, 155 digital government services are being provided, with the project to expand to other governorates. Several e-services were developed and launched for a number of entities, including law enforcement, notarisation, personal status, family courts, supply, electricity, agriculture, traffic, real estate registration, the Mortgage Finance Fund (MFF), and the General Authority for Investment and Free Zones (GAFI). The project was completed in Port Said, and the same services are being deployed nationwide.

An E-government portal was launched in Saudi Arabia as a one-stop-shop portal[96]. It includes a participatory function, Sahem[97], feedback with public institutions, Watani[98], a dialogue portal with the Royal court, Tawasol[99], as well as many other interactive options with different ministries. There are many examples of e-government initiatives in Saudi Arabia including mobile application for air quality status in users' location in Riyadh[100], the capital.

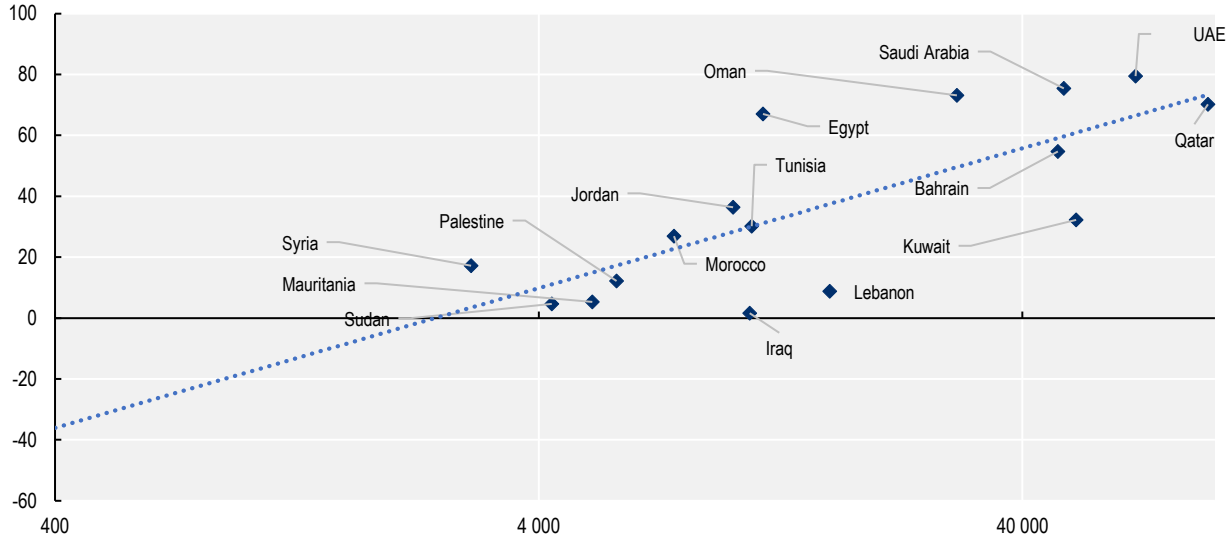
In Kuwait, all residents now have smart civil IDs cards that are designed to allow citizens of all GCC countries to travel freely between member states. These ID cards serve as an ID document in the format of a credit card and includes overt and covert security features, allowing cardholders to access digital government services and perform transactions securely. The Public Authority for Civil Information (PACI) manages a secure highway for data exchange, allowing people, the government and companies to exchange data securely and verify the identity of the other party[101].

It is worth mentioning that the significant development of e-government in the Arab countries was sometimes criticised for on-line censorship and tracking as well as non-respect of privacy and confidentiality, which makes legislative reforms in this perspective. This is essential to increase citizens' trust and to respect human rights, in line with open government principles[102].

Government Electronic and Mobile Services (GEMS) maturity

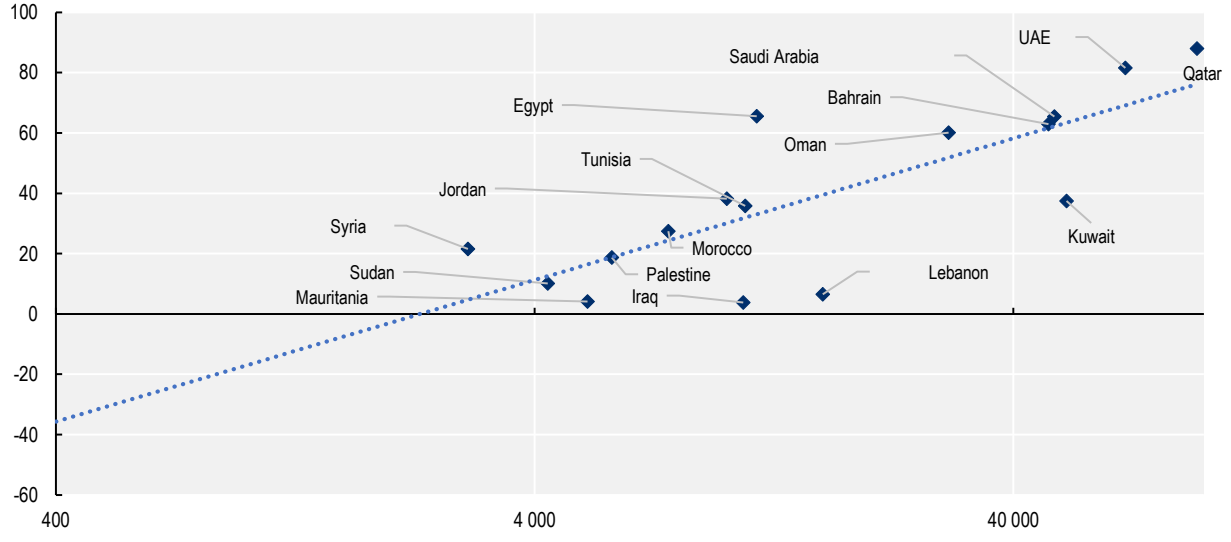
For its support to Arab countries in their e-government agenda, ESCWA has developed a Government Electronic and Mobile Services (GEMS) maturity index. It aims to measure the maturity of government services provided through portals and through mobile applications in the Arab region. It seeks in particular to bridge the gap in most of the international indicators, related to service maturity, its use and user satisfaction. To this end, 84 government services have been identified that each country needs to deliver electronically for individuals and businesses. The principle of life cycle has been adopted in service selection, which covers all individuals who need these services at different stages of life. It also encompasses companies that need such services since its establishment to its closing. The index is mainly elaborated for policy makers, enabling them to assess the situation and to identify the services that still need to be developed. For individuals, these include healthcare, education, employment housing, family affairs, travel and tourism, social well-being, transportation. Whereas, for businesses creation, this includes financing, operations, and the end of the company. Figures 4.9 to 4.11 show the results for the 3 key issues surveyed for GEMS in 2020 (ESCWA, 2020[8]) along GDP per capita PPP: availability of services, reach of services and their usage.

Figure 4.9. GEMS Availability of services



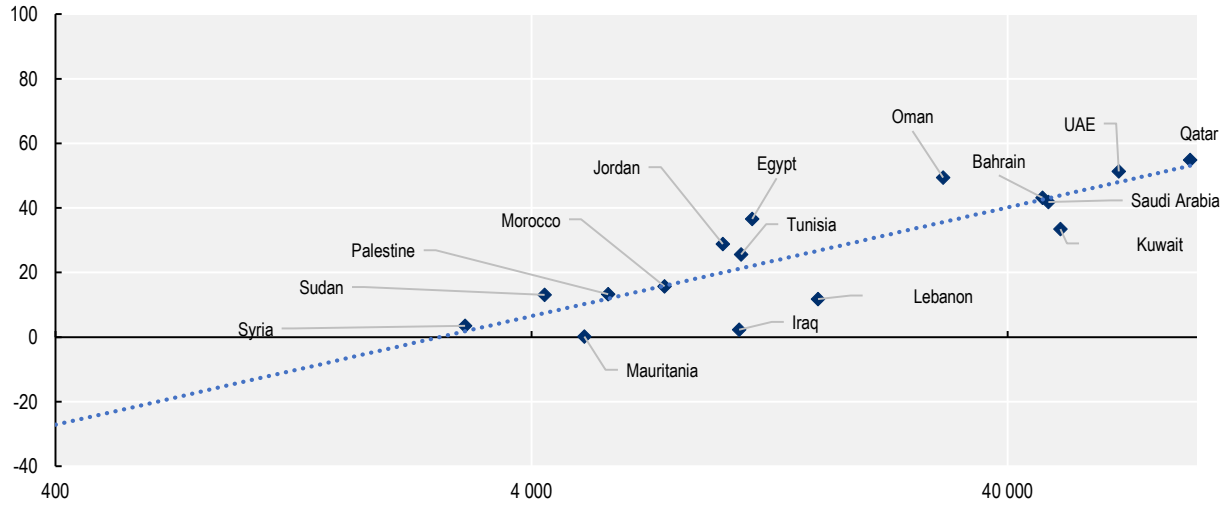
Source: ESCWA (2020[8]), *Government Electronic and Mobile Services (GEMS) maturity index - 2020*, E/ESCWA/CL4.SIT/2020/TP.17, ESCWA, Beirut, https://www.unescwa.org/publications/government-electronic-mobile-services-maturity-index-GEMS-2020.

Figure 4.10. GEMS Reach of services



Source: ESCWA (2020[8]), *Government Electronic and Mobile Services (GEMS) maturity index - 2020*, E/ESCWA/CL4.SIT/2020/TP.17, ESCWA, Beirut, https://www.unescwa.org/publications/government-electronic-mobile-services-maturity-index-GEMS-2020.

Figure 4.11. GEMS Usage of services



Source: ESCWA (2020[8]), *Government Electronic and Mobile Services (GEMS) maturity index - 2020*, E/ESCWA/CL4.SIT/2020/TP.17, ESCWA, Beirut, https://www.unescwa.org/publications/government-electronic-mobile-services-maturity-index-GEMS-2020.

According to assessments, the maturity of Arab countries in terms of e-government was deemed to be relatively high. However, the number of applications and services available is still limited, in particular those on mobile phones. The rates of users' satisfaction are also assessed as limited.

Open government data

While e-government aims mainly at simplifying administrative procedures for citizens, residents and enterprises in a sort of one-stop-shop, OGD aims at opening up government, statistics, data, plans and operations to the general public. Thus, the subject of OGD is much more connected to open government and the right to information (RTI).

Many Arab countries have launched Open Data strategies to promote transparency and accountability of the public administration and sector. The ESCWA had accompanied these efforts by elaborating capacity development material for open data (ESCWA, 2019[9]) and supporting selected Arab countries namely Jordan, Palestine and Syria. Bahrain, Jordan, Lebanon, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Tunisia and the UAE have developed specific open data portals (see Table 4.3).

