



# THE ROLE OF PARLIAMENTS IN THE OPEN GOVERNMENT PARTNERSHIP

#ParlAmericasOPN

## DATE

November 21-22, 2017

## THEME

Open Government  
Partnership

## LOCATION

Buenos Aires, Argentina

## PARTICIPANTS

47 parliamentarians, parliamentary staff and civil  
society representatives from 16 countries

ParlAmericas, in partnership with the Chamber of Deputies of Argentina, the Open Government Partnership's Legislative Openness Working Group, and Directorio Legislativo Foundation hosted a dialogue with experts and civil society on Parliament's role in the Open Government Partnership (OGP) within the margins of the **OGP Americas Regional Meeting** in Buenos Aires, Argentina. Since its launch in 2011, the OGP has promoted transparency, citizen empowerment, the fight against corruption, and the use of new technologies to improve governance in countries that have joined this international initiative.

Through this activity, legislators received a one-day briefing about the OGP and its impact to date, and discussed the importance of collaboration with civil society to co-develop and co-implement the National Action Plans adopted through this multilateral initiative. Moreover, they explored how the results of these plans can improve

citizens' lives and support legislatures in the exercise of their representation, law-making and oversight functions. The discussions provided background for legislators to reflect on the impact of the open government initiatives as they attended session of the OGP Americas Regional Meeting the following day; and to consider how they, as parliamentarians, can contribute to the progress and sustainability of OGP initiatives within their own countries and strengthen their engagement with civil society.

Member of the Chamber of Deputies, **Margarita Stolbizer** (Argentina), ParlAmericas Board Member opened the event alongside Senator **Hernán Larraín** (Chile), President of the ParlAmericas Open Parliament Network. The keynote address was presented by the Honourable **Scott Brison**, Member of Parliament, President of the Treasury Board of Canada and Supporting Government Co-Chair of the OGP Steering Committee.

*"The question here is how this platform (Open Government Partnership) of 75 countries that have committed to foster an open government agenda can be developed in partnership with parliaments in an efficient way, and how we can move forward not only with further integration but also to achieve our objectives in relation to open societies, accountability, access to information, which will improve our democratic systems, fight corruption and achieve greater citizen participation in decision making."*



Senator **HERNÁN LARRAÍN** (Chile),  
President of the  
ParlAmericas Open  
Parliament Network

# The Open Government Partnership and its Impact on Citizens and Parliaments

The OGP is transforming the way governments design and implement public policies. Its reforms are generally being developed and implemented through National Action Plans (NAPs) co-created between the Executive branch of government and civil society, and its impacts are assessed through an Independent Reporting Mechanism (IRM). In addition to benefiting citizens, the results of the Executive branch's efforts through their NAPs support legislatures in the exercise of their representation, law-making and oversight functions. This session was moderated by Member of the National Assembly **Paula Forteza** (France) who provided an introduction of the OGP. She was joined by **Joseph Foti**, Director of the Independent Reporting Mechanism at the Open Government Partnership, who presented on the OGP's impacts across the world and this hemisphere, and **Noel Alonso Murray**, Executive Director of the Fundación Directorio Legislativo, who discussed the importance of the OGP for civil society. Senator **Hernán Larraín** (Chile), President of the ParlAmericas Open Parliament Network and Member of the Chamber of Deputies **Karina Banfi** (Argentina), President of the ParlAmericas Parliamentary Network on Gender Equality, discussed the impact of the OGP's results on legislators and the role that legislators can play, in collaboration with civil society, to ensure open government initiatives' sustainability.

*"Open government is much more than open data; it is a fundamental change in the relationship between the government and the citizens we represent. We believe the Open Government Partnership is a very important multilateral forum and that ParlAmericas is also an important forum for parliamentarians from all political parties in our countries to be able to participate in this agenda [...] We must involve all actors, experts, the public, in identifying problems and developing solutions together. As a government we have a crucial role in making institutions more open, more transparent and more responsible. We are elected to represent our constituents, and open government is an important tool that enables us to fulfil our role. It is about working together every day to have more credible, healthier government institutions, shaped by the people we work for."*



Member of the National Assembly  
**PAULA FORTEZA**  
(France)

*"The interesting thing about Open Government Partnership (OGP) is that it is governed both by governments and civil society. The OGP Steering Committee has 22 members, 11 of which are members of national governments and the remaining 11 are members of civil society organizations. This is a special feature of this international organization that facilitates collaboration between both groups. It is very important to be able to work with civil society in the governance of this partnership not only in value terms, but also in terms of what civil society can contribute to improving, enriching, and strengthening the quality of public policies, and to empowering the public sector and the State."*



