

# Whither open government in 2024?

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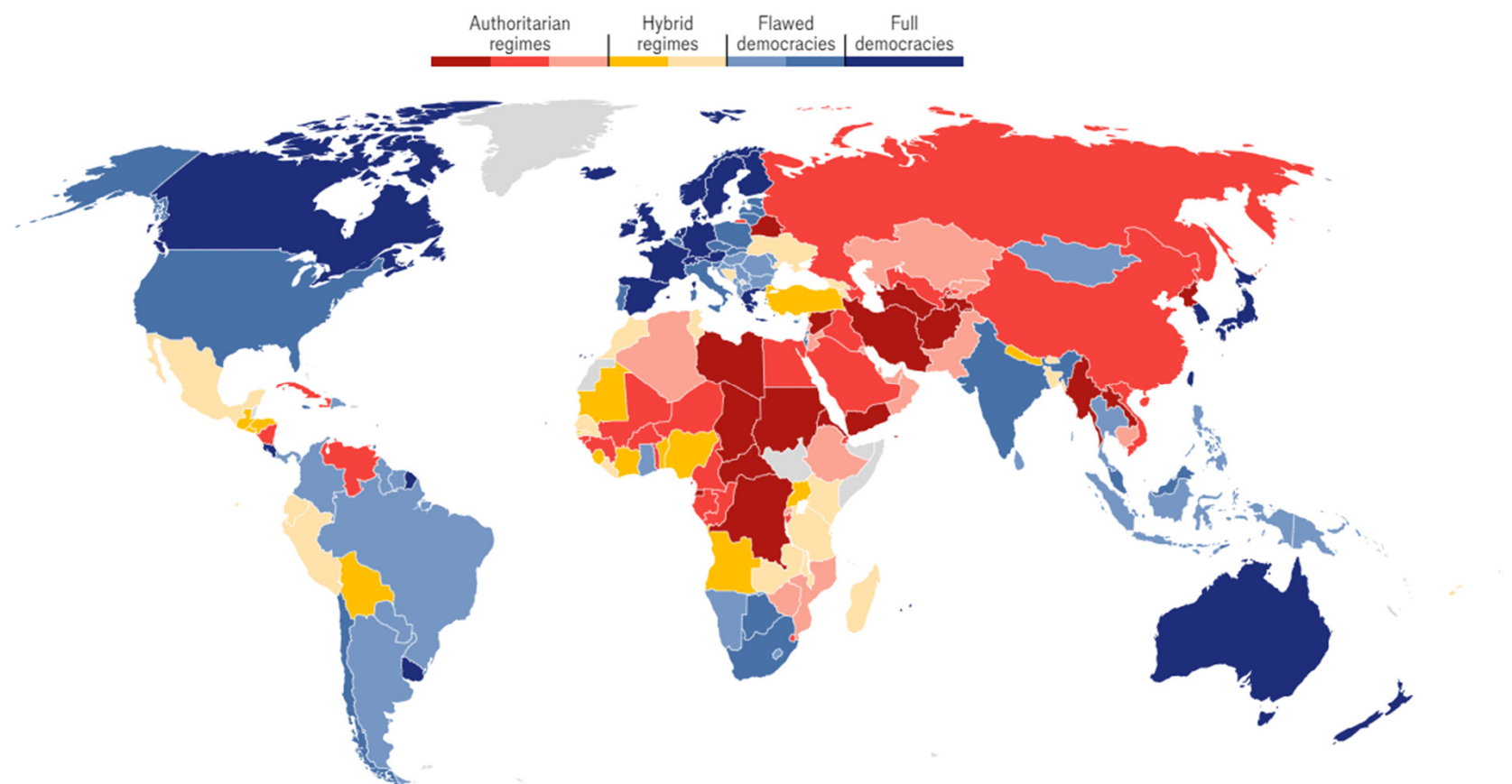
25 October 2024

# What I will cover



- Context: worldwide democratic decline/autocratic growth
- Open Government Partnership work to sustain global democracy
- Key work in OGP countries I have reviewed
- Key open government work in Taiwan (not an OGP member)
- New Zealand's OGP membership
- Your personal action ....????

