The normative framework of Open Government and the Status of Arab States

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Open Government is a concept of Governance

- First launched at UN General Assembly 2011 → OGPartnership
- A concept promoting:
 - Transparency, Integrity, accountability, participation, collaboration
- It is a governing doctrine and practice...
- It includes/encompasses:
 - Open Government data (OGD) → Open Data Charter
 - E-government, digital government, smart government

Open Government is a concept of Governance

- Included in Sustainable Development Goals
- SDG 16: Peace, Justice and Strong Institutions
 - Target 16.6: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
 - Target 16.7: ensure responsive, inclusive and representative decision-making
 - Target 16.8: strengthen the participation in global governance
 - Target 16.10: ensure public access to information and protect fundamental freedoms
 - Target 16.b: promote and enforce non-discriminatory laws and policies
- As well as 5.5, 6.b, 9.c, 11.3, 12.8, 17.7, 17.18

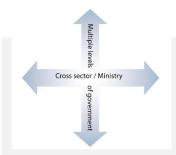
Frameworks for Open Government: the OECD

The OECD 10 provisions

- 1. implement open government strategies and initiatives
- 2. open government legal and regulatory framework
- operationalization and take-up of open government strategies and initiatives
- 4. Co-ordination
- Development and implementation monitoring
- 6. Actively communicate on open government strategies and initiatives
- Proactively make available clear, complete, timely, reliable and relevant public sector data and information
- 8. Grant all stakeholders equal and fair opportunities
- 9. innovative ways to effectively engage with stakeholders
- 10. from the concept of open government toward that of the open state

The theory of change





NPUTS

What are the pre-conditions for open government? (legal, policy and inst. frameworks)

Legal and regulatory framework for open government principles (OG REC #2)

Strategic policy framework for open government principles (OG REC #1)

Institutional framework to promote open government principles (OG REC #4)

PROCESSES

What promotes a culture of openness in government? (governance processes)

Promoting openness across the administration (OG REC #1, #2, #3 and #9)

Communicating about open government reforms (OG REC #6)

Coordinating open government initiatives (OG REC #4 and #10)

Monitoring, evaluating of open government strategies and initiatives and learning (OG REC #5)

OUTPUTS

How "open" is the government? (government actions)

Government makes information and data publicly available (transparency) (e.g. OG REC #7; DG REC #1; BUD REC #4; etc.)

Government hears the views, perspectives and inputs from citizens and stakeholders (participation) (OG REC #8 and #9; REG REC #2; Integrity REC #13; DG REC #2; BUD REC #5; etc.)

Government assumes responsibility for its decisions and actions, and provides answers to citizens' demands and concerns (accountability) (Integrity REC, #10-13)

Government consistently upholds and prioritises the public interest over private interests (Integrity) (Integrity REC: Procurement REC #III etc.)

This framework does not measure other open government processes in relevant governmental institutions that contribute to outputs (e.g. processes to respond to access to information requests in ministries)

OUTCOMES

Results on citizens' interactions with open government initiatives?

- Awareness of open government related rights and initiatives (i.e. as a result of better public communication)
- Take-up participation and exercise of rights (i.e. through increased civic literacy)
- Satisfaction when Interacting with government on Open government related Initiative (i.e. citizens' assemblies)

IMPACTS

Broader effects of openness on the relationship between governments and citizens and on the functioning of the state?

- Trust in government
 Perception of corruption
- Perception of corruptio
 Satisfaction with service
- Satisfaction with services
 Political efficacy
- Compliance with laws and regulations
- Inclusive growth
- Efficiency and
 effectiveness in the public

The Framework recognises that other factors affect results, e.g. economic (e.g. business cycles, globalisation), social (e.g. inequality, migration), political (e.g. electoral cycles, terrorism, relations), cultural (e.g. religion), and historical trends (e.g. urbanization).

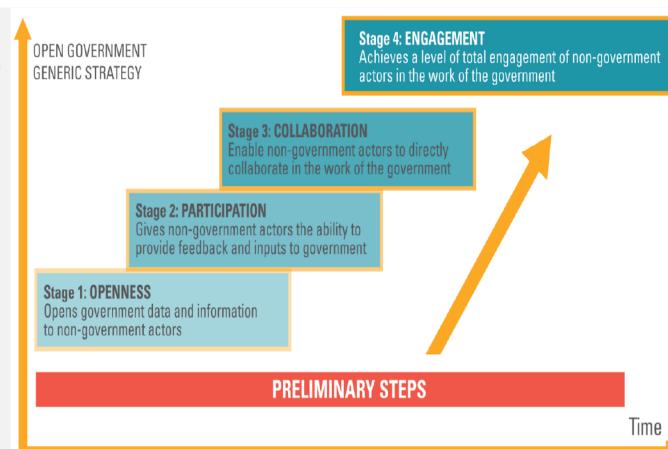
Frameworks for Open Government: the ESCWA

The ESCWA 6 strategic objectives

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

The stages

- Stage 1: Openness
- Stage 2: Participation
- Stage 3: Collaboration
- Stage 4: Engagement



- Impediments for implementation
- What body is responsible of the implementation?
- Who are the stakeholders of OG?:
 - Government: executive centrat? Local/regional, legislative/juidiciary,...
 - Citizens: individuals, « civil society », social partners/unions, ...
- Measurement, monitoring and evaluation (M&E)
 - How to measure Openness, Participation,...
 engagement?
- The impact of the COVID 19 crisis

Figure 5. 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-mak 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 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?				

