

INTERNATIONAL ANTI-CORRUPTION CONFERENCE 2024

Vilnius, Lithuania

18-21 June 2024

SESSION REPORT

*Please know you may design the structure of this report to better suit the session.
It's important to capture the key outcomes and solutions proposed for the future.*

Session Title: Civil Society and Government Acting in Partnership for Transparency and Anti-Corruption

Date: 20 June 2024

Time: 6:00 PM - 7:30 PM (GMT +3)

Report prepared by:

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Foreign Affairs Officer

U.S. Department of State - Bureau of Democracy, Human Rights, and Labor

Moderated by:

Jennifer Lewis

Senior Anti-Corruption Advisor and Team Lead

U.S. Agency for International Development

Panellists:

- Kara McDonald
U.S. Ambassador to Lithuania
U.S. Embassy Vilnius
- Stephen Azantilow
Commission on Human Rights and Administrative Justice
Government of Ghana
- Lázaro Tuñón
Deputy Director of Open Government
Government of Spain
- Blair Glencorse
Founder and Executive Director
Accountability Lab
- Shreya Basu
Chief of Country and Local Programs
Open Government Partnership

- Ivan Kantardjiski
Adviser at the Team Europe Democracy Secretariat
GIZ

Share the thematic focus of the session, its purpose and corruption risks?

If corruption thrives in the shadows, sunlight can be the best weapon against it. In this workshop, representatives from the U.S.A, Ghana, and Spain governments, together with the Accountability Lab and the Open Government Partnership (OGP) consider the role that OGP and its civil society-oriented processes can play in helping governments become more open, transparent, and accountable.

Summary of panellists' contributions & discussion points (please be as detailed as possible)

The ways OGP has catalyzed action on open government priorities through OGP national action plans and the creation of new ones

Amb. McDonald

- How govts and civil society, which are the hallmarks of democracy, can come together in the creation of NAPS that include concrete commitments that are independently evaluated
- US Pres Biden has made countering kleptocracy a hallmark of his administration
- Corruption is the currency of repression – the means that allows cronyism to take root and facilitate repression
- Pres Obama cofounded OGP, alongside 7 other countries – U.S. is happy to see it grow to 150 subnational govts, over 70 national govts.
- OGP enables civil society to play a direct role in govt priority setting
- The links to strategic and transnational corruption is why this is a priority for the USG
- OGP NAPs can serve as a forum for tracking the commitments through other institutions – UNCAC COSP, S4D, the IACC, etc
- Domestically, the US has worked to live up to the OGP standards. We delivered the 5th US NAP in Dec 2022, and will begin work on NAP 6 this year.

Lazaro Tunon

- Incoming government co-chair of OGP
- Main efforts of Spanish govt:
 - Spain was one of the early joiners of OGP in 2011
 - First NAP was launched in 2011
 - The right of citizens to access information is paramount
 - Transparency portal was part of previous NAPs. We still run this for the whole Administration in Spain – it is useful as it centralized all access to information; everything about public spending was now in the public record
 - Participation represented a major element in the fight against corruption – co-creation with civil society has been extended to other public policies
 - We had major elements concerning public integrity in recent NAPs
 - The 5th NAP will be modelled on the open govt challenge – this will help us in this fight against corruption. These NAPs are helping us to deliver in the fight against corruption

- One of the best definitions of open govt: open govt is nothing else but the constant improvement in our democracy – where corruption and conflict of interest has no room

Stephen Azantilow

- When we signed up for OGP, we were also trying to develop a national anti-corruption action plan
- It is built on the pillars of transparency, accountability, participation and the use of technology
- Ghana has learned so much from OGP
- We engaged in policy and legal reform
- We realized there is a need to sit with civil society and co-create NAPs
- Two policy reforms:
- The right to information act – we had this, but people don't know how to access info from a public institution; under OGP we committed ourselves to this – in 2019 we passed the right to information act. This wasn't easy; some politicians were concerned if you had such a law, it would expose them
- Access declaration – there is a need for govt officials to declare and it to be publicized – this is a commitment we are trying to implement as we sit here