Table 4.3. Open Data Portals and Institutional framework in Arab countries

Country	Open Data portals
Algeria	http://portal.dataalgeria.cerist.dz/ https://algeria.opendataforafrica.org
Bahrain	https://www.data.gov.bh
Egypt	https://egypt.opendataforafrica.org/
Jordan	https://portal.jordan.gov.jo/
Kuwait	https://e.gov.kw/sites/kgoenglish/Pages/OtherTopics/OpenData.aspx
Lebanon	https://www.opendatalebanon.org/
Libya	https://libya.opendataforafrica.org/
Mauritania	https://mauritania.opendataforafrica.org/
Morocco	http://www.data.gov.ma/
Oman	https://data.gov.om/
Palestine	http://www.opendata.ps/
Qatar	https://www.data.gov.qa/
Saudi Arabia	https://data.gov.sa/
Somalia	https://somalia.opendataforafrica.org/
Sudan	https://sudan.opendataforafrica.org/
Tunisia	http://fr.data.gov.tn/ and http://openbaladiati.tn/
UAE	https://bayanat.ae/ https://bayanat.ae/en/Resources

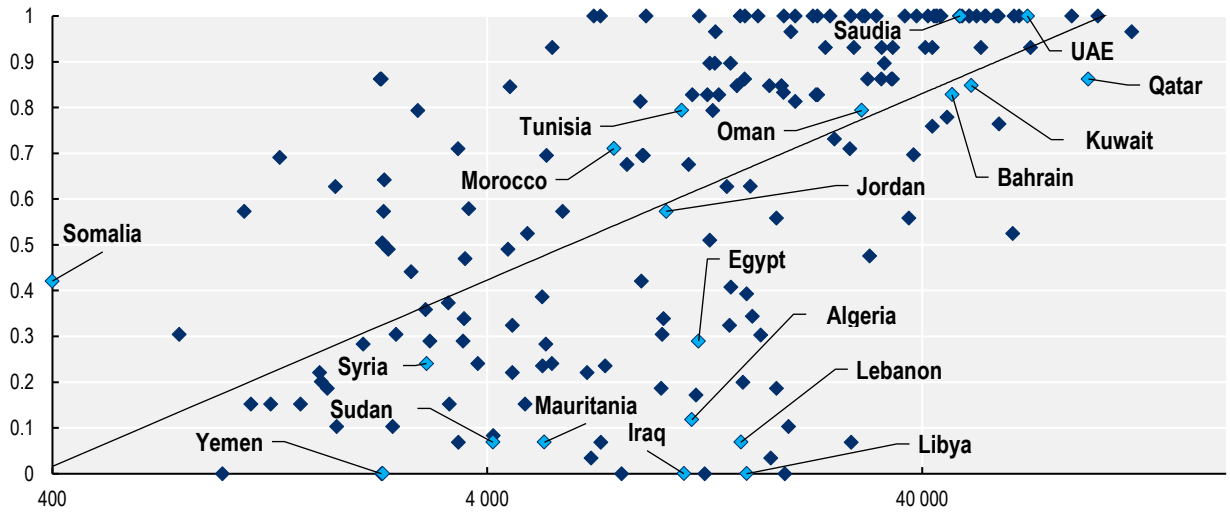
Source: Compiled by ESCWA team and the Consultant for this report.

No Arab country has adhered to the **Open Data Charter,** which was adopted in the Open Government Partnership (OGP) Summit of 2015 in Mexico, including those who joined the OGP. This charter sets six base principles for open data, namely: open by default, timely and comprehensive, accessible and usable, comparable and interoperable, for improved government and citizen engagement, and for inclusive development and innovation[103].

UN DESA developed an open government data index (OGDI) that is different from the one on e-government. The index is based on three key dimensions: policy and institutional framework, existence of OGD portal and features, and data availability in various sectors such as health, education, employment, social security, environment and justice and data application (UN DESA, 2020, p. 258[10]).

The results of the related UN assessment (Figure 4.12) show that most high-income world countries have high scores, while low- and medium-income countries are widely scattered. The scores of the GCC countries are along OECD countries, with the UAE and Saudi Arabia being the best performers. Among the middle-income Arab countries, the members of the OGP have the highest scores. The others register low scores, as well as their world counterparts.

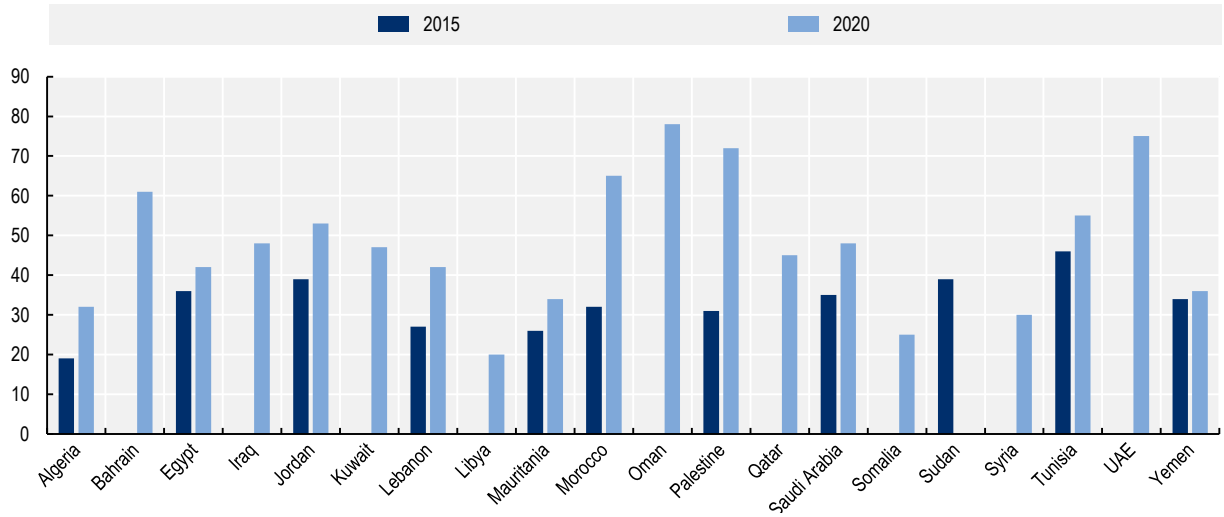
Figure 4.12. UN DESA OGDI Index 2020



Source: UN DESA (2020[10]), United Nations e-Government Survey 2020: Digital Government in the Decade of Action for Sustainable Development; ST/ESA/PAD/SER.E/214, United Nations, New York, https://publicadministration.un.org/egovkb/en-us/Reports/UN-E-Government-Survey-2020.

In these matters of OGD, some countries follow the guidelines of Open Data Watch (ODW)[104] for openness and coverage of their publicly released data. ODW is an international watchdog organisation concerned with these issues, publishing yearly an Open Data Inventory (ODIN) that helps to identify and address data gaps. This is, for example, the case of the Palestinian Central Bureau of Statistics (PCBS)[105] which has seen its ODIN score improving substantially between 2015 and 2020. Its ranking is now on par with the high-income Arab countries or even the most developed countries (Figure 4.13). Palestine was ranked 20th worldwide, while Oman 11th; Singapore being ranked first. This significant achievement in the conditions of the Palestinian authorities (in particular, the divide between the West Bank and Gaza) is linked to the establishment of a specialised team within the PCBS. It works with an OGD team created by a decision by the Prime Minister in 2018. It is chaired by the Ministry of Telecommunications and Information Technologies, involving several Ministries and CSOs[106]. An online platform (C-Kan platform[107]) had been established and the staff of the different Ministries trained. Specific surveys are conducted by the PCBS to fill the gaps. The official launching of the OGD platform[108], expected in 2020, has been, however, delayed due to COVID-19 confinement conditions. Figure 4.13 shows the leapfrog improvement of Palestine's ODIN score in only five years, as well as that of Morocco.

Figure 4.13. Evolution of ODIN scores for Arab countries (2015-20)



Source:Extracted from https://odin.opendatawatch.com/.

Many Arab countries situated in Africa have shared an African open data portal initiative supported by the African Development Bank[109]. Lebanon has opened to the public all projects studied by the administration[110]. The UAE has developed one of the most comprehensive open data portals for health, education, government human resources and employment, social affairs, labour and private sector establishments, finance affairs, environment and justice[111].

Jordan made comprehensive efforts for its OGD initiative[112], in close collaboration with both the OECD and the ESCWA. In 2017, Jordan launched an initiative on open data focused on various fronts from conceptualisation and regulation to implementation. Instructions, based on consultation with civil society and other sectors, were issued by the Council of Ministers to all government ministries, agencies and organisations to publish their data on the platform. An awareness plan was put into motion to promote the dissemination and use of the available data among private and public sectors. This was an essential step in curbing the poor use of the data and the platform. ESCWA supported the Ministry of Digital Economy and Entrepreneurship for the formulation of the open data strategy and hosted a capacity building workshop for government officials. The Jordanian license for open government data encompasses procedures necessary to classify, measure and evaluate the quality of open government data. The license was formulated in collaboration with the Jordanian Association for open source and reviewed and commented publicly. A policy on the classification and management of government data, in partnership with public sector representatives and private stakeholders, was put in motion in 2020. In 2020, 28 public institutions published their data, among 500 databases[113].

In Qatar, the government agencies were required to publish their data, but it was difficult due to the lack of a central platform. The open data portal of Qatar was launched in 2019[114] providing such a central platform for government entities to share data and make it available to the public. Portal users can access open datasets as well as important statistical information from government entities in a single window. Other than making data available for re-use, the open data portal aims to promote transparency, increase citizen engagement, improve governance, enhance inclusive economic development and foster innovation in Qatar.

In Saudi Arabia, a typical example of OGD is the digital map of building regulations and land use in the city of Riyadh[115]. Freely available, it includes the city's expansion projects and benefits citizens, governmental institutions, private sector, planners and researchers[116]. A more impressive geodata portal has been developed for Riyadh city and its region[117], covering a large spectrum of issues from historical development

to all public services, with reference to specific regulations and development studies, including for example transportation plans, regional water and electricity networks and flood risks[118]. However, the access to this portal is subject to approval and involves several levels of clearance.

In Tunisia, the "OpenGovDataHackathon 2020" competition[119] was the outcome of a project focused on the re-use of open government data. The need for such a project arose from the fact that even though Tunisia opened data sets, the re-use of this data remained intangible, which discouraged public organisations from joining open data initiatives. The hackathon was an event that sought to create a dynamic around the re-use and exploitation of open government data. In preparation, several workshops were held to identify areas and training programmes on open data were organised, including follow-up meetings, to ensure the quality and quantity of the data for the competition. More than 640 people applied to the hackathon most of whom were students (76%) and 11% were public officials with over 70% of the applicants between the ages of 18 and 26. In the end, 150 participants were selected to participate, forming 38 teams. Six teams were awarded prizes and encouraged to continue working on their solutions.