## 2023 Democracy Index (released February 2024) (Economist Intelligence Unit)



**Sub-title: conflict and polarisation drive a new low for global democracy**

# The Economist Intelligence Unit

## *Democracy Index 2023: Age of Conflict*

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### Democracy Index 2023, by regime type

	No. of countries	% of countries	% of world population
Full democracies	24	14.4	7.8
Flawed democracies	50	29.9	37.6
Hybrid regimes	34	20.4	15.2
Authoritarian regimes	59	35.3	39.4

Note. "World" population refers to the total population of the 167 countries covered by the Index. Since this excludes only micro states, this is nearly equal to the entire estimated world population.

Source: EIU.



## JOAN HOEY, EDITOR OF EIU'S DEMOCRACY INDEX REPORT 2023



- “Continuing democratic malaise and lack of forward momentum
- Only 32 of 167 countries improved their index score in 2023
- 68 countries registered a decline
- The scores for 67 countries stayed the same, painting a global picture of stagnation and regression
- “authoritarian regimes” becoming more entrenched and “hybrid regimes” struggling to democratize.”

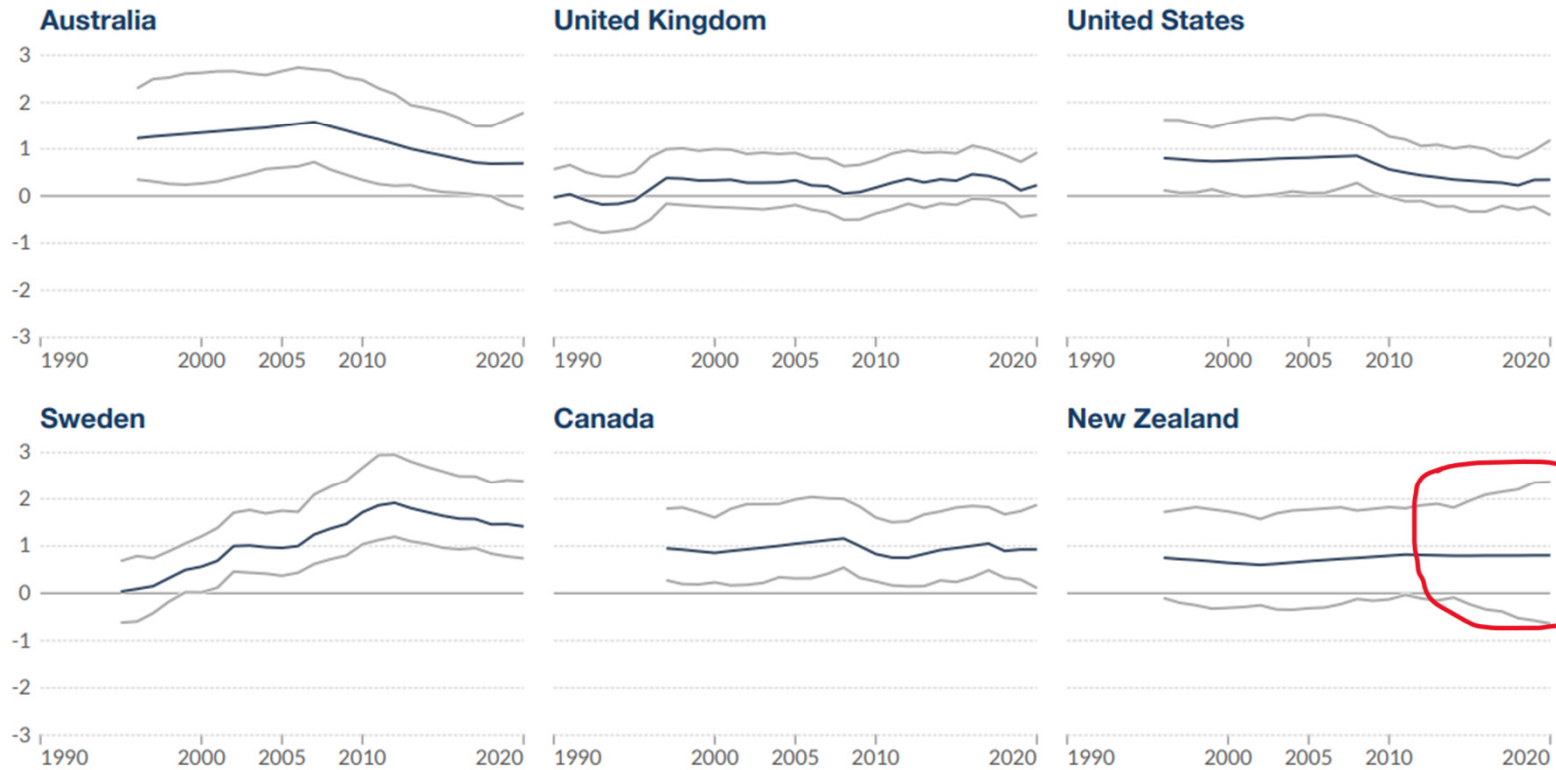
# Democratic malaise in 2024

- EIU expects only 43 of 2024's 76 elections to be fully free and fair
- 2024 election results in 6 of the world's most populous countries
  - Bangladesh, Pakistan and Russia: neither free nor fair
  - Indonesia: very splintered party system & 'democratic erosion'
  - Mexico: assassinations & targeted attacks on candidates & other political figures
  - India: some 'pushback' against 'strongman' Prime Minister who won a 3<sup>rd</sup> term.
  - Brazil's municipal and the USA elections later this year
- Varied results across the EU.

# Citizen satisfaction with democracy, 1990 to 2020

The scores capture the average extent to which citizens are satisfied with democracy in their own country. Higher scores indicate more satisfaction, positive scores indicate higher-than-average satisfaction across countries and years.

■ Central estimate ■ Upper bound ■ Lower bound



Data source: Claassen (2022)

OurWorldInData.org/democracy | CC BY

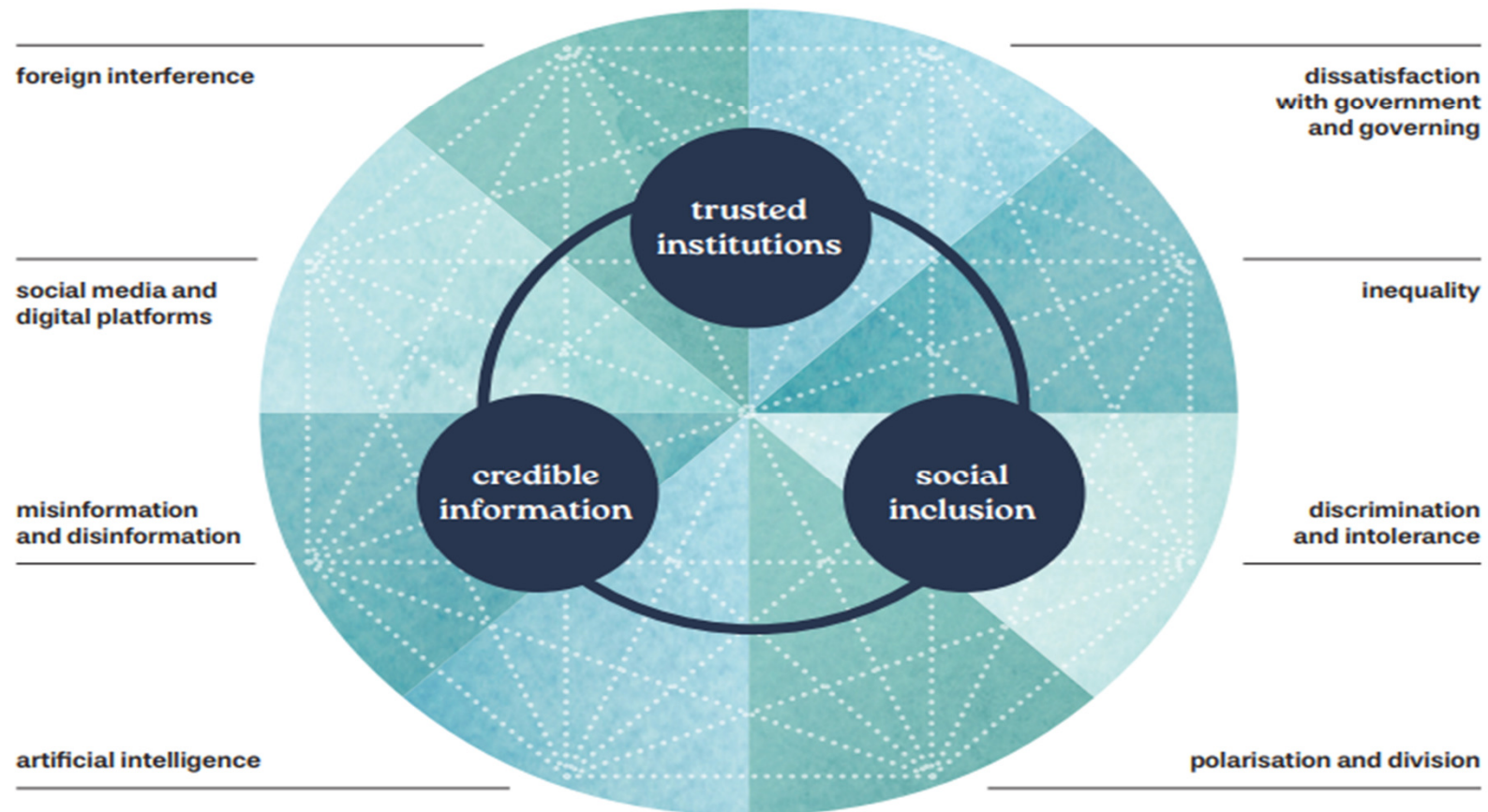
# Jonathan Boston's advice to U3A, 16 August 2024