The Honourable **SCOTT BRISON**, Member of Parliament and President of the Treasury Board of Canada

*"This opportunity will enable us to advance in a sincere discussion about open government in our countries. We will have the opportunity to present our best practices and discuss what role we have as parliamentarians in the implementation of open government principles, particularly in relation to the work of our parliamentary network on legislative openness."*



Member of the Chamber of Deputies  
**MARGARITA STOLBIZER**  
(Argentina), ParlAmericas Board Member

## WHAT IS AN OPEN GOVERNMENT?

A government that is sustainably more transparent, more accountable, and more responsive to its own citizens, with the ultimate goal of improving the quality of governance, as well as the quality of services that citizens receive. Moving towards an open government requires a shift in norms and culture to ensure genuine dialogue and collaboration between governments and civil society.



## HOW CAN AN OPEN GOVERNMENT FACILITATE THE WORK OF PARLIAMENT?

- ⇒ Access to government information in an open format can expedite analysis by parliamentarians, parliamentary staff or third parties (academia, think tanks, industry-based research groups, etc.) and aid parliamentarians in their role of overseeing government policy and expenditures.
- ⇒ Access to meaningful government data allows for evidence-based decision-making and improved legislation.
- ⇒ Proactive disclosure of meaningful government data has the potential to reduce the amount of inquiries received by parliamentarians, by proactively answering frequently asked questions.
- ⇒ Citizens' trust in our governmental institutions can only be gained through efforts across all branches of government (executive, legislative and judicial) as citizens often do not make the distinction; improving citizens' trust in the Executive structure can also benefit the parliament.

## HOW PARLIAMENTARIANS CAN CONTRIBUTE TO OPEN GOVERNMENT INITIATIVES?

### ⇒ Enacting Legislation on Openness

By some counts, around 15 percent of OGP commitments require legislative action. Oftentimes, this includes enacting legislation that would alter the country's governance or integrity framework, such as freedom of information laws, lobbying and political finance regulations, and open data laws.

### ⇒ Conducting Government Oversight

The IRM reports aim to serve as an independent, objective review of government effectiveness in implementing OGP commitments. These objective, external reviews can be an extremely useful input to legislatures as they conduct oversight and seek to ensure that NAP commitments are effectively implemented.

### ⇒ Advocating for OGP Participation

Parliamentarians can help advocate for a country to join OGP by raising awareness and expressing support for membership. Additionally, when a country does not meet OGP's eligibility criteria, parliament can play an important role in helping to advance the needed reforms.

### ⇒ Communicating OGP Commitments to Citizens

Parliamentarians are in a unique position to raise citizens' awareness of the open government commitments undertaken by their respective governments, which can contribute to building momentum for these reforms within the population, encourage citizens to participate in these processes and enable them to hold their governments accountable to these commitments.

*"A fundamental aspect that arises from the Open Government Partnership is the idea of co-creation. This is very innovative in terms of working mechanisms for civil society and the State because it places civil society on equal footing which we do not have in other spaces. It changes working dynamics towards more cooperative mechanisms."*



**NOEL ALONSO MURRAY**,  
Executive Director of the  
Fundación Directorio  
Legislativo



Member of the Chamber  
of Deputies **KARINA  
BANFI** (Argentina),  
President of the  
ParLAmericas  
Parliamentary Network  
on Gender Equality

*"(The Access to Public Information Act) was one of the most voted laws in parliament. We had to seek consensus in other political parties to advance in this agenda, and we passed it in Argentina in May 2016 with the support of an important number of legislators. This was the first milestone that signaled the path our country would take: acknowledging that the government or elected officials are not infallible and that we need to have a permanent relationship with citizens to gain legitimacy for these public policies, which are necessary not just to fight corruption, but also to address poverty and impunity, and to improve the quality of life for citizens."*

*"Part of what the Open Government Partnership is trying to achieve is the creation of an environment where civil society is more knowledgeable about how the parliament works and becomes more professional in this area. The idea is not to criticize parliaments, but to help them become stronger and to build citizens' trust in the institution. Part of this process has to do with developing a more constructive dialogue between civil society and parliament."*