The UAE has launched its OGD portal[120] offering more than 2 500 datasets covering various areas such as food security, economy, agriculture, health, education, technology and transportation and others. The webpage is available in several languages. In fact, since 2016, the UAE has been an open data pioneer for the region. Today, the portal uses advanced AI technology to facilitate user searches. "BAYANAT.AE" is a federal initiative, thus, more than 50 partnerships have been built with government entities covering various domains. The portal includes datasets from local government; however, several initiatives have taken place on the local government level, to build their own open data platforms.

In Palestine, in 2018, an Open Government Data Initiative was launched, and a policy paper on OGD was prepared and submitted to the Prime Minister[121]. ESCWA collaborated with the Ministry of ICT for the revision and enhancement of the Open Data policy.

Participation, collaboration and engagement in the Arab States

Following government openness, the next stage towards open government according to the ESCWA framework is encouraging citizen and stakeholder participation in government decision making, which should be upgraded to collaboration and then full engagement.

Some Arab countries have undertaken steps in this direction. Bahrain launched, in 2014, an initiative that utilises the crowdsourcing model Fix2Go feature that is part of the Tawasul application[122]. The goal is to provide a one-stop-shop channel for the public to be able to interact easily with governmental entities regarding suggestions, complaints or queries.

In Jordan, the Prime Minister[123] in 2018 upgraded an initiative, which had begun in 2014 with US-AID to launch an ambitious central interactive participatory platform for public services, as part of e-government efforts. The platform named "Bi Khidmatak" (at your service…as this is our duty)[124] allowed inquiries, complaints, suggestions, compliments and reporting irregularities to 106 institutions providing public services. It was put online and on mobile phones within a record time, while it faced many difficulties in the public institution reforms[125]. The platform had received as of end-2020 around 170 000 requests, 99% of which were answered. In terms of responsiveness, the platform achieved a 68% satisfaction rate in terms of responding within the pre-defined time limit[126]. The largest share of inquiries concerned drinking water provision and irrigation, labour, education, health, the Greater Amman municipality, social development and local administrations. Requests to the Ministry of Finance ranked only eighth.

Also, in Jordan, the Ministry of Social Development had initiated a participatory dialogue with national CSOs on the sensitive issues of foreign financing of the CSOs, their governance and the policies needed to develop their activities. The Ministry oversees the coordination of social services and the supervision of welfare organisations and voluntary institutions. It has a division dedicated to auditing the finances and the

activities of non-profit organisations. This dialogue was in line with the first commitment of Jordan's 2018-2020 OGP action plan. It aims at adopting standard, clear, transparent and streamlined procedures according to best international standards. The dialogue led to a report with a clear matrix of the necessary procedures[127] and authorisations, as well as with recommendations to boost participation.

In Saudi Arabia, the Royal Commission for Riyadh City (RCRC) launched initiatives aiming to boost the population's participation and engagement in the design of the new metro (Riyadh Transit Network (RTN) Project), and thus encourage its use. A children drawing competition[128] was organised with the winning drawings to be displayed in the nearby metro station. A visitor centre[129] was erected to collect opinions of potential users. However, the construction of this significant metro project[130] (involving 6 metro lines over 176 km with 85 stations, in addition to 80 bus routes with 3 000 stations over 1 900 km) created traffic problems and inconveniences for the 7 million inhabitants of the city during more than 6 years of construction. RCRC launched a large face-to-face (F2F) communication programme to inform residents in advance about the inconveniences, such as traffic detours. Also a Community Engagement Initiative was created for the Naming of Tunnel Boring Machines (TBMs) to build a sense of ownership among residents. The naming competition increased awareness and gave a sense of ownership of the project among citizens. This initiative could be used as a foundation to develop future civic pride in the city.

In Tunisia, a public consultation website was launched[131] in March 2018 as a pilot to 10 public institutions. The e-people platform is available in Arabic and French and acts as a one-stop-shop for citizen complaints[132]. The complaints are received centrally and then dispatched to the different public institutions whether central, regional or local. The purpose of the project is to empower citizens and enhance their interaction with government administration, fighting corruption and ensure the quality of administration and its services. Statistical information has shown that the interest in the platform is growing and training programmes have been organised for public officials on the use of the system so that they may better assist citizens. In the future, the platform will be rolled out through all public structures with a dashboard showcasing its use and complaints received. This platform was launched as part of the implementation of the tenth (10) commitment included in the Second OGP Action Plan.

In the UAE, the Department of Community Development in Abu Dhabi has developed Ma'an[133] (together) *"with the aim of bringing together the government, the private sector and civil society to support a culture of social contribution and participation. The authority will deliver solutions for social challenges with four main pillars of work: A Social Investment Fund, a Social Incubator Program, a Social Volunteering Program and the introduction of a new type of public contracting, Social Impact Bonds"*. In particular, the "Together, we are Good" programme, is another programme of the Ma'an Social Investment Fund and it was established to support citizens and residents affected by health and economic challenges. Also, most ministerial websites have created e-participation and open data spaces; for example the Ministry of Finance[134], the rules of which are defined by the Emirates Authority for Standardization and Metrology (ESMA)[135].

In Qatar, an "e-Participation Policy" was launched in 2015[136]. This policy was part of the country's development strategy for 2011-2016 and was developed by the government as an effort to increase transparency. In 2019, the Ministry of Transport and Communications launched the Qatar Open Data Portal while eGov and OGD uses a national digital identification and smart ID cards called Tawtheeq[137].

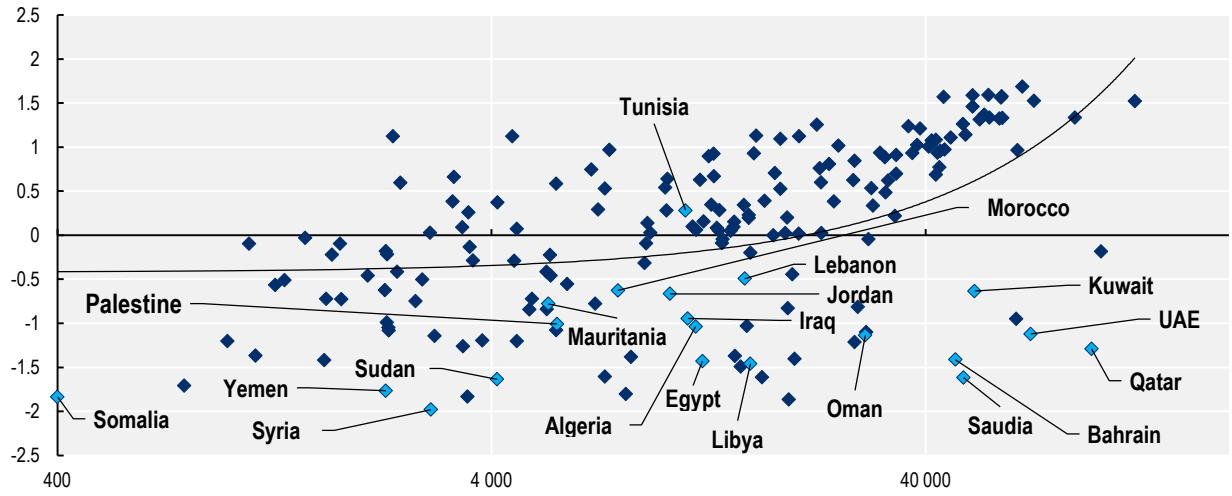
To facilitate and support participation, Morocco inaugurated its parliamentarian website[138] in five languages, Arabic, Amazigh, French, Spanish and English, allowing extended information and interaction with a population having different sensitivities.

This overview shows the richness and diversity of initiatives designed to engage citizens in the Arab region, and while some of them are on minor topics, others allow meaningful consultation with citizens on key policy issues, even though participation remains a challenge overall, as confirmed by the following indicators.

Participation, collaboration and engagement are directly correlated with **voice and accountability** of governments, for which the World Bank has developed a specific indicator. Most Arab countries, except Tunisia, rank low on this indicator (Figure 4.14).

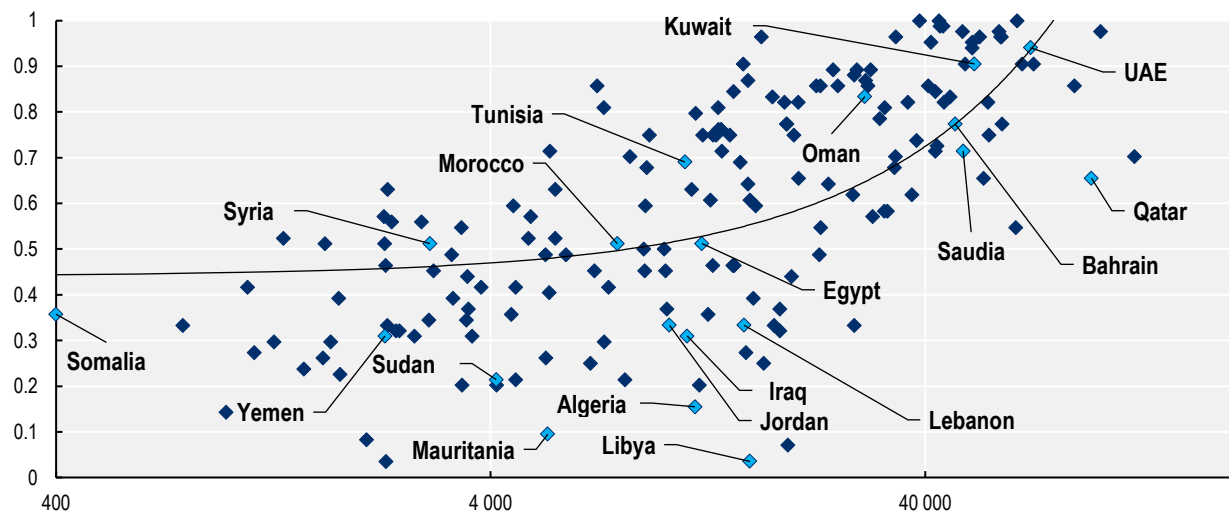
UN DESA also addresses these issues through its **e-participation index**, which measures the participation through electronic means. It is constituted of e-information, e-consultation and e-decision-making. The e-participation index ranks some Arab countries better comparatively with world trends. However, many Arab countries still underperform compared to global ones with similar levels of economic development (Figure 4.15).

Figure 4.14. World Bank Voice and Accountability 2019



Source: https://govdata360.worldbank.org/.

