

Open Government Partnership and Sustainable Development Goal Number 16: Similarities and Differences

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I. Introduction

This paper is a modest contribution to a main focus of the upcoming 2015 Open Government Partnership (OGP) Global Summit: How principles of open government can support compliance with the [Sustainable Development Goals of the United Nations Post-2015 Agenda](#). The specific question we address within this broader context is “*What lessons do the OGP processes and results offer for development and implementation of national strategies and actions plans for achieving the proposed governance Sustainable Development Goal Number 16 (SDG #16)?*”

OGP and SDG #16 objectives and target areas have substantial overlap, but some SDG targets go beyond OGP (Section II). The target areas that correspond with OGP implementation experiences provide promising potential for countries to gain substantive insight for SDG #16 action planning and advocacy. The case study of the Philippines confirms that the OGP is a high value learning resource for SDG #16 in at least 5 out of 10 target areas (Section III). The overlap and cross learning potential between OGP and SDG agendas raises the question of whether there will be symbiosis or competition between the two (Section IV). Based on these findings, a 5-point framework for civil society organizations (CSOs) to strategize their participation in SDG #16 advocacy, action planning and follow-up is suggested (Section IV).

The findings and recommendations of the paper should be viewed as preliminary as they are outcome of a work done over a short period and with modest resources. The paper raises many issues for further discussion at the OGP Global Summit in October 2015 and in further research.

II. SDG #16 and OGP Goals and Processes: Similarities and Differences

The main objective of SDG #16 includes all key goals of OGP. At least 5 of the 10 targets in SDG #16 can be directly informed by the OGP experience. As shown in Tables 1 and 2, common elements between OGP and SDG #16 are transparency, accountability, responsiveness, and inclusive participation in the functioning of governments. Additional elements of SDG #16 mainly concern peace, crime and access to justice.

The OGP declaration statements to principles “enshrined in the Universal Declaration of Human Rights, the UN Convention against Corruption” and creating “safer communities” can associated with for other SDG #16 targets, i.e. 16.1 Reduce all forms of violence and related death rates; 16.2 End child abuse, torture and trafficking; 16.3 Promote rule of law and equal access to justice; and 16.4 Reduce illicit financial and arms flows, strengthen return of stolen assets and combat organized crime.

Table 1: Comparison of SDG #16 and OGP Main Objectives

SDG#16 Main Objective	OGP's Vision
Promote peaceful and inclusive societies for sustainable development, provide access to	Build more transparent, accountable, and responsive governments, with the ultimate goal of improving public policies and services, as well as the level and scope of

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justice for all and build effective, accountable and inclusive institutions at all levels.	public participation. This often requires a shift in norms and culture to ensure open and honest dialogue between governments and civil society.
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Table 2: Mapping of OGP and SDG Aspirations

SDG #16 Target	By signing OGP Declaration member governments commit to:
16.3: Promote the rule-of-law at the national and international levels, and ensure equal access to justice for all.	Create safer communities.
16.5: Substantially reduce corruption and bribery in all their forms.	Build robust anti-corruption policies, mechanisms and practices, including: legal frameworks and rules to enact and enforce high ethical standards and code of conduct; income and asset disclosure of national high ranking officials; protection of whistle blowers; and strong deterrents against bribery and other forms of corruption.
16.6: Develop effective, accountable and transparent institutions at all levels.	Increase the availability of information about governmental activities by: promoting increased access to information and disclosure at every level of government; developing effective remedies when information is improperly withheld; and seeking feedback from the public to identify information of greatest value to them.
16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels.	Value public participation of all people, equally and without discrimination, in decision-making and policy formulation by: creating and using channels to solicit public feedback; deepening public participation in developing, monitoring and evaluating government activities; and enabling greater collaboration between governments, civil society organizations (CSOs) and businesses.
16.10: Ensure public access to information and protect fundamental freedoms.	Protect the ability of not-for-profit and CSOs to operate in ways consistent with our commitment to freedom of expression, association and opinion.

OGP experiences are available in 5 out of 10 SDG #16 target areas. The OGP Support Unit database of nearly 1,000 OGP commitments categorized by 42 thematic topics (tags)¹ has been mapped into the ten SDG target areas in Table 3. This mapping suggests that OGP experiences can inform the substance of half of the SDG target areas.