**K. SCOTT HUBLI**,  
Director of  
Governance of the  
National Democratic  
Institute

# Leading by Example through the Development of Legislative Openness Action Plans

In addition to their contribution to OGP commitments by the Executive branch, legislators can also contribute to this agenda through leading by example and implementing these principles of openness and collaboration with civil society within the legislature itself. This session was moderated by **Scott Hubli**, Director of Governance of the National Democratic Institute (NDI) who presented NDI's new Toolkit for Advancing Legislative Openness. This introduction to Legislative Openness Action Plans was followed by a sharing of experiences from those parliaments with open parliament action plans around the sustainability of legislative openness efforts through electoral cycles or changes in leadership. Senator **Mauricio Lizcano** (Colombia), former President of the Senate and Vice-President of the ParlAmericas Open Parliament Network for South America, Senator **Andrés García Zuccardi** (Colombia), Vice-President of the Senate, provided an overview of the Senate of Colombia's legislative openness efforts and lessons learned through its leadership transition. They were joined by **David Bello**, Winner of the *Colombian Congress's Legislative Visualizathon*, who presented the winning application: [Paralelo](#). Member of the Chamber of Deputies **Patricio Vallespín** (Chile), Member of the National Assembly **Karla Prendas** (Costa Rica), Vice-President of the ParlAmericas Open Parliament Network for Central America, Senator **Blanca Ovelar** (Paraguay) each shared their respective experiences of championing the development of open parliament action plans within their own parliaments and the current strategies being applied to ensure sustainability of those efforts with transitions to new parliaments in their respective countries over the coming year.



Senator **MAURICIO LIZCANO** (Colombia), former President of the Senate and Vice-President of the ParlAmericas Open Parliament Network for South America

*"We wrote three laws that are important: the first is the law on the congressional code of ethics, which was passed during my presidency and requires parliamentarians to report twice a year [...]; the second is the law on lobbying, which is currently in the House of Representatives [...] and the third, which was recently presented by the president of the House and was started under my term as president, is the law on the budgetary support unit."*

*"How did we start? We established two committees in both chambers. We institutionalized the creation of these committees through resolutions, and then integrated them and started working together, we invited civil society to co-create an action plan and we also established an administrative unit in each chamber which is responsible for the development (of the plan). Sustainability is ensured when you have an institutional framework with people prepared to operate the plan."*



Senator **BLANCA OVELAR** (Paraguay)



This toolkit aims to enrich the efforts of parliaments and their civil society counterparts to engage in collaborative processes aimed at developing and implementing openness commitments, either as part of the OGP process or otherwise. Consult the full [toolkit](#).

## HOW CAN PARLIAMENTARIANS WORK ON OPENING THEIR PARLIAMENT THROUGH OGP?

- ⇒ **Submitting Commitments to National Action Plans (NAP)**  
Parliaments can participate in OGP by submitting commitments as part of the NAP. Including legislative commitments in the NAP helps ensure that they are consistent with OGP values, developed collaboratively with civil society, and subject to the IRM process.
- ⇒ **Creating Open Parliament Action Plans**  
Parliaments can also choose to develop their own action plans on legislative openness in consultation with local civil society, in many cases following a very similar process used to develop a national action plan. These plans can now be incorporated as a chapter of the country's National Action Plan and be subject to the IRM process.

*"[We need to have a] mutual conviction that working together is convenient. In our second action plan we started interacting on a permanent basis through mechanisms, working meetings, where we shared with civil society organizations what we would want to include in our action plan [...] This meant that we heard their priorities as they related to what we wanted to achieve so they felt like partners in this process, and we continue working in this format."*



Member of the Chamber of Deputies **PATRICIO VALLESPÍN** (Chile)



Member of the National Assembly **KARLA PRENDAS** (Costa Rica), Vice-President of the ParlAmericas Open Parliament Network for Central America

*"There was resistance not only from parliamentarians, but also from the organizational culture (of the parliament). The heads (of the administrative departments of the assembly) did not want to get involved in the subject. We realized that we would not achieve anything if we wanted it to be institutionalized and sustainable. For this reason, the first action plan that we adopted focused on investing in training and efforts to convince them to get on board (with working to open parliament)."*

*"The second greatest challenge is co-creation [...] through this process, we are engaging civil society in a better way, involving more organizations, giving more formality to the process, we are also engaging political parties through the board of the Senate [...] and we are now involving congressional staff [...] we are investing great efforts in co-creation and cooperation, not only to move forward and improve these initiatives but also and more importantly to ensure their sustainability."*