Figure 4.15. UN DESA e-participation index 2020

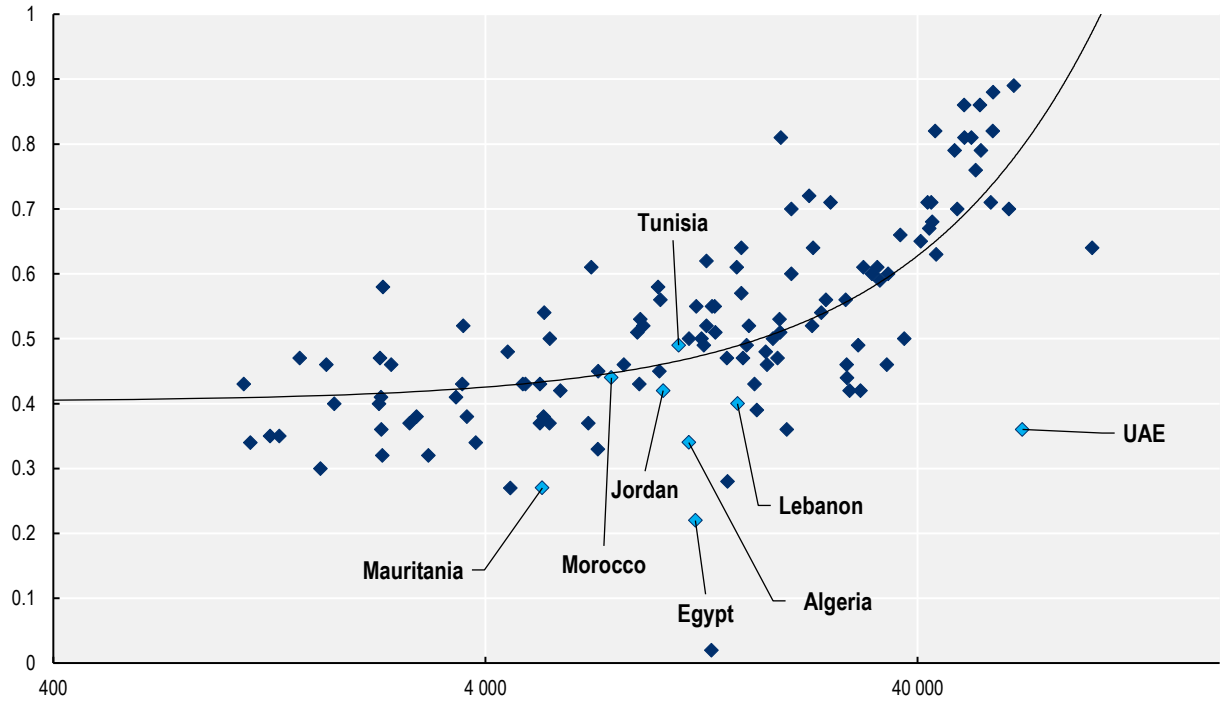


Source: https://publicadministration.un.org/egovkb/en-us/About/Overview/E-Participation-Index.

Another assessment is made by the World Justice Project (WJP), an independent, multidisciplinary organisation[139], through its Rule of Law index (WJP, 2020[11]). The index results from surveys conducted in most countries (only eight Arab countries are surveyed), based on eight pillars, two of which are closely related to open government stages: 1) the open government index (if laws and government data are publicised, if there is a right to information, if there is civic participation and a complaint mechanism is in place) and 2) the constraints on government powers (limits by legislature, judiciary or independent auditing, sanctions for official misconduct, non-governmental checks and balances, and a lawful transition of power). The WJP approach clearly shows that the objectives of open government involve constraining government powers to ensure the rule of law.

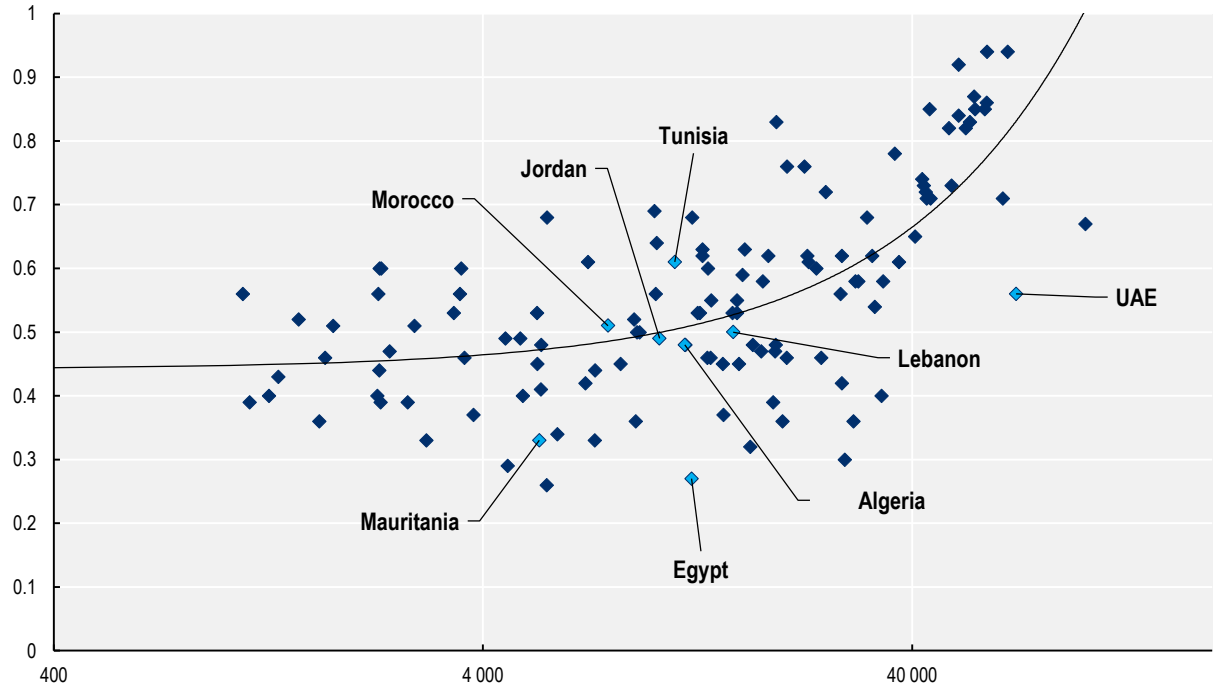
Except for Tunisia (mainly) and Morocco, the surveyed Arab countries scored low in the open government index comparatively with the international trend (Figure 4.16), while they scored better in terms of constraints on government power (Figure 4.17).

Figure 4.16. WJP Open government 2020



Source: https://worldjusticeproject.org/.

Figure 4.17. WJP constraints on Government power 2020



Source: https://worldjusticeproject.org/.

Selected open government practices from Arab States

This paragraph presents some good examples of open government practices, mostly selected among the cases submitted by member countries to the ESCWA-OECD survey. These good examples do not imply full implementation of open government by the concerned countries but represent good practices towards this objective.

The Access to Information Authority (INAI) in Tunisia

The INAI authority[140] was created by Organic Law 22 of 2016 as an independent public institution. It comes as a response to the demands of the 2011 Tunisian revolution to ensure the right to information and to strengthen transparency and accountability in public affairs.

It started operations in November 2017 with a small team and issued its first judicial decision on 1 February 2018 in favour of a citizen requesting information on usage of a public utility. This famous decision led to a flow of case submissions and to increasing media coverage[141]. The light was shed on its three main functions:

- The judicial settlement of disputes related to the refusal to access information. For this, it closely collaborates with the Administrative Court, especially as this court had overseen the settlement of ATI claims since Law 41 of 2011, but was superseded by the creation of the INAI and the issuing of its proper jurisdiction.
- The regulatory role in monitoring the commitment of public entities to proactively disclose information and spreading the culture of access to information (ATI) through capacity building and coordination and partnership between the public institutions and civil society organisations (CSOs).
- In addition, the authority has a consultative role on all draft laws having a direct or indirect relationship with ATI: statistics, archives, open data, etc. The INAI issues annual reports with

suggestions and recommendations concerning ATI. The report details the statistics of the claims received and the decisions made, as well as the monitoring of implementation of decisions. The report is submitted to three relevant authorities: The President, the President of the Parliament and the Prime Minister.

The main challenges of the authority concern:

- The promotion of ATI rights in the education curricula, the law, media, and to universities and the public administration school;
- More involvement in fostering the proactive disclosure of information by public entities;
- The revision of all laws and by-laws in contradiction with the ATI law, in particular the laws on archives and on professional secrecy in civil service;
- And also, the revision of its own law to include more severe penalties to be inflicted to anyone impeding ATI rights.

The INAI finds it challenging to issue the decisions on complaints within 45 days as provided by the ATI law, even though it is conducting its meetings every week instead of every 15 days. This is due to limited staff and lack of certain qualifications, while the number of cases is continuously increasing. It still awaits the issuance of a statute for its agents by the Council of Ministers for this purpose. Also, some public entities have no website and no agent in charge of ATI requests. Some entities also failed to answer the decisions or were reluctant to provide the required documents and data, arguing the confidentiality of personal information or secrecy. The INAI organises dialogues with the concerned entities, while it aims at reinforcing the penalties for non-compliance.

The INAI intends to develop its networking with its international counterparts and with the Tunisian CSOs. It has already signed several partnerships with similar organisations worldwide[142]. It has also participated in the creation of the League of Independent Public Institutions, including the National Body for the Fight against Corruption, the National Body for the Protection of Fundamental Human Rights, etc. It often bases its decisions on the jurisprudence of similar institutions[143], such as the French counterpart, "Commission d'accès aux documents administratifs (CADA)[144]".

Within a short period, INAI is considered a success story and attracted media attention, especially after the decisions issued against high level institutions, such as the Presidency, the Council of Ministers or the Parliament and the main workers' union. The INAI is considered a main tool to fight corruption through ATI. Since its creation and until end-2020, INAI received 1 973 claims and made 1 382 decisions. The number of claims doubled between 2018 and 2019 but slowed down in 2020 due to the COVID-19 confinement and restrictions[145].

<u>The participatory approach for decentralisation in Jordan</u>

In line with its third commitment in the 2018-2020 OGP national action plan convening a national participatory dialogue on the key political laws of the country, in particular the electoral, decentralisation and municipalities laws, the Ministry of Political and Parliamentary Affairs[146] conducted, in coordination with Al-Hayat Center (Rased)[147], a CSO, and with the administrative Committee of the Parliament, and a number of consultations with a large spectrum of stakeholders. The consultations took place in all governorates, mostly on university campuses, and involved successively: local councils and administrations, local social and economic stakeholders, political parties, women associations and activists, as well as representatives of the youth.