Table 3: OGP Commitments Mapped by Thematic Tag in SDG #16 Target Areas (998 Commitments; 42 Thematic Tags)²

SDG #16 Targets	Thematic distribution of OGP Commitments**
16.1 Significantly reduce all forms of violence and related death rates everywhere	None identifiable
16.2 End abuse, exploitation, trafficking and all forms of violence and torture against children	None identifiable
16.3 Promote the rule of law at the national and international levels, and ensure equal access to justice for all	Tags: Law Enforcement and Justice, Legislation and Regulation, Legislature, Judiciary, Public Safety
16.4 By 2030 significantly reduce illicit financial and arms flows, strengthen recovery and return of stolen assets, and combat all forms of organized crime	None identifiable

16.5 Substantially reduce corruption and bribery in all its forms	Tags: Anti-corruption, Conflict of interest, Asset Disclosure, Audits and Controls, Whistleblower protection
16.6 Develop effective, accountable and transparent institutions at all levels	Tags: Anti-corruption, Asset Disclosure, Whistleblower protection, Budget Transparency, Public Procurement, Records Management, Elections and Political Finance, Public Service Delivery Improvements, E-government, Sub-national Governance, Natural Resources OGP Value: Public Accountability
16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels	Tags: Citizen Budgets, Participatory Budgets, E-Petitions, Social Audits, Public Participation, and Open Data, Capacity Building, Private Sector OGP Value: Civic Participation and Technology and Innovation for civic participation
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance	None identifiable
16.9 By 2030 provide legal identity for all including birth registration	None identifiable
16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements	Tags: Asset Disclosure, Budget Transparency, Freedom of Information, and Open Data OGP Value: Access to Information

Note: The following tags were not readily identifiable with SDG #16 Targets: Media and Telecommunications; Education; Health and Nutrition; Citizenship and Immigration; Welfare and Social Security; Water and Sanitation; Infrastructure; Aid; Nonprofits; Labor; Science and Technology; Gender and Sexuality; Human Rights and OGP.

The proposed means of implementation for SDG #16 are almost identical with the OGP national action planning and monitoring processes. The draft Outcome Document³ of the UN Summit to adopt the post-2015 development agenda proposes following means of implementation of the SDGs for all member states:

- Cohesive nationally owned sustainable development strategies supported by integrated national financing frameworks.
- Space and leadership to implement policies consistent with relevant international rules and commitments in individual country contexts.
- Timely and ambitious national responses to overall implementation of the SDG agenda.
- Regular review of progress which are country-led and country-driven and draw on contributions from civil society, the private sector and other stakeholders, in line with national circumstances, policies and priorities.

Countries that meet OGP eligibility criteria can apply for OGP membership. Once accepted they are required to develop National Action Plans (NAPs) in line with each country's own goals. OGP provides countries with guidelines and assistance to design, implement, and monitor these plans. OGP's action plans⁴ call upon the countries to contain 5-15 ambitious commitments. OGP guidelines ensure that the process is time-bound, participatory, uses multiple methods of engagement, and progress is documented and publicly available. The countries are also required to submit yearly self-assessment reports.

OGP has an Independent Reporting Mechanism (IRM), in which independent researchers prepare biannual progress reports that include descriptions of the OGP process, results of

commitments and technical recommendations that can aid design of the next plan. IRMs are in addition to self-assessment reporting by the government. The common element with the proposed SDG follow-up process seems to be the self-assessment as SDG processes do not provide for IRM. This does not mean the SDGs preclude an IRM. Independent reviews of MDGs were prevalent so one can expect them to continue for the SDGs as well.

III. Case Study: Philippines OGP Lessons for SDG#16

The experience of nearly all OGP member countries demonstrates that key elements of commitments to open government reform can be realistically implemented and offers lessons for SDG #16. This case study seeks to identify lessons available from the implementation of OGP in the Philippines through evidence gathered from a desk study of NAPs, the OGP commitments and action database, government self-assessments and IRM reports.