Senator **ANDRÉS GARCÍA ZUCCARDI** (Colombia), Vice-President of the Senate

## Parliamentarians at the OGP Americas Regional Meeting

The parliamentary briefing that took place on November 21 set the stage for participants' attendance at the OGP Americas Regional Meeting on November 22. This meeting brought over 2,000 representatives from governments and civil society, digital innovators, developers, journalists, and researchers to share their experience and further the open government agenda in the face of current global challenges. Sessions focused on a broad range of issues, including how open government initiatives that improve transparency and involve citizens in decision-making processes can support the adaptation and mitigation of climate change, women's empowerment, public services delivery, electoral processes, budgetary processes, penitentiary systems, government's relationships with the private sector, and judicial systems among others. Through their participation in this activity, legislators had the opportunity to engage with civil society and government representatives, as well as other experts, to ask questions and learn about their experiences in engaging citizens in a constructive and ongoing dialogue to strengthen their respective countries' governance systems and restore citizens' trust in their institutions. Throughout the activity, legislators were invited to reflect on how the open government initiatives presented at this meeting impact positively on the lives of citizens, and on their legislative work. This further allowed them to consider how they can contribute to the sustainability of such initiatives through their functions as parliamentarians, reflect on the importance of collaboration with civil society and identify meaningful opportunities to do so.

*"The OGP Argentina invitation and experience was a major motivator to bring the civil society movement and the government together in The Bahamas to co-create progressive legislation which will introduce much needed transparency and accountability in our country. The OGP's member countries shared valuable lessons and suggestions during the sessions that will now assist our civil society movement via this Consultative Senate appointment to advance our efforts for access to information, anti-corruption legislation, implementation of international best practices and public disclosure. I am more determined than ever thanks to OGP Argentina to see that The Bahamas joins the Partnership in 2018."*



Senator **RANARD HENFIELD** (Bahamas)



"Engaging all actors, such as civil society and political parties, is important to move forward this (open government) agenda and ensure its sustainability. From the parliament we can achieve a lot, but it is crucial that other actors are also supporting the process so that proposed reforms continue after electoral processes. We are establishing a multiparty parliamentary group on legislative openness in Ecuador. We think this initiative is a good way to lead this agenda in the Assembly."



Member of the National Assembly **DIEGO GARCÍA** (Ecuador)

Jamaica submitted a letter of intent to join the Open Government Partnership (OGP) in 2016, becoming the 3rd country in the Caribbean to join this global multilateral initiative for transparency, accountability and citizen engagement. Participating in the OGP Americas Regional Meeting provided me with an opportunity to learn more about the partnership, the steps the government must undertake to elaborate its National Action Plan and the benefits that have been achieved across the hemisphere. This will enable me to share this information with colleagues and promote Jamaica's continued participation in OGP through the parliament."



Senator **JULIET SAMANTHA CUTHBERT FLYNN** (Jamaica)



Member of the Chamber of Deputies **RAYMONDE RIVAL** (Haiti)

"Civil society plays an important role in holding the government to account, but its role is not limited to that. Through its variety of experience, expertise, knowledge and points of view, civil society can contribute to a more informed decision-making process by governments and parliaments, leading to better results and ownership of decisions. It's important to establish a continuous dialogue for a more inclusive decision-making that ensures the engagement of women and traditionally marginalized groups."

"These meetings have been very important. The methodology applied in the initiatives presented, which includes both government and civil society, is innovative and, in my opinion, a more collaborative way of working that is centered around common objectives. This can be very helpful for our work as parliamentarians as it helps us implement actions that are also supported by civil society organizations."



Member of Congress **JUAN CARLOS DEL ÁGUILA** (Peru)

"I believe that initiatives presented during the Open Government Partnership Americas Regional Meeting are innovative and create public value for institutions implementing them. In addition, the reports developed through the independent review mechanism are instruments that can help my work of political oversight, and I will certainly keep them in mind when overseeing the government's actions related to transparency."



Member of the Legislative Assembly **SANTOS ADELMO RIVAS** (El Salvador)

## PARTICIPATING PARLIAMENTS



ARGENTINA



THE BAHAMAS



CANADA



CHILE



COLOMBIA



COSTA RICA



ECUADOR



EL SALVADOR



GUATEMALA



HAITI



JAMAICA



PARAGUAY



PERU



SAINT LUCIA

## PARTICIPATING CSOs



OBSERVATORIO  
LEGISLATIVO



This activity was made possible with the generous support of the Chamber of Deputies of Argentina and the Government of Canada through Global Affairs Canada. It was organized in conjunction with a House Democracy Partnership meeting supported by the National Democratic Institute (NDI) and the US Agency for International Development (USAID), which brought together parliamentary delegations from Colombia, Guatemala, Haiti, and Peru, as well as congressional staff from the United States, who also participated in this ParlAmericas activity.

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# PARLAMERICAS



ParlAmericas is the institution that promotes **PARLIAMENTARY DIPLOMACY** in the **INTER-AMERICAN SYSTEM**



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