Between September 2018 and June 2020, 43 round tables were organised, involving 1,568 participants, a third being women. The results of the consultations were presented at a press conference by the parliament[148]. They consisted of around 1 000 recommendations. One of the most important was to merge the decentralisation, the municipalities and the local administration laws in one single law. The government prepared a draft law accordingly and submitted it to the Parliament on February 20, 2020. Also, based on

the consultations, Rased issued a study with recommendations on "Decentralization in Jordan and the ways to its Development"[149].

The OECD supported an additional two days of National Dialogue to launch the Reviews "Engaging citizens in Jordan's Local Government Needs Assessment Process" and "Supporting Open Government Principles and Practices at the Local Level in Jordan", on 15 and 16 December 2020 in Amman. This led to the issuing of two OECD reports (OECD, 2021[12]; OECD, 2020[13]).

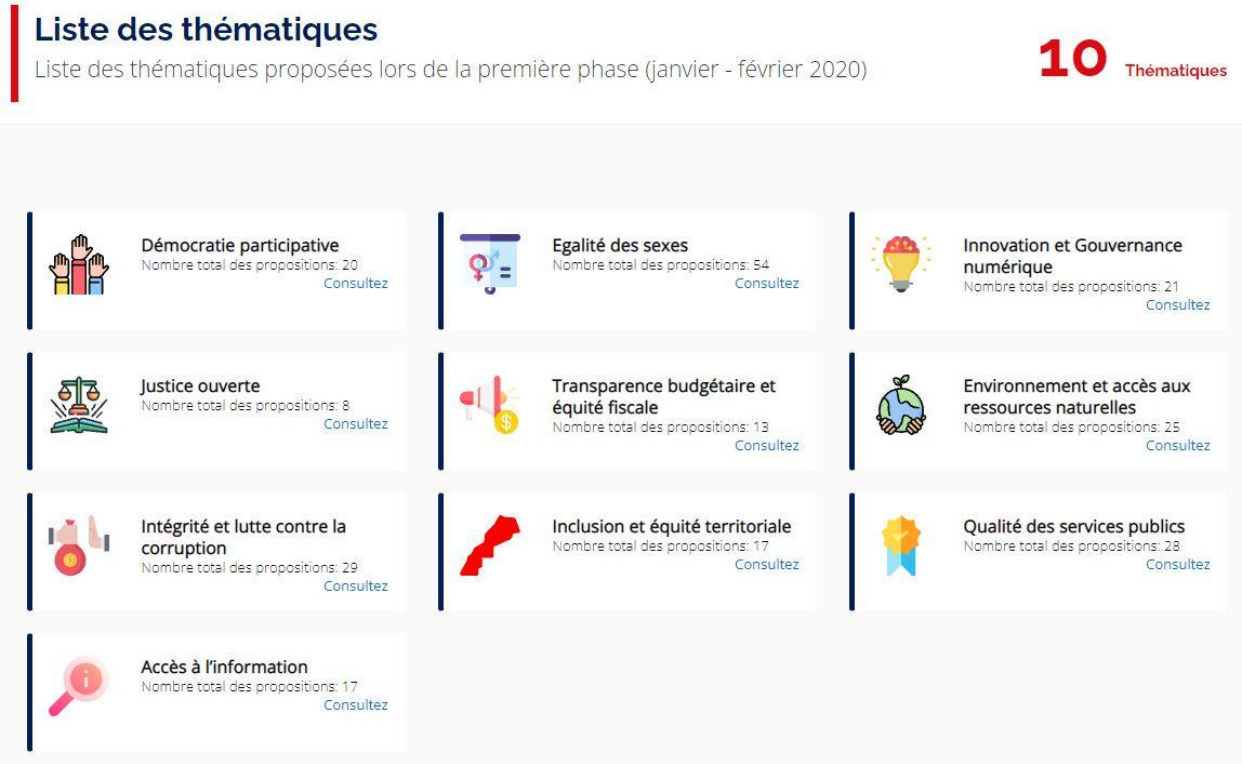
This positive result was due to the methodology elaborated by the executive committee of the organisers, raising key questions to spark a debate, and organising the recommendations along clear themes (e.g., the regulatory framework, the executive orders, the relations between councils within governorates, etc.). Independent and famous journalists were often asked to moderate the debates.

A survey showed that participants were very satisfied with the issues discussed during the roundtable sessions. However, they criticised slow implementation on the ground. In fact, the issue of confidence-building between the government and the different stakeholders was a major challenge that was raised during all consultation roundtables[150]. Participating in the roundtables was initially met with some reluctance from officials; however, 75%of the officials eventually participated in the dialogue[151]. The meeting place was also a challenge, between the premises of the governorate administrations, or the municipalities, or the universities. Finally, choosing the universities facilitated the involvement of researchers and academics, as well as graduate students.

The open government participatory website in Morocco

The open government portal of Morocco[152] introduced a space for the "co-creation" of the second OGP national plan for the 2021-2024 period with the support of the OECD[153]. It makes it possible to submit ideas and proposals, and register for thematic events on this co-creation. After a period of submission of ideas and their grouping, the priorities were discussed in a national dialogue. Public proposals were shared with relevant administrations, who presented 30 commitments to the OGP steering committee[154]. The ideas were grouped and discussed along 10 axes: integrity and fight against corruption, access to information, gender equality, innovation and digital governance, transparency on budget and taxation equity, open-justice, participative democracy, inclusiveness and inter-regional equity, quality of public services and environment and access to natural resources (Figure 4.18). The whole process was performed using a publicly released manual for the activities of the project's steering committee[155].

Figure 4.18. Image of the Open government interactive portal of Morocco



Source: https://www.gouvernement-ouvert.ma/co-creation.php?lang=ar

This major step followed the launching of many others, for example the e-government website "Fikra" in 2011 collecting suggestions to improve public administration[156] and the organisation of three forums on "*Your ideas for new eGov services*", "*Your ideas for simplifying administrative tasks*" and "*Your ideas for improving the Administration*" submitted to the General Secretariat of the Government[157], where citizens can also comment on draft laws and decrees.

UAE Open Data hackathons

The Telecommunication Regulatory Authority (TRA) of the UAE developed, starting in 2018, a hackathon portal[158] under the motto "*Data for happiness and wellbeing*"[159], embodied in the government's strategies and plans. It comprises a number of hackathons that take place at specific locations throughout the seven emirates and anyone residing in the country can participate.

This hackathons provide an opportunity to different sections of the community—including university and high school students, entrepreneurs, employed people and IT experts—to use open data as a tool for coming up with solutions based on specific themes and challenges. The governmental organisations provide the hackathons with real challenges that they had already faced. They help winners to transform their ideas into projects.

The typical themes and examples were: the UAE golden Jubilee (how to document the 50 years achievement?), digital transformation (how to develop smart services for the Ministry of Foreign Affairs around the world?), technology for the financial markets (how to develop innovative ways for open finance for SMEs?), security, safety and justice (how to detect and prevent bullying on social media?), smart sustainable cities (how to encourage citizens and stakeholders to participate in making decisions regarding the development of services provided by government entities?), travel and tourism (how to monitor and predict real time accidents or hazards at Dubai airport?), education (how to redesign science labs and

laboratory practices for digital and distance education?), healthcare (how to reduce the risk of cyberattacks on online healthcare services?) and work efficiency and productivity (how to design mechanisms to enhance the participation of the national workforce in the labour market through flexible patterns? how to foresee the future of labour relations and the management of labour complaints amid the coronavirus pandemic?), etc.

The hackathons are presently in their fourth version. In the first two versions, about 3 183 participants were involved in 414 teams. They developed more than 400 ideas by using 1 412 datasets. Organisations expressed interest in 161 innovative ideas. In the third version, there were 3 133 participants in 350 teams that developed more than 350 ideas by working with 2 154 datasets[160]. This led to more than 112 innovative ideas, including ideas to participate in the world summit on the information society. In the UAE Hackathon 2020, there were more than 3 000 participants in seven hackathons spread over four weeks.

TAMM Volunteer Network in Qatar

Many volunteer organisations lack the human resources necessary to fulfil their commitments. These organisations find it difficult to find volunteers, while many volunteers lack knowledge about volunteering and/or struggle to find opportunities to contribute to activities that would benefit society.

In an effort to bring volunteer organisations and volunteers together, Qatar Digital Government (QDG) implemented an initiative to modernise and digitise the volunteering process. QDG established TAMM161 as a digital volunteer network to streamline the process and to build a database of volunteers that can be connected to volunteer opportunities and organisations across Qatar. The result is a centralised platform with a complete and up-to-date information base of opportunities and volunteers along with tools that ensure quality and efficiency in local community volunteering activities.

The initiative has a special focus on youth and spreading the culture of volunteering and contribution among this population group, identifying volunteerism as a key component of education. TAMM supports youth through capacity building and volunteerism by providing technical support.

Open Government at Local Level in Morocco, Tunisia, and the UAE

There are a few initiatives for open government in the Arab region at local level, below are some examples.

The municipality of Casablanca in Morocco[162] launched an online platform that provides citizens with access to data and services[163]. The beneficiaries of this platform are citizens, visitors, organisations and professionals, and the platform covers all socioeconomic sectors from electricity to businesses. The platform also provides access to portals specific to the 16 districts within the municipality of Casablanca. It is available in both Arabic and French language and it promotes the city, resources and the activities within its borders.

In Tunisia, to initiate OG at the local level, the government launched a project in 2018 with the goal of implementing OG initiatives in 12 Tunisian municipalities[164]. This project was part of the third OGP action plan (2018-2020), and it aimed to develop local OGP action plans for each municipality and to implement projects that will result in the development and improvement of local services to citizens[165]. A first public consultation was also held to collect ideas and proposals on initiatives. Some 1 200 people participated in the consultation and more than 5 800 proposals were received. During the implementation phase[166], 73 municipalities applied to participate and through a selection process they were reduced to 12 municipalities covering the three regions (North, Central and South) or four municipalities per region.

In the UAE, data about the Fujairah Municipality[167] is made available to customers and beneficiaries such as students, researchers and visitors. A policy for open data has been developed and approved by senior management and was based on international best practices. Adopting the open data policy reflects the municipality's desire for continuous development by providing data and information needed for citizens in a transparent and smooth manner. The dataset covers insurance, transport, civil registration, infrastructure, finance and employment. Ajman also developed its Open Data Portal[168] which displays free

datasets in different formats published from nine different entities in the emirate, covering eight main topics/subjects (Business and Industry, Economic and Finance, Environment, Health Well-being and Care, Housing, Leisure and Culture, Public Order Justice and Rights, Transport and Infrastructure).

The COVID-19 pandemic and open government

The COVID-19 pandemic has hit hard worldwide and forced governments to impose social distancing measures, confinements and even curfews for long periods. It also pushed working conditions to change drastically as online work was imposed for most office jobs. These effects were felt acutely in Arab countries, especially those with a large share of manpower working informally, where the dilemma was between health and economic impact.