- 
1. Democracies have survived many previous crises
  2. There are no grounds for fatalism or despair
  3. But democratic governance is not inevitable; enhancing democratic resilience is vital



# A new constellation of challenges to Australia's democracy

<https://www.homeaffairs.gov.au/about-us-subsite/files/strengthening-australian-democracy.pdf>, July 2024





<https://www.opengovpartnership.org/>

Open Government Partnership

**ABOUT** ▾ **PROCESS** ▾ **POLICY AREAS** **MEMBERS** ▾ **LEARNING** ▾ **CAMPAIGNS** | 🔍 EN

# About Open Government Partnership

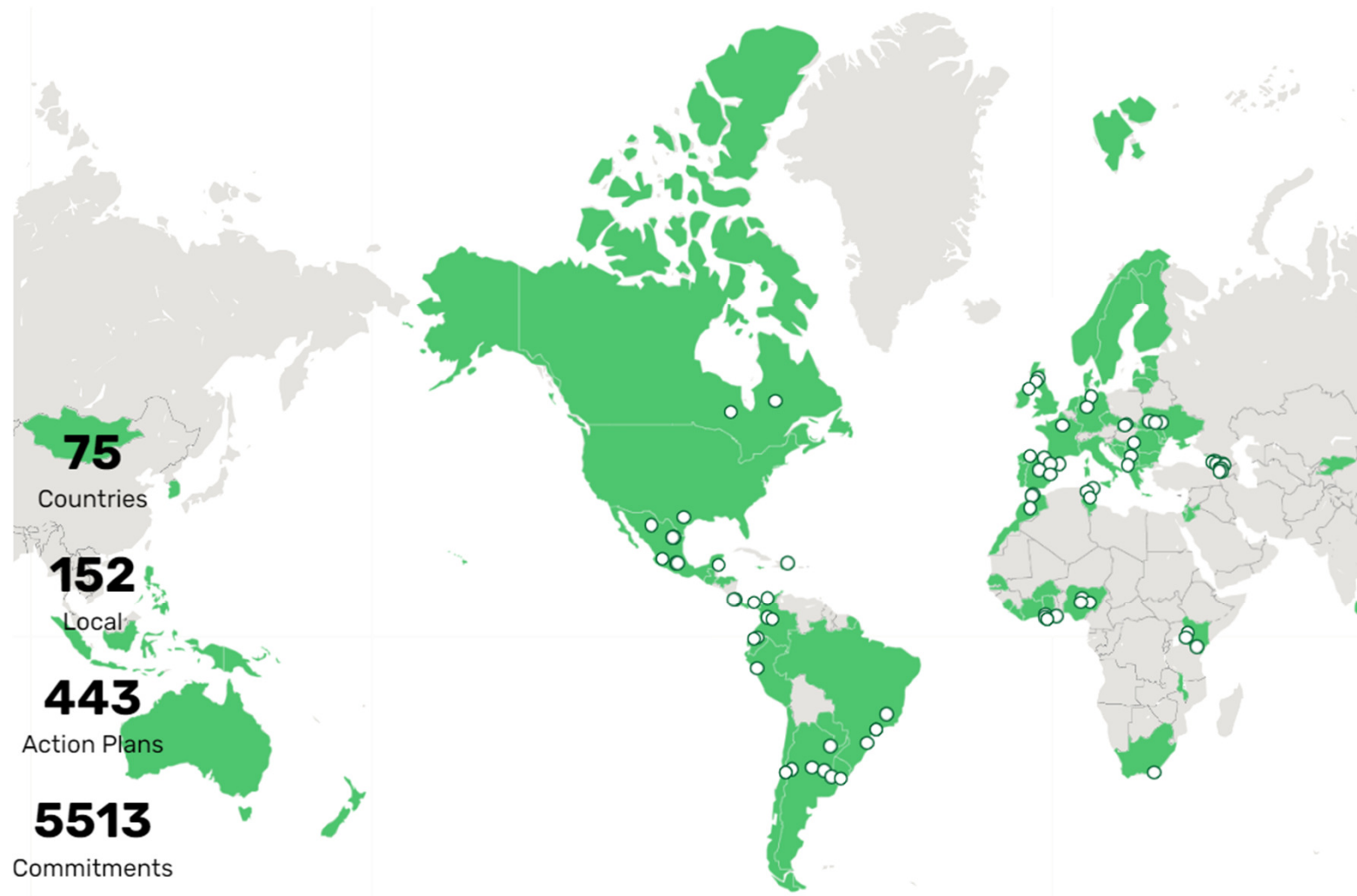
Welcome to the Open Government Partnership, an organization of reformers inside and outside of government working to transform how government serves its citizens.