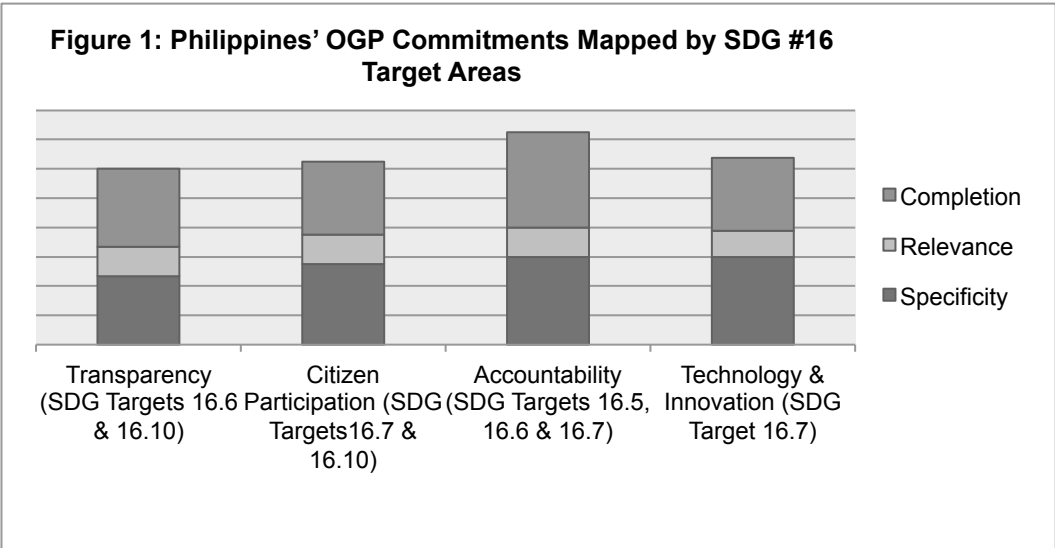
The Philippines is a good case to illustrate the extent to which the ideal, as determined by OGP principles and guidelines, can be practiced in reality. The Philippines began formal OGP participation in September 2011 as a founding member. The country has developed two NAPs under two OGP cycles. The activities undertaken during the first NAP (2011-2013) have been evaluated by the IRM to inform the development of the second (2013-2015), which just completed the implementation of 6 continuing and 3 new commitments.⁵

The Philippines scored high in the OGP minimum eligibility criteria achieving 15 out of 16 points in four critical areas of open government indicating the existence of a basic legal and political framework for open government reforms.⁶ A notable exception in the Philippines is the absence of a Freedom of Information (FOI) law, which is “a fundamental tenet of the OGP,” and a “value that underpins all the participant country’s commitments.”⁷

The Philippines OGP Action Plan Commitments covered some but not all SDG #16 targets. The Philippines OGP Action Plan for 2011-13 contained 19 commitments in four thematic clusters:

- Improving compliance with transparency: 3 commitments (SDG Targets 16.6 and 16.10)
- Deepening citizen participation: 4 commitments (SDG Targets 16.7 and 16.10)
- Escalating accountability: 4 commitments (SDG Targets 16.5, 16.6 and 16.7)
- Technology and Innovation: 8 commitments (SDG Target 16.7)

The Philippines NAP commitments are grouped by SDG target area in Figure 1 to compare their relative levels of relevance, specificity and ultimately, completion.



Most of the Philippines commitments were rated as ambitious but implementation lagged behind.

IRM *Note: OGP data on commitment ambitiousness is not available for the Philippines* The report deemed 16 out of the 19 commitments “high” and 3 “medium” in degree of specificity.⁸ All but one commitment were deemed “clearly relevant to an OGP values.”⁹ The IRM reported that 3 of 19 commitments had been “fulfilled.” Another 7 made “substantial” progress and the remaining 9 had only “limited” progress.¹⁰ This puts the Philippines within in the median category for achievement for all OGP participating countries – between 40-60% of commitments fulfilled or with substantial progress.¹¹

Several lessons emerge from the Philippines OGP experience for SDG#16 planning and follow-up. The IRM report in particular yields important insights on factors that contributed to implementation successes and failures that offer lessons for the future of SDG #16.