Acknowledging that this situation constitutes a moment of peak uncertainty for governments, civil society and citizens alike—as new policies and approaches are tested in real-time—the OGP has issued a guide on open government and the coronavirus (OGP, 2020[14]). It issued recommendations to protect civic space, as open response measures place transparency, accountability, and participation at the centre of immediate government efforts to curb contagion and provide emergency assistance, and to prepare recovery and reform. Indeed, open government is at the heart of medium-term government efforts to rebuild in the wake of COVID-19.

The report praised two initiatives made by its partner Arab countries: the strengthening of resources available for persons with disabilities in the justice system in Jordan (as part of its 2016-2018 commitments) and a toll-free number for protection of domestic violence victims, alongside a campaign launched by the National Union of Women of Morocco (UNFM) put in place following the pandemic in Morocco.

To support its member states during COVID-19 and encourage government to take policy measures to overcome the challenges, ESCWA developed the COVID-19 Stimulus Tracker[169]. It is an interactive platform that provides mapping of stimulus measures for 178 countries around the world. Data in the tracker are updated regularly.

Government authorities in the Arab states have found the tracker to be very helpful. In addition, they have reviewed data in the tracker and provided very good feedback and updates that have been taken into account.

Almost all Arab countries have quickly developed websites and mobile applications concerning the spreading of the pandemic (Table 4.4)[170]. They were principally informative, providing hot lines in case people had symptoms, and the nearest place for testing/treatment. Contact-tracing applications were also developed. However, some of these contact-tracing applications were judged “invasive”. This was also true in some OECD countries, especially as they use GPS localisation of citizens, leading Amnesty International to state that “*privacy must not be another casualty as governments rush to roll out apps*”[171] [172]. In some cases, the applications’ security flaws exposed sensitive personal details, which led to misuse. Norway, to take just one example, has withdrawn the criticised features in response to complaints.

Table 4.4. Coronavirus websites and important features in Arab countries

Country	Website	Registry for vaccination	Mobile	Contact tracing
Algeria	http://covid19.sante.gov.dz/		yes	yes
Bahrain	https://www.healthalert.gov.bh/	yes	yes	yes
Egypt	https://egcovac.mohp.gov.eg/		yes	yes
Iraq				No
Jordan	https://corona.moh.gov.jo/	yes	yes	yes
Kuwait	https://corona.e.gov.kw/		yes	yes
Lebanon	https://corona.ministryinfo.gov.lb/	Covax.moph.gov.lb	yes	yes
Libya	https://covid19.ly/			No
Mauritania	https://www.sante.gov.mr/			No
Morocco	http://www.covidmaroc.ma/		yes	yes
Oman	https://www.moh.gov.om/en/corona		yes	yes
Palestine	https://corona.ps/			No
Qatar	https://covid19.moph.gov.qa/	yes	yes	yes
Saudi Arabia	https://covid19.cdc.gov.sa/	yes	yes	yes
Somalia				No
Sudan	https://fmoh.gov.sd/			No
Syria	http://www.moh.gov.sy/			No
Tunisia	http://coronavirus.rns.tn/		yes	yes
UAE	https://covid19.ncema.gov.ae/	yes	yes	yes
Yemen				No

Source: ESCWA authors' own elaboration.

Many CSOs have observed that the COVID-19 crisis has led to a serious shrinking of the civic space[173]. Also, trust in government measures has been challenged with the confinement measures, the response of the healthcare systems, the lack of availability of protection tools (masks, etc.), the difficulties to make diagnostic tests, the slow vaccination campaign and the availability of vaccines, etc. These trust challenges jeopardised the efforts of many countries towards open government, openness, transparency and accountability.

Also, the pandemic had severe consequences on government budgets and employment. However, both issues are major components of the necessary interaction between governments, citizens and stakeholders. All of these players rely on transparency and accountability (i.e., open government) to build confidence in the recovery phase.

The COVID-19 crisis has in fact severe implications on the healthcare systems, on the economy and on the revenues and livelihood of the most vulnerable share of the population. The IMF issued a report depicting the increase of the social spending in the region accordingly (IMF, 2020[15]) A spending envelope of USD 544 million had been decided in Algeria, with 24% as a bonus to health workers, 30% for unemployment benefits, 16% for transfers to poor households, and the rest for the healthcare system. In Egypt, a package of USD 6.13 billion was also decided. Monthly grants for three months totalling USD 93 (EGP 1 500) has been extended to day-labourers and irregular workers, and pensions increased by 14%. Targeted cash transfers were also set up to reach vulnerable families. In Oman, the government announced several measures to support the economy, including employee retainment schemes,

temporary tax cuts and fuel subsidies, as well as the postponement of electricity and water fees. In Saudi Arabia, a package worth USD 18.7 billion was announced to support the private sector.

Knowing that a large share of the workforce in the Arab countries is informal (between 60 and 85% of the total workforce) (Aita, 2017[16]), which leaves both national and foreign workers as well as refugees without social protection. In response, many CSOs have called for urgent governmental action.[174]. as According to the key findings of a study[175] by a specialised international CSO defending informal workers (WIEGO) 1) less than half of workers surveyed reported receiving cash or food in cities where governments announced relief measures to support vulnerable groups; 2) grassroots organisations played an important role in providing access to relief for informal workers and 3) the level of relief provided was insufficient to impact significantly food security and coping strategies.

This would have been an excellent occasion to create open government channels to let citizens, CSOs and stakeholders participate, collaborate and engage with the government in complex decision-making processes. However, the efforts made by governments, in particular through ICT tools, to buoy livelihoods were meagre compared to those for tracking and mitigating the pandemic as a public health issue.

Strategic directions for the Arab region

The Arab countries have made important steps towards open government. They took advantage of their accelerated development and penetration of the ICT technologies to reform their governance and policy making, reaching out to citizens, CSOs, enterprises and other stakeholders.

There is still, however, a need for 'leapfrog' moves towards the commitment and implementation of open government principles. The present conditions of the COVID-19 pandemic and its difficult economic implications offer an opportunity for such moves.

Three significant and strategic examples may be highlighted in this regard as they affect the daily livelihood of the population and the economic situations in the Arab region, namely open budget, open local governance and open labour and social protection. The choice of these examples as key for the way forward in open government takes into account the specific economic and social conditions of the Arab countries, the reconstruction in many crisis-affected countries, citizen demands for better transparency and accountability, and the importance of fair social protection systems, especially in view of the high level of unemployment, the effects of COVID-19 on employment and socio-economic development (ESCWA, 2020[17])[176].

These strategic orientations were chosen as they represent critical concerns for citizens, businesses and civil society stakeholders in the Arab countries. They are directly linked to the livelihood of the population and to the major challenges that these countries are experiencing. The application of open government principles in these areas will certainly improve transparency and accountability and thus enhance trust in government.

1- Open budget for better transparency

Many Arab countries have recently been running up large public debts, reaching a significant share of their GDPs and posing difficulties for the servicing of these debts. This is even the case of some oil producing countries. It results in a slower development of public services and social protections to meet the population's needs. The COVID-19 crisis and the social calls to mitigate its economic impact have exacerbated this situation. As a result, trust must be built between governments and citizens on budget issues and their efficient usage.

One of the key issues in open relations between governments and citizens is budget allocation and spending. Surely, this applies to the national level where there is a need for the publication of national budgets and their allocation, both during the budget preparation phase and at closure of budgets,

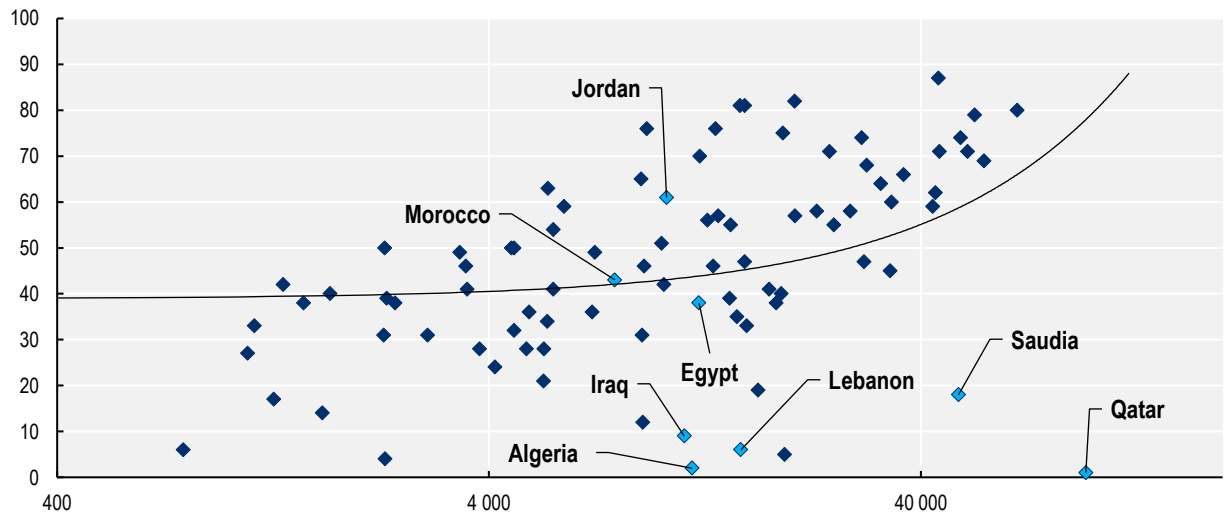
according to strict governance standards (OECD, 2019[18]), to ensure the basic principles of transparency, integrity and accountability.

Egypt publishes on the website of the Ministry of finance the national budget and financial statements[177]. The website allows citizens to follow twice a year, and eventually monthly, the execution of the national budget, and that of public entities and companies, the public and foreign debt, etc.

In most Arab countries, budget preparation is not proactively published in order to submit it to public scrutiny in line with its submission to the parliament for approval, when this is the case. Also, effective budget spending is rarely submitted for the scrutiny of an independent court of audit with the results of the audit published for public information.

A global research and advocacy programme promoting public access to budget information and the adoption of inclusive and accountable budget systems, the International Budget Partnership (IBP)[178], assesses budget openness around the world. It issues a biannual open budget survey (117 countries) based on a questionnaire related to oversight by the legislature and supreme audit institution, as well as on transparency and public participation (IBP, 2017[19]). Among the 13 Arab countries assessed, most score badly compared to world trends. The case of Jordan emerges as a best practice; those of Morocco, Egypt and Tunisia are on par with the global average (Figure 4.19).

Figure 4.19. Open Budget Survey 2019



Source: IBP (2017[19]), Open Budget Survey 2017, https://www.internationalbudget.org/sites/default/files/2020-04/2017_Report_EN.pdf.