# Open Government Partnership



- Launched in 2011
- 8 founding members: Norway, UK (full democracies); USA, South Africa, Brazil, Philippines, Indonesia (flawed democracies) and Mexico (hybrid regime)
- Advances open and participatory 21st century government

<https://www.opengovpartnership.org/>

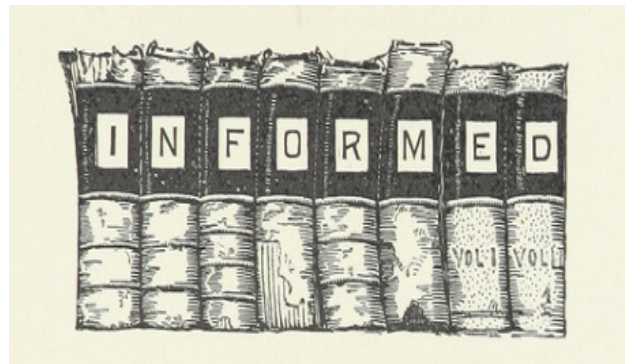




# OGP membership obligations



- Sign the Open Government Declaration
- Government/civil society jointly co-create and implement an action plan
- Agree that OGP will audit members regularly and publish results
- Action plan must advance OGP values:



# OGP policy areas seek to sustain democracy

- Anti-corruption and Integrity
- Civic Space
- Digital Governance
- Environment and Climate
- Extractive Industries
- Fiscal Openness
- Inclusion
- Justice
- Land and Spatial Planning
- Open Parliaments
- Public Service Delivery
- Right to Information



## Anti-Corruption

Asset and Interest Disclosure  
Company Beneficial Ownership  
Lobbying  
Open Contracting  
Political Finance



## Civic Space

Freedom of Assembly  
Freedom of Association  
Freedom of Expression and Media Freedom



## Digital Governance

Automated Decision-Making, Algorithms, and  
Artificial Intelligence  
Disinformation and Information Integrity



## Fiscal Openness

Open Budgets  
Public Debt

# OGP findings on anti-corruption and integrity work

- Whistleblowing, extractive industries, audits, and open contracting commitments are among the most ambitious and most likely to generate strong early results
- Few whistleblowing and lobbying commitments, despite their effectiveness
- Recent significant increase in beneficial ownership & open contracting commitments
- Countries with beneficial ownership and budget transparency commitments have become more open in these areas

# OGP work to counter foreign-sponsored influences



Around the world, authoritarian governments are mounting a persistent challenge to liberal democracies and institutions by compromising political parties, spreading disinformation, and exerting pressure through secretive loans and investment deals.