- Incentives can encourage progress even when the legislative foundation may not exist. A conducive legal and political environment is important in the achievement of open government reforms. However, the Philippines case demonstrates that incentives can be a successful tool to gain compliance with information disclosure efforts, despite the absence of FOI legislation. Incentives could be a significant motivator in the attainment of the SDGs. International donors should consider supporting such programs.
- Stakeholder engagement requires effective participatory mechanisms, time and resources. Seven out of nine commitments with limited progress cited a lack of public and private sector engagement as a major obstacle.ⁱⁱ A disabling factor in each was the lack of a sufficient framework, or well-defined opportunities, for stakeholder engagement that is open, inclusive and meaningful. Initiatives under SDG #16 would benefit from technical expertise and capacity building programs to develop such frameworks.
- The IRM provides an unbiased evaluation of OGP programs and, in the case of the Philippines, ensured a wide breadth of stakeholder voices were appropriately heard. The technical recommendations of the IRM had a significant impact on the development of the second NAP. The SDGs would be well served by an independent evaluation mechanism as well.

The experience of the Philippines shows that open government reforms can be measured and when they fall short, workable road maps can be developed to increase the likelihood of success. This is reassuring, as SDG #16 has been criticized for advancing objectives that are not readily measurable and should be encouraging for newcomers to the SDG #16 agenda.

IV. Conclusions and Proposal for an OGP-SDG Learning Framework

Our analysis suggests significant potential for OGP and SDG member countries to gain substantive insights from the implementation experiences of OGP commitments and reap significant savings of time and resources (human and financial) by using the OGP processes as starting point for SDG #16 action planning and advocacy. A large number of OGP commitments exist that offer a good depth of experience for all countries to draw on to design, implement and monitor action plans for SDG #16. OGP has well developed processes

ⁱⁱ Participatory Budget Roadmap; Empowerment Fund; Broader CSO Engagement; Social Audit; Single Portal for Information; Disclosure of Executive Budgets; and Integrated Financial Management System

for eligibility criteria, participatory national action planning, rating ambitiousness of commitments, monitoring and evaluation (i.e. self-assessment and IRMs). These activities have produced a substantial body of knowledge and learning materials and can serve as rich resources for all UN member countries in pursuit of the targets under SDG #16.

Advocates and stakeholders in SDG #16 can draw inspiration and confidence from the early results of OGP. According to OGPs Four Year Strategy 2015-2018 paper,¹² “first three years have surpassed most expectations for what an initiative like this could achieve in such a short amount of time and with such a minimal investment of financial resources.” Likewise, the March 2015 “[World Justice Project \(WJP\) Open Government Index](#)” measured experiences of OGP and non-OGP countries [concluding](#), “OGP countries attain higher open government scores than non-member countries for all levels of development. OGP countries in their second action plan cycle also perform better than countries in their first action plan cycle.”

The case study of the OGP experience in the Philippines confirms the overall conclusion that the OGP is a high value learning resource for SDG #16 action planning and follow-up. The case study demonstrates that the OGP planning and follow up processes have enabled the Philippines to achieve concrete progress in opening up the government to civil society engagement and apply adaptive learning to improve the second action plan. The case study also reveals a number of lessons for wider use in SDG #16 planning and follow-up.

The overlaps between OGP and SDG #16 present several opportunities and challenges for OGP as SDG planning and follow-up processes are launched. Symbiosis is logical and preferred, but neither easy nor inevitable. This is illustrated by the following questions that arose during an OGP Asia Pacific Meeting in Manila from September 7-8, 2015:

- Should or could both OGP and SDG #16 agendas co-exist in a country? Should there be only one action program for overlapping areas or completely separate action plans? Separate programs could lead to competition for scarce human and financial resources to advocate, implement and monitor reforms. However, if one action program is desired, what are the ways and means for doing this?
- What can OGP activists do to ensure that SDG#16 agenda and targets are not marginalized at the country level in the crowded field of 17 SDGs and 169 targets? How can civil society partners in OGP countries become champions of SDG #16?
- How can OGP and SDG activists come together on a common platform? Working groups on open government, including both OGP and SDG activists, may be a workable solution, but how can these be integrated into multi-stakeholder SDG dialogue and monitoring mechanisms?
- What impact will SDG #16 have on member commitments to OGP? Will SDG #16 encourage or discourage eligible OGP candidates to join OGP? How can incentives for joining OGP be strengthened by SDG #16?
- How can OGP contribute to the crafting of ambitious SDG #16 actions and targets? Can the OGP commitment rating system be applied to SDG #16 targets to allow for cross-country comparisons and peer learning?
- How can implementers address twin challenges of finding champions among politicians and civil servants and financial resources for OGP/SDG #16? Can good practices in gaining political and financial support be identified in MDG/SDG and OGP experiences? Can OGP innovations such as national planning guidelines, consultation guidance,