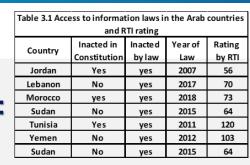
Robust and Appropriate legal, policy, institutional and implementation frameworks are key enablers of Open Government, as they ensure that reforms are rooted in solid foundations and provide long lasting effects

Open Government in Arab States

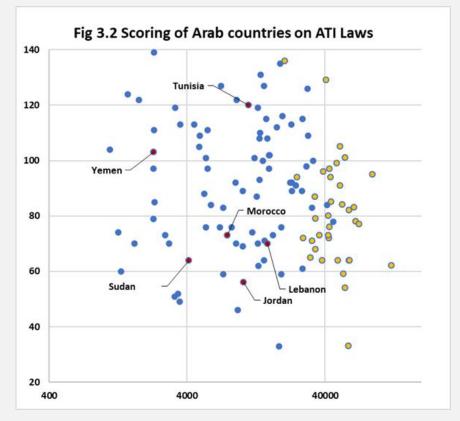
3 Arab countries members of the OGP:

•	Jordan,	Morocco	&	Tunisi	a
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- Local municipalities joined: Karak & Salt (Jordan), Tangier-Tatouan-Al Hoceima (Morocco), El Kef & Regueb (Tunisia)
- Regularly updated action plans/OECD
- The ESCWA framework is common to all Arab States
 - However, only OGP States have specific institutional/legal framework for OG implementation differentiated from that for e-government
- The necessary <u>legal environment</u> for OG
 - The Right/Access to Information (ATI) and beyond...

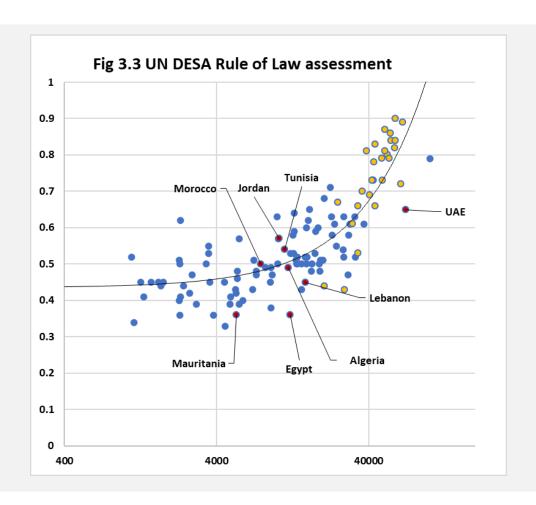


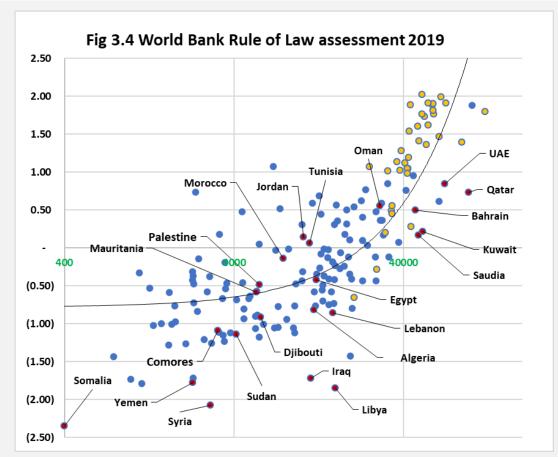
The Right to Information



Source: ESCWA Compilation based on data from: https://www.rti-rating.org/

Open Government in the Arab States: the legal framework

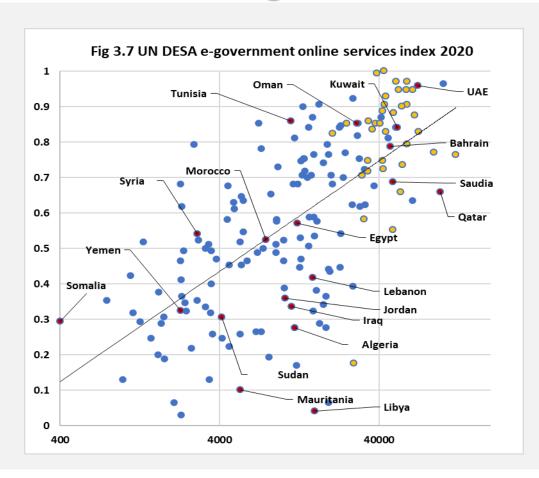


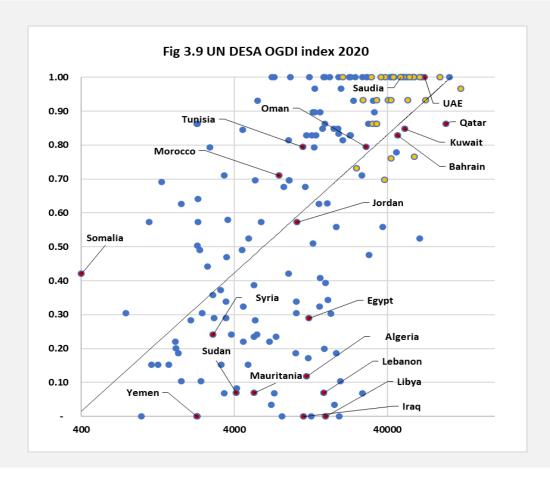


Source: ESCWA compilation based on UNDESA Rule of Law, and World Bank Rule of Law