Against this backdrop, the Open Government Partnership (OGP) and the National Democratic Institute (NDI) produced a series of **three policy briefs** identifying concrete openness and oversight measures that governments can use to build resilience against covert, foreign-sponsored influences. OGP members can use these briefs as guides to develop future action plan commitments to strengthen the resilience of their national systems.

September 2022

# Democracy Index 2023 rankings

<b>Country</b>	<b>Score</b>	<b>Rank</b>
<b>Norway*</b>	<b>9.81</b>	<b>1</b>
<b>NZ*</b>	<b>9.61</b>	<b>2</b>
<b>Taiwan*</b>	<b>8.92</b>	<b>10</b>
<b>Australia*</b>	<b>8.66</b>	<b>14=</b>
<b>Greece*</b>	<b>8.14</b>	<b>20=</b>
<b>USA</b>	<b>7.85</b>	<b>29</b>
<b>Papua New Guinea*</b>	<b>6.03</b>	<b>73=</b>









# Strengthening Australian democracy

A practical agenda for democratic resilience

<https://www.homeaffairs.gov.au/about-us-subsite/files/strengthening-australian-democracy.pdf>

***Democracy is a precious national asset. We must recognise and celebrate its strengths, acknowledge its vulnerabilities, and join with common purpose to ensure our confident, vibrant and resilient democracy is protected, nurtured and advanced.***

# Promising OGP work in Australia (2024-25)

- **Automated Decision-making Transparency**
- **Political Donations and Trust in Political Advertising**
- **Whistleblower Protection**
  
- **Other work**
  - Integrity strategy for Commonwealth Public Sector
  - Procurement and Grants Integrity and Accountability
  - Youth Advisory Groups
  - Beneficial Ownership Reform
  - Countering mis and dis-information in culturally and linguistically diverse communities
  
- ✓ **Political leadership by Attorney General, Mark Dreyfus**
- ✓ **Current govt established Federal Anti-Corruption Commission and reinstated OGP work**



# Greece

Member Since 2011 | Action Plan 5

# Promising OGP work in Greece (2024-25 plan)

- **Open Land Administration Data**
- **Lobbying Activity**
- **Whistleblowing Platform in accordance with EU Directive 2019/1937**
  
- **Other work**
  - National database for meteorological data
  - Access to Parliamentary information
  - Digital applications for monitoring progress of disciplinary cases
  - Training of public administration executives to optimize open data; Provision of open datasets by the Ministry of Migration and Asylum
  - Platform for the assessment of public service quality by citizens
  - Public database and special register of civil society organizations
  - Platform and system for monitoring responsibilities between entities
  - Communities of good practice for digital skills & national interoperability framework
  - Activate citizen participation in decision-making in Moscato-Tavros



# Promising OGP work in Papua New Guinea (2022-24 plan)

- **Access to Information Legislation**
- **Fiscal Transparency**
- **Timely Production and Publication of Annual Audit Reports**
  
- **Other work**
  - Youth Participation in Decision-Making and Service Delivery
  - GoPNG-CSO Partnership Policy
  - Informal Economy Voice Strategy
  - Citizen Engagement in Budgeting & Planning
  - Digital Government
  - Extractive Resources Transparency

# Taiwan



- OGP declined Taiwan's application to join
- In 2021, Taiwan used OGP methodology to draw up a 3-year National Action Plan to highlight its determination to promote open government and enhance linkage with international organizations
- Political leadership by Minister Audrey Tang, global open data/source guru
- Independent reviewers are using OGP methodology to assess Taiwan's Action Plan work
- Co-creation of 2<sup>nd</sup> plan underway



# Taiwan's promising commitments

- Disclose environmental information
- Facilitate youth participation and civics education
- Promote new immigrant public participation and development
- Enhance integrity policies:
  - political donation disclosure
  - government procurement integrity platforms
  - dedicated Whistleblower Protection Act
- Enhance financial transparency:
  - beneficial ownership transparency
  - Close any money-laundering loopholes in the religious foundations sector