rating and tagging of commitments and Independent Review Mechanism be carried into SDG planning and monitoring frameworks?

- How can the OGP peer learning be expanded to include non-member countries? Successes and failures in implementing the commitments offer a tremendous resource for all UN member countries but such an expansion would call for major investment and outreach. Is OGP willing and able to do so?

Addressing the above issues is beyond the scope of this paper. Hopefully the discussions at OGP Global Summit will shed further light and define a way forward.

A tentative 5-point framework for use by CSOs to strategize their participation in SDG #16 advocacy, action planning and follow-up activities.

1. Join or build appropriate coalition(s) of CSOs. In most countries CSOs have developed coalitions and networks during the implementation of the Millennium Development Goals (MDGs) and advocacy for the SDGs and for OGP. In addition, cross-country coalitions exist in key SDG #16 target areas, such as access to information, budget transparency, public participation etc. Joining forces with such coalitions should be a key step in advancing SDG#16 agenda.
2. Join and/or advocate for dialogue mechanisms between the state and civil society for SDG planning and implementation. The relationship between the state and civil society varies from country to country and ranges from welcoming to non-existent or even hostile. A political economy assessment is essential to design feasible CSO-government engagement strategy. OGP member countries offer many good practice examples in establishing new and permanent mechanisms for dialogue between the state and civil society. The OGP website has guidance notes on consultations during OGP planning and implementation that provide 'how to' information.¹³
3. Develop strategies and positions for advocacy and constructive engagement. It is important to use the national policies and goals as the starting point for formulating strategies and positions for engagement in the SDG #16 work. Civil society can build on this starting point to formulate positions that will take reforms to next level. Experience has shown that constructive engagement is possible in a wide variety of country situations and several good practices are emerging.¹⁴ OGP experiences can be of high value in defining realistic actions to push the frontier on what the government is willing to do on its own on SDG#16 targets.
4. Participate in or lead SDG monitoring and evaluation mechanisms and activities. The OGP experience is highlighting the importance of both self-assessment as well as independent review mechanism. UN member states also have years of experience with monitoring and evaluation processes for MDGs and aid-effectiveness. These provide a solid basis to assess what worked and what did not in a country and identify good practice solutions and develop proposals to strengthen the existing mechanisms.
5. Join or create knowledge sharing and learning networks. It has taken a lot of work by national and international networks to succeed in including SDG #16 among the SDGs. However, the most challenging part lies ahead, as governance reforms are particularly difficult to design and implement. Thus it is very important, not only to sustain such

networks, but to take them to next level. OGP has set up a functioning Civil Society Group for peer learning and support and an impressive set of learning materials.

Endnotes

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⁵ Philippine OGP Action Plan For 2013-2015, "Reaping the Gains of Good Governance through an Open Government," pg 4. Accessed at: http://www.opengovpartnership.org/sites/default/files/OGP_Ph%20Plan%20as%20of%201014.docx

⁶ Open Government Partnership, 2014 Eligibility for All Countries, 2015. Accessed at: <https://docs.google.com/spreadsheets/d/16-PAbHloZ5X0kSnCVILIn2t3WqpNvDGggGC7deCK4qc/edit#gid=0>

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⁸ OGP, "2014 Eligibility for All Countries," 2015.

⁹ Ibid.

¹⁰ Ibid, pg. 50.

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¹⁴ Bhargava, Vinay. "Constructive Engagement between Governments and CSOs: Are We Getting Results? Lessons from Asia." Accessed at: <http://www.opengovpartnership.org/blog/vinay-bhargava/2015/02/04/constructive-engagement-processes-between-governments-and-csos-are-we>