Open Government in the Arab States: Openness

E-government and Open Government data

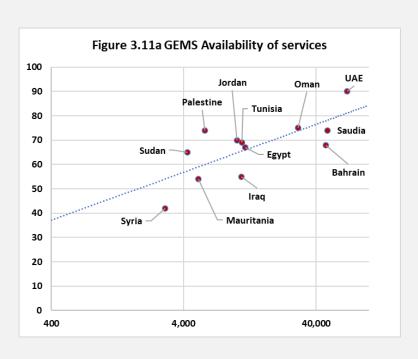


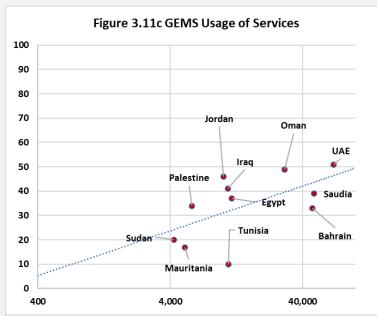


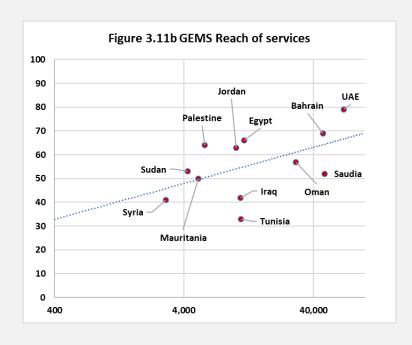
E-Government is a strong enabler of Open Government, when it supports the same principles of Transparency, Integrity, Accountability, Participation, Collaboration

Open Government in the Arab States: Openness

ESCWA: Government Electronic and Mobile Services (GEMS) maturity index





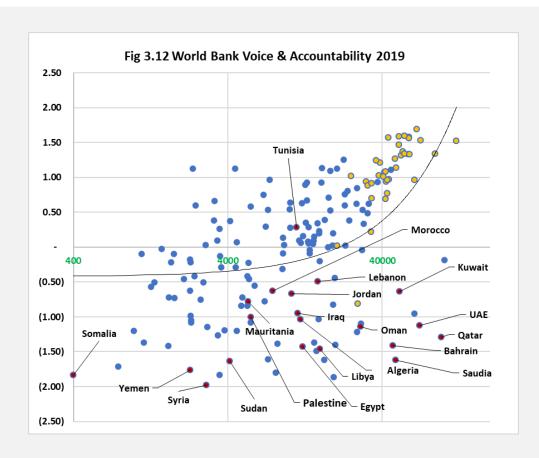


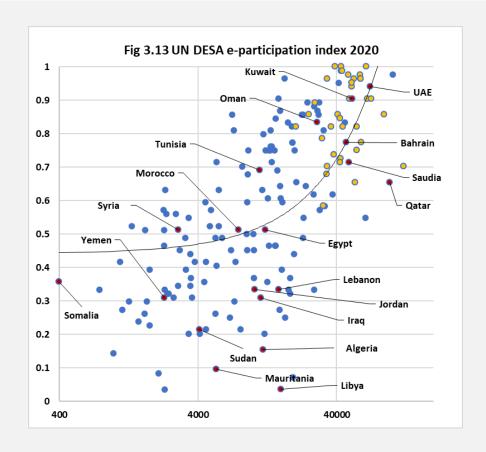
New ICT technologies facilitate Open Government and allow innovative approaches; <u>but Open Government can be implemented even with low penetration of ICT technologies</u>;

for example, when investigative media requests the release of public contracts and makes government accountable for their content

Open Government in the Arab States: Participation, Collaboration & Engagement

Voice & Accountability ... Participation





Open Government and the Covid 19

- a moment of peak uncertainty for governments, civil society and citizens alike driving new policies and approaches to be tested in real-time
- OGP has issued a guide on open government and coronavirus
- However, the Covid-19 crisis has introduced new risks & challenges on the way for Open Government:
 - Transparency
 - Abuse of use of ICT and rules on individual freedom

Open Government in the Arab States: the way foreward

- Open budget for Open Government
- Local governance
- Labor force survey, employment and informality
- Open Government for the New Urban Agenda in Arab cities
 - The Right to the City
 - an ESCWA/UN-Habitat project
 - In partnership with OECD, UNESCO, World Organization of United Cities (UCLG)
 Cercle des Economistes Arabes...