# Participation and Co-creation hard to achieve

## **Australia**

- Equal government/civil society governance
- But all 3 action plans have not fully met OGP requirements

## **Greece**

- No equal government/civil society governance
- Latest action plan did not meet OGP requirements

## **Papua New Guinea**

- No equal government/civil society governance
- All 2 national action plans have not met OGP requirements

## **Taiwan**

- Open Government Taskforce has equal government/citizen members
- Action plan met OGP requirements

# Common challenges across all of these countries

- Leadership & funding certainty
- Culture of openness across central & local government
- Ministerial and agency willingness for officials to collaborate widely with civil society groups and the public and regularly consider and respond to their suggestions
- Civil society groups and NGOs stretched to jointly create action plans without funding support

# NZ in 2024

New Zealand has done well to date on corruption measures but is declining

Address Lobbying, Political Donations, Official Information, Foreign Bribery, Beneficial Ownership



August 2024

# NZ in 2024

NZ's corruption stock is under-insured. We are not protecting our low corruption asset sufficiently against risks of slow erosion

Steady Corruptions Perception Index decline

NZ is resting on its laurels

Govt should fund a single anti-corruption agency



# Trust in news declines rapidly in 2024

08 Apr, 20 AUT research centre for Journalism, Media and Democracy (JMAD)

*Journalism has lost its authority as the main source of news and information. In general, people distrust the information they see, and they are increasingly checking their 'facts' themselves. This phenomenon is highly problematic, says Dr Merja Myllylahti, JMAD co-director and co-author of the report.*

## NZ in 2024

### OECD 2024 Survey on Drivers of Trust in Public Institutions NZ Results

46% trust in central government, 45% in local government

41% in national Parliament, 32% in political parties

37% in news media

71% in police, 63% in other people, 60% in courts and judicial system

**44% believe political system allows people a say in what government does. OECD average =30%**

*The internet was once considered an open door to democracy and liberty. Today, it is seen as an agent of democratic erosion.*

*– Lydia Khalil, Overcoming Digital Threats to Democracy, Lowy Institute, 2024*

# The Rise, Fall and Re-Rise of Deliberative Democracy In New Zealand

*Simon Wright, Tatjana Buklijas and Max Rashbrooke*

NZ in 2024

The failure to support deliberative democracy in New Zealand, ... will therefore have had opportunity costs, notably the failure to develop capabilities and processes able to address complex and potentially divisive issues.

**Policy Quarterly v20, no2, May 2024**

# New Zealand

Member Since 2013 | Action Plan 4



# Promising OGP work in New Zealand (2022-24)

- **Adopt a community engagement tool**
- **Increase transparency of beneficial ownership of companies and limited partnerships**
- **Improve government procurement transparency**
- **Introduces cross-cutting consideration of indigenous Māori implications during implementation**
  
- **Other work**
  - Research deliberative processes for community engagement
  - Design and Implement a National Counter Fraud and Corruption Strategy
  - Strengthen scrutiny of Official Information Act exemption clauses in legislation
  - Improve transparency and accountability of algorithm use across government
  - Establish inclusive, multi-channel approach to the delivery of government information & services
  
- ✓ **John Key announced NZ's membership in 2013**
- ✓ **OGP has praised NZ's OGP work on Secondary Legislation and Algorithms**
- ✓ **Helen Clark is an OGP ambassador and chairs the Extractive Industries Transparency Initiative**



# NZ's August 2024 OGP implementation progress report

Adopt a community engagement tool

No new 2024 work

Research deliberative processes for community engagement

No new 2024 work

Inclusive, multi-channel approach to government information and services delivery

Not started

Design and Implement a National Counter Fraud and Corruption Strategy

Now paused, due to resourcing issues, pending Ministerial direction

Increase transparency of beneficial ownership of companies and limited partnerships

In July the Coalition Government excluded this work from its Companies Act revisions

**Improve government procurement transparency**

Ongoing. Is funded government programme

**Strengthen scrutiny of Official Information Act exemption clauses in legislation**

Ongoing, including with the new Ministry for Regulation and LDAC. Changes may take longer to implement.