2- Open local budget for better local governance

The above also applies at the local level, in particular at the municipal level, where citizens are closer to their governance structures and the issues are directly linked to daily livelihoods and basic public services. At the same time, Arab cities are experiencing rapid developments and a large share of this development is made through informal settlements with poor public services, as shown recently by UN Habitat.

On the website of the Ministry of Finance, Egypt also published the governorates' budgets and financial statements[179]. However, this openness does not include the most direct municipal level. In Lebanon, UNDP has undertaken a substantial effort with the local municipalities and their federations to enable to systematically publish their budget and financial statements[180]. This was part of a more general initiative regarding the right to information on the finances of the public sector, which is called the Gherbal initiative[181]. Not all municipalities or state institutions joined this initiative for good OGD practices. However,

it helped to make progress to put the local and national institutions budgets under public scrutiny and progress toward open government. The continuation of such openness practices shall shape the recovery of Lebanon as it emerges from its present economic and financial crisis.

The publication of municipalities' budgets and accounting is not a common practice among municipalities in the Arab countries, even though this is where institutions are closest to their citizens. It is also a major component of sustainable urban development as advocated by UN Habitat (2020[20]) for SDG 11.

3- Labour force, employment and informality

There is a dearth of information on the labour markets in the Arab countries and labour market institutions are often weak and social protections partial and complex. The issues of employment and social protection for different swaths of the population continue to constitute major challenges for these countries, especially for women, youth and migrant workers. They are crucial subjects for open government.

In the context of the socio-economic causes of the "Arab spring", the significant waves of refugees and migrant workers that the Arab countries are experiencing and now the aggravating repercussions of the COVID-19 crisis and confinement, employment, especially for women and the youth, and informality (absence of social protection of labour and livelihoods) appear to be a highly critical issue in all Arab countries.

Labour force surveys (LFS)[182] need to be conducted at least yearly to measure the effects of government policies on subsequent crises. The results are to be reported to the International Labor Organization (ILO). The publication of these surveys, according to ILO guidelines, is also essential to follow up the governments' commitments to labour rights and social protection, notably through the signed and ratified conventions with the ILO and for the SDG 8 "*Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all*". Furthermore, opening up the information and data about the labour force will benefit citizens, NGOs, the private sector and public sector entities.

Lebanon published in 2019 the results of a labour force and household living conditions survey for 2018-2019, the previous one had been conducted in 2012. The sampling of the survey did not fully include migrant workers and refugees constituting more than one-third of the labour force. Morocco timely performs quarterly labour force surveys and publishes some of the results. However, the country has no official definition of informality in employment according to ILO standards and the link between employment and social protection cannot be assessed. In the UAE, while in a population of 9.1 million, 8 million foreigners are resident in the country, mostly temporary contract workers; hence, few timely statistics are available on this workforce and their working conditions[183].

With the difficulties that all countries are experiencing with the COVID-19 pandemic and its economic and social fallout and while the use of ICT technologies continues to expand, Open Government could offer the occasion for more decisive steps toward fair, equitable and trustworthy economic and social recovery.

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[24] https://www.rti-rating.org/

[25] GDP per capita PPP (purchasing power parity) data are according to the World Bank database, RTI scores are from https://www.rti-rating.org/; OECD countries are coloured orange, and the six Arab countries with ATI laws are depicted. Countries not listed have no ATI laws

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5 Conclusions and recommendations for the Arab countries

Building on the findings of the previous chapter, the reports proposes some conclusions on the progress and challenges of the open government agenda in the Arab region, proposing a number of sectors for further opening in the current COVID-19 recovery context. It then makes a number of concrete and actionable recommendations for Arab countries to strengthen their legal, policy and institutional frameworks related to OG as well as to enhance transparency, openness and stakeholder engagement in practice.

Main conclusions

Open government is closely linked to the **Sustainable Development Goals** (SDGs) that constitute a strong commitment from all countries including members of the OECD and the ESCWA. While SDG 16 "*Peace, Justice and Strong Institutions*" has the most obvious link with open government and its principles, most other SDG goals, targets and indicators also involve a strong dimension of Open government. Moreover, the implementation of all SDGs benefits from the application of OG principles and practices. ESCWA and OECD frameworks on Open Government involve the dimensions of accountability, transparency, participation and inclusiveness[1]. OG implementation, especially in the Arab countries, requires serious, genuine and continuous efforts that are interrelated with openness, participation, collaboration and engagement of—and especially with—individuals, enterprises, civil society organisations and business associations.

Three Arab countries have joined the **OGP** and have committed to its core values and principles: Jordan, Morocco and Tunisia. They regularly elaborate dedicated national action plans. In addition, several local authorities in these countries also joined the OGP: Greater Karak and Greater Salt municipalities in Jordan; the Tangier, Tetouan, Al-Hoceima group of municipalities in Morocco; and El Kef and Regueb municipalities in Tunisia. The governments of these countries and the local authorities are elaborating biannual action plans for Open government, in collaboration with civil society stakeholders and with technical assistance from the OECD and the ESCWA. In addition, a number of Arab countries cooperate with the OECD and with the ESCWA on open government, open data and digital government, benefitting from technical assistance, policy advice and analysis well beyond their OGP commitments[2].

Many ESCWA countries have made serious progress in matters of **e-government**, taking advantage of the significant development and use of ICT infrastructures and human capital. The progress, assessed through the Government Electronic and Mobile Services maturity index (GEMS) established by ESCWA, is noticeable in terms of availability, reach and usage of services. Many of the e-government initiatives enable direct interaction with individuals and enterprises, easing their dealings with government institutions. These institutions have made substantial efforts to streamline processes, thus reducing bureaucracy especially for businesses. This progress is paving the way for a gradual uptake of open government if countries use these initiatives as enablers of transparency, accountability and participation.

Selected Arab countries have also been engaged in **open data** and have created specific portals for that purpose by their individual commitment or in collaboration with international institutions, such as the African Development Bank. This constituted a significant step towards what ESCWA considers the first stage of open government, i.e. openness. In some countries, these portals provide significant information on selected sectors in each country. However, the depth, quality and usefulness of the information provided on these portals vary considerably. In some cases, they consist of general information on the country and its regions or are merely a gateway to e-government websites. Some basic information, such as on national or local budgets or on employment, are still considered by some governments as too sensitive or confidential to be shared openly.

In most of the countries, there is still a need to enhance **openness** and the collaborative status as per the ESCWA framework and to proactively disclose clear, complete, timely, reliable and relevant public sector data and information, in an open and reusable format. Such transparency should follow the Open Data Charter (ODC), provision 7 of the OECD Recommendation on open government or the Declaration of the Open Government Partnership.

In order to contribute towards a stage of open government data in line with the open government principles, six ESCWA countries have enacted **Access to Information** (ATI) legislation, namely Jordan, Lebanon, Morocco, Sudan, Tunisia and Yemen. Tunisia even introduced the right to access information in its new constitution. Its access to information law is ranked among the world's best in international standards, according to the Center of Law and Democracy, partly thanks to the special institution, with a judiciary

status, that has been created to enforce this right. The Yemeni law is also ranked high, even though it lacks implementation tools given the ongoing conflict. The quality of the other four ESCWA countries' laws in guaranteeing the right to information vary greatly and are comparable to some OECD and other countries. But most importantly, progress is still needed for the effective implementation of these enacted laws.

International indices related to openness show that while many Arab countries have made progress, significant challenges remain. Consequently, moving towards open government can result in increased transparency and accountability and will in turn improve the Arab countries' score in these rankings.

The **COVID-19 crisis** has prompted the acceleration of government implementation of e-government and in some cases open government data, and most of the ESCWA countries have made considerable progress. In the same way that the COVID-19 crisis has resulted in governments encouraging online work and digital services, this crisis constitutes an opportunity for governments to take measures and draft legislation to protect personal information and to create innovative approaches to collaboration and partnership between public authorities and citizens. Subsequently, this would constitute a major move towards the collaboration and engagement stages of open government.

In fact, the socio-economic consequences of COVID-19 will most likely compound existing challenges and threats to many states in the region. The pandemic has laid bare structural weaknesses in institutions and governance at the national and regional levels. Its multi-dimensional effects will most likely unleash further economic contraction even as the health threats recede, especially hitting the most vulnerable groups in the region, the poor, the working poor, women, youth, etc. In addressing the challenges associated with COVID-19, the empowerment through an open government approach, with active participation of local governance, is critical within the socio-economic as well as health spheres. Local governance structures such as municipalities or local councils need to be supported to assist their own constituencies as well as vulnerable groups (forced displaced, humanitarian-aid dependent populations, etc.). An Open government approach could enhance institutional capacity-building to address grievances (judiciary, structural, legal, constitutional), create more inclusive institutional structures, increase the accountability and transparency of public institutions performance and guarantee participation of marginalised populations in decision-making.

However, as in other countries in the world, new risks have emerged with the confinement imposed by authorities to contain the pandemic. These risks are mostly related to the protection of personal information and the shrinking of the civic space.

Some areas deserve special attention from the Arab states in terms of OG data and public engagement. Government budget planning and effective execution are key issues for all social and economic stakeholders, especially with the downturn of all world economies due the pandemic but also the pre-pandemic slowdown coupled with ballooning public debt in ESCWA countries. Budget transparency concerns central government, public services institutions, as well as local authorities. In fact, a few best practices are observed in terms of transparency and accountability at the basic governance level, the local one in cities and municipalities. This comes despite the efforts and progress made in line with SDG 11 (Make cities and human settlements inclusive, safe, resilient and sustainable), by the regional office of UN Habitat[3] within the framework of the New Urban Agenda (NUA) (UN Habitat, 2020[1]).

Another key area is employment and social protection. Here also, few best practices are observed in conducting the yearly and quarterly labour force surveys and publishing their results in line with SDG 8 (*Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all*) or ILO standards and recommendations[4]. Most of the ESCWA countries have low effective participation of women in the labour force, high youth unemployment and a large share of informality in employment, i.e. employment with no social insurance or assistance in healthcare, retirement schemes, etc. The pre-pandemic share of informal employment in total was already above 65% in most ESCWA countries (Aita, 2017[2]). This has been pushed dramatically higher with the impact of the

pandemic, while social protection has been woefully insufficient in mitigating the effects on people's livelihood let alone setting a course towards economic recovery. Data is needed on job creation/loss, informal employment and social protection coverage, and major changes by economic sector. Data tends to lag by several years in many cases, and the content that is released can by extremely limited in scope.

Other areas of interest for opening up data in ESCWA countries include education, transport, energy and food security and agriculture, because of their high importance for social and economic development as seen during COVID-19. A special focus should also be on SDG goals 9 (*industry, innovation & infrastructure*), 7 (*affordable and clean energy*) and 12 (*responsible consumption and production*).