Improve transparency and accountability of algorithm use across government

No new 2024 work



MURDOCH 21/08/24

# NZ's OGP membership in 2024

- ✓ All main parties responded favourably to a pre-election survey in 2023, e.g:
  - *“The National Party remains committed to New Zealand’s participation in the Open Government Partnership, a membership we proudly entered back in 2014.”*
- Minister Willis, May 2024, responding to correspondence from 8 CSOs:
  - “Evidence suggests that New Zealanders are far more likely than people in other OECD countries to share optimism that our political system allows them to have a say in what the government does.”
  - “I do not believe a contestable fund...is needed...”
  - “The best thing government agencies can do to demonstrate attention to the concerns of our citizens is to deliver the better results they seek.”
  - “I disagree...that a co-created work programme is needed to ensure a responsive government.”
- NZ disbanded its Open Government Expert Advisory Panel in 2023



# OIA request to the Public Service Commission 4 March 2024

## Information being withheld

Please find listed in the table below, two reports Te Kawa Mataaho Public Service Commission has provided to Hon Nicola Willis, Minister for the Public Service that relate to the Open Government Partnership including the Fifth National Action Plan.

I have decided to refuse these documents in full under section 9(2)(f)(iv) of the Official Information Act 1982 (OIA) in order to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

Item	Date	Document Description	Decision
1	20 December 2023	2023-0321 – Title withheld under section 9(2)(f)(iv)	Withheld in full
2	15 February 2024	2024-0040 – Title withheld under section 9(2)(f)(iv)	Withheld in full

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

# OGP's 2023-2028 strategy

***“Political engagement in the Partnership has decreased at the ministerial and head-of-government levels from the very high rates of participation in the early years. This trend has coincided with a decade of democratic backsliding globally, in which political leadership for democracy and open government has been sorely missing in many countries.***

***Over the next five years, a Partnership-wide effort is needed to invest in mobilizing a much broader spectrum of political support for open government and OGP, including from mayors, members of parliament, ministers, and heads of state and government. This will help build a pipeline of future champions and ensure that open government reforms are less vulnerable to being deprioritized when leaders change”.***

# OECD and OGP sign MOU, 21 October 2024



# Learn from Norway



# Norway's approach to OGP membership is attractive

- Norway ranked first in 2023 Democracy Index, followed by NZ
- Their 5<sup>th</sup> action plan (2023-2027) rationale:
  - As resources shrink, and tasks multiply, rejuvenating and enhancing public administration becomes paramount
  - Open government concept is crucial to a thriving and proactive democracy
  - OGP involvement helps keep transparency at the forefront of discussions, domestically and internationally
  - Emphasise policy areas needing improvement: where Norway does less well in international rankings, or where the government is not satisfied with status
  - Follow up on recommendations from the report from OGP's audit body, the Independent Reporting Mechanism.



# New Zealand's 5<sup>th</sup> OGP action plan

- Planning expected to start in early 2025
- Needs a multistakeholder forum of equal government and public members
- Lead OGP's "pipeline of future champions"
- Build on Norway's approach
  - Open government is crucial to a thriving and proactive democracy
  - OGP involvement helps keep transparency at the forefront of discussions
- Follow OGP's strategy to limit vulnerability to leadership change by collaborating across government and with civil society
- Follow Australia's lead and address long-standing matters:
  - **Transparency:** reform Official Information legislation
  - **Civic participation:** apply 21<sup>st</sup> century deliberative democracy processes
  - **Public accountability:** reform government procurement, political donations, lobbying, beneficial ownership, anti-money laundering.
- Consider the full range of OGP policy areas

My conclusion: Local and global collaboration helps



# Suggestions for you...

- You could join



- Ask about and promote open government with your connections, including MPs and local government
- Make Official Information Act requests about NZ's OGP work
- Make open government submissions to central & local government
- Co-create NZ's 5<sup>th</sup> National Action Plan with the Public Service Commission  
See the website at <https://ogp.org.nz>
- **Be an active citizen to sustain democracy in New Zealand**

SAVE THE DATE

# 2025 Open Government Partnership Asia and Pacific Regional Meeting

February 5—7, 2025  
Manila, Philippines



Open  
Government  
Partnership