In recent years, some governments of the Arab countries have been engaged in organising public consultations and dialogues on major social and economic policy issues. These consultations and dialogues have been very useful in assessing challenges and opportunities and in defining necessary policy measures. Typical examples are related to fostering economic development, easing creation of new businesses and promoting SMEs. They have also dealt with the implementation or the reform of social protection insurance systems and floors. These consultations and dialogues should be replicated and institutionalised within an open government framework, using Open Government Data to create awareness of the stakeholders on government challenges. It is also important to imagine new innovative approaches to engage citizens and promote civic space, especially in the context of the current crisis and the road to recovery.

Recommendations and the way forward

Based on the above conclusions, several recommendations can be formulated to ensure progress in implementing open government principles to deliver on the sustainable development goals commitments. They are hereby formulated across different dimensions:

- **The legal, policy and institutional frameworks:**
  - More Arab countries should establish a structured social dialogue, publicly consulting with stakeholders and citizens, to develop and enact modern Access to Information legislation in line with the highest international standards, including provisions both for proactive disclosure by public institutions and for citizens to request information (reactive disclosure).
  - These laws should create, with the support of the highest governance level in the countries, specialised independent bodies with the power to enforce the right to information, as in Tunisia, Chile or Mexico.
  - In parallel with the Access to Information laws, other relevant laws should be passed that follow OG principles. Topics could include:
    - Transparency: laws on OGD specifying the definition of the restricted information or secret information, and licence for the re-use of data
    - Personal data protection and privacy: laws for the protection of personal data
    - Civic space and fundamental freedoms: laws on freedom of opinion and expression, on freedom of media, on freedom of assembly and of association, etc.
    - Participation: laws including requirements for governments to involve and consult citizens (petitions, participatory budgeting, etc.)
    - Integrity and anti-corruption: laws on whistle-blower protection, conflicts of interest and asset declarations, lobbying, etc.
    - Archive: Preservation and dissemination of archives, etc.
  - In parallel with the commitments of some ESCWA countries in the Open Government Partnership, a specific regional partnership could be initiated, which could lead to regular action

plans, under UN mandate, addressing specific OG-oriented issues relevant to their most important challenges, with proper measurement and evaluation methodologies. Such regional partnership will support the achievement of SDG 16 in the Arab countries.

- Within this partnership, Arab countries could consider developing a national Open Government Strategy, outlining a long-term vision, clear objectives and priorities providing a consistent framework for implementing OG reforms (complementing the OGP action plans for the countries that are OGP members). At the same time, Arab countries should make sure that the principles of transparency, accountability, integrity and participation are embedded and mainstreamed in other major strategies, such as the government programme, the national development strategy or the public administration modernisation strategy.
- Willing municipalities and local authorities in Arab countries might want to design and implement open government strategies and initiatives at the sub-national level, in line with the UN-Habitat New Urban Agenda.
- Governments should consider developing specific policies or strategies to complement the legal framework, for example a national anti-corruption strategy or a policy to promote open data or policies for participation and engagement of citizens.
- The key subjects that are very relevant to the demands of citizens, businesses and civil societies in the Arab region and which are suggested to be included in the specific ESCWA framework for open government encompass national, regional and local budgets, as well as sectoral policies as prioritised by each country.
- Besides establishing or strengthening specific institutions, such as those in charge of access to information or anti-corruption, Arab countries might want to set up or identify a body in charge of coordination, monitoring and evaluation of OG initiatives. This could be an office in the "centre of government", like the presidency or the prime minister's office, but other formats are of course possible. A national coordination mechanism, such as the OGP joint steering committee in OGP member countries; bringing together different stakeholders should also be considered.
- Strong monitoring and evaluation frameworks should be established in order to assess the extent to which the legal and policy frameworks are implemented in practice, and to make adjustments if and where needed to maximise their impact.

- **Transparency and Openness:**
  - Arab states should adopt national definitions of e-government and open government, using e-government/digital government as a tool to foster transparency, accountability and participation. Open government is beyond easing transactions with public entities and aims at improving governance by engaging the society and all stakeholders.
  - In order to promote a "culture" of openness, governments should encourage and support their public officials to embrace the OG principles. There are a multitude of ways to do so, including awareness-raising campaigns, drafting guidelines and codes of conduct, developing manuals and toolkits, and providing training to staff in ministries and other public institutions, including officials at local level. Public communication and awareness-raising initiatives targeting citizens, CSOs and the private sector are also crucial to increase the "demand" for openness.
  - The current Open Government Data initiatives and actions in the Arab countries need to move towards a level compatible with the openness stage of open government as defined by the ESCWA's framework. This entails proactively making available public sector data and information that is clear, complete, timely, reliable and relevant. The format should be open, machine-readable and reusable. This service should be free of charge to the extent possible. In order to facilitate the spread of OGD, relevant capacity-building programmes are very much needed in the Arab region.

- A useful way of fostering access to public data and information is by establishing transparency portals, either as a single whole-of-government portal or different websites/platforms by institution. At the same time, more traditional non-digital tools should still be used to avoid widening the digital divide and make sure the most vulnerable segments of the population are not excluded.
- One priority area in the Arab region concerns open data on central government budget. There is a need for greater transparency and timely dissemination in relation to planned and effectively executed budgets, of both the central government and major public services bodies. This is of the utmost importance in the present context of swelling budget deficits and total public debt in the Arab countries.
- The municipalities' and local authorities' budgets constitute another priority for progress in open government in the Arab states. They are directly linked to SDG 11 on sustainable cities and communities. Also, the local level should be strengthened as it is where citizens interact the most with authorities and it is often the state level which provides the most needed public services. Hence, it would be relevant to apply to this level the principles of transparency, accountability, integrity, participation, collaboration and engagement with individuals, enterprises, social and economic associations.
- Employment, the labour market, informality and social protection are another priority for the adoption of OG principles as the share of informal employment, i.e. employment with no social protection, is high in all Arab countries, for citizens, migrant workers and refugees.
- Alongside these three cross-cutting priorities, sectorial policies as prioritised by each country could all benefit from openness.
- Governments are encouraged to make strategic use of public communication as a tool to enhance the visibility of OG reforms, raise awareness among their population on the OG principles and engage citizens in the public sphere.

- **Participation, collaboration and engagement**
  - The Arab states need to foster the public consultations and economic and social dialogues that are already being conducted on public policies and its challenges, encouraging citizens to contribute their views, opinions, ideas and evidence to the design, implementation and M&E of public policies and services. Participation processes should also be designed in a participatory way and allow enough time and resources for citizens to meaningfully participate and for their inputs to be taken into due consideration by authorities.
  - Open government reforms should be designed and implemented in ways that effectively guarantee a more collaborative governance environment and outcomes, by including all stakeholders in the design, strategy and implementation of OG programmes. They should be associated with proper monitoring and evaluation of the impact and of citizens' and stakeholders' perception.
  - New approaches need to be implemented to develop participatory mechanisms and opportunities around the key issues of the business environment and socioeconomic development, the economic consequences of the present COVID-19 crisis and the measures necessary for recovery and enhancement of growth. This is in line with SGDs 7, 8, 9, 11 and 12.
  - Similar innovative approaches should be implemented on the other key issues of employment and social protection. This is in line with SDGs 1 (*no poverty*), 2 (*no hunger*), 3 (*good health and wellbeing*), 5 (*gender equality*), 8 (*decent work and economic growth*) and 10 (*reduced inequalities*).
  - Such new approaches could consider moving from informing and consulting citizens to more ambitious forms of engagement whereby public authorities share a part of the responsibility

and actually collaborate with other stakeholders (co-creation, co-implementation and co-evaluation of public policies). These innovative tools and approaches could be more easily and successfully introduced at the local level, as demonstrated by several of the good practices presented in this report and should not overlook the marginalised segments of society.

- A powerful tool to engage citizens that Arab countries might want to consider is portals allowing citizens to comment on draft laws, suggest new policies, discuss among themselves about a public initiative and so on. There could also be an accountability function allowing citizens to report irregularities, wrongdoings (including corruption) and problems in the provision of public services. Such portals should provide feedback to citizens, informing them of how their suggestions were taken into consideration and how their complaints were acted upon.

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Notes

[1] Contestability means allowing all citizens to intervene in the selection of leaders, public officials, policies, service providers and products; see (ESCWA, 2018, p. 6[3]).

[2] Please see Annex for more details about the ESCWA's and OECD's support for open government reforms in Arab countries.

[3] See (UN-Habitat/UNDP/Derasat, 2020[4]) and http://www.economistes-arabes.org/fr/wp-content/uploads/2017/12/LADP-Municipal-Finance-Brief-2_Dec2017-V1.pdf

[4] In compliance with the resolutions of the International conferences of Labor Statisticians (ICLS), and with the Convention C102 on social security and Recommendation R204 concerning the transition from informal to formal economy and R202 on social protection floors. See (ESCWA, 2019[5]) and (ILO, 2020[6]).

Annex A. ESCWA and OECD's support for open government reforms in Arab countries

There are several ways in which ESCWA and the OECD can support Arab countries in making progress in their open government agendas.

The two organisations can assist Arab states to conceive and draft legal frameworks, design public policies, develop implementation frameworks and identify monitoring and evaluation indicators in all sectors related to open government such as access to information, open data and participation. They can provide technical assistance, training, coaching and policy advice.

ESCWA has helped Arab states to build capacity, discuss and implement the ESCWA framework on Open Government[1]. In parallel with the commitments in the Open Government Partnership, ESCWA could facilitate a specific regional partnership for member states, based on the framework developed by ESCWA and in consultation with national authorities, civil society and business associations. The OECD and UN DESA could assist this effort technically.

ESCWA assists member states in digital government, which supports transformation towards open government. Also, based on its open government framework and its capacity development materials, ESCWA will continue to assist its member countries on policy, strategies and legal aspects related to open government. Furthermore, ESCWA will work with its Member States to commonly define the level of necessary openness on each subject of interest for socioeconomic and governance development, the related action plans and the proper measurement and evaluation processes.

The OECD[2] has been working with some Arab countries for many years on open government. Based on its global reach and expertise, it can support countries to conceive and develop comprehensive national strategies on open government, conduct reviews and assessments, share good practices and lessons learnt from its members.

The OECD stands ready to provide Arab countries with its expertise on a wide range of topics related to open government, such as transparency and access to information, innovative citizen participation practices and use of public communication to engage citizens among others. The OECD can also provide policy advice and technical assistance on how to steer, coordinate, monitor and evaluate open government initiatives.

The two organisations can support national governments, public institutions but also local authorities in Arab countries, such as municipalities willing to design and implement open government strategies and initiatives at the sub-national level, in line with the UN-Habitat New Urban Agenda.

Notes

[1] https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/fostering-open-government-arab-region-english.pdf

[2] https://www.oecd.org/gov/open-government/

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OECD Public Governance Reviews

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