Blair Glencorse

- I am the civil society co-chair of OGP, my org is involved in OGP in a variety of ways
- From a civil society perspective, OGP is valuable because:
 - The framing – it provides a hopeful alternative about governance that is positive and hopeful; we generally focus on the 90% of things not working; but through OGP the focus on commitments and plans, it drives forward governance – it shifts narratives and norms; this isn't just about policies
 - The process – it is a co-creation process between govts and civil society, which enables commitments to be transferred to real action that benefits citizens
 - OGP priorities
 - Including – building a youth collective within OGP, youth want to channel their voices into policy making
 - Ex: in Chile – through consultations,
 - Buenos Aires – providing training on reproductive rights
 - Civic space – being integrated into NAPs
 - Nigeria– co-created a guide for peaceful protests between police, civil society, national human rights commissions, etc
 - Ukraine– peaceful assembly with the ministry of justice
 - Climate
 - Costa Rica – portal for climate data
 - Germany put efforts in place to disclose revenues from extractives (and in doing so helped them become a member of EITI)
 - Kenya – community engagement effort to solve climate issues
 - There is an OGP handbook with these examples, guidance, lessons across a variety of topics – huge resource

Ivan Kantardjiski

- In 2016, Kenya committed to establish a beneficial ownership registry (this was a new topic in 2016)
- As the implementing agency, we took this pledge and developed a program and supported Kenya in the process of developing a BOT register – the first African country to roll this out; they are currently updating it now; we worked on this with OGP. We used these pledges to analyze and scope where we have been active
- GIZ as an implementing agency on OGP: in North Macedonia (mid pandemic, so virtual) we did a series of peer exchanges – bringing in technicians and ministry side, then brought in civil society actors because this was a new topic for citizens in North Macedonia, this virtuous cycle showed how civil society could be involved from the outset
- Civil society became a watchdog on the central registry and then became a driver of new reform
- The govt of North Macedonia, with our technical assistance, decided to increase beneficial ownership transparency in their public procurement, they are working toward public register of beneficial ownership in govt procurement
- OGP has enabled us to magnify our impact

Shreya

- Commitments are more ambitious when civil society is involved - both at creation and implementation stages
- OGP has enabled broad-based coalitions to grow
- Commitments to EITI included BOT in extractives sector, what OGP enabled, was to expand those coalitions beyond the extractive sector, but more broadly
- With the power of collective action by civil society, engaging the private sector as allies
- OGP enabled the stretching of ambition through broad-based coalitions
- We are operating in very difficult contexts, and we have seen unusual coalitions come together and be able to move forward commitments despite difficult contexts
- We are seeing supreme audit institutions etc, become part of OGP (expand beyond the executive)
- There are now more than 40 OGP members in various stages of establishing BOT registries – it enabled a race to the top and the ability to find solidarity to come together

Jennifer: Open Gov Challenge was posed last September – many govts seeking to rise to this challenge. What is the unique role for cs in spurring action on this challenge?

- Blair – the challenge is a mechanism for govts to work with civil society to put forward ambitious commitments on a variety of topics; this is a way for CSOs to coordinate; one key benefit of the challenge: it is an opportunity to build ownership for reforms across a wider range of govt agencies. Let the Steering Committee know how they can be helpful
- Shreya – Why should OGP members respond to the challenge?
 - Where momentum for reform doesn't exist, it is an advocacy tool – point out others who are advancing it as a tool in advocacy to encourage the govt to take action
 - Powerful tool for reformers in govts and civil society, spurring on political will

- The challenge offers a pathway for the skeptics to become engaged as well
- **How can OGP members respond to this all for action**
 - Ivan: Multiple reports show civic space is on the decline around the world; so this is happening in OGP members – one area for strong collective action
 - One of the main mechanisms for how civic space shrinks, is they are considered high risk in the financial sector – so civil society orgs. lose access to their bank accounts, etc, without funds they can't do their work – we need civil society to be able to work unhindered. With shrinking civic space, this is the core of co-creating OGP plans – civil society needs to thrive and expand and not be on the retreat
- **How can OGP raise ambition?**
- Steven:
 - The biggest challenge, especially in my part of the world, is political will
 - When citizens are trying to access services and they can't – there should be a mechanism to complain. There is an issue of trust – how do we build trust? It depends on who comes to the table
 - We need resources to implement the commitments – if we don't have the resources then we shouldn't be committing
 - Challenges: trust and resources to successfully co-create and implement ambitious plans

What's the next frontier in open gov work?

- Steven – we are in the process of implementation – if people take OGP seriously, we should be able to effect change. We need to verify the assets of ALL offices. The next frontier is ensuring that good governance involves the grassroots – in Ghana, people see governance as an elitist concept, so need to involve other actors and diversify the voices.
- Blair:
 - We have talked about AI, we have not heard much about crypto
 - We need to build political will; too few govts take this seriously, our institutions are not fit for purpose
 - Too many challenges to address that it is hard to be strategic
 - Funding in this space – between 2018 and 2021, only a small percent of funding went to these issues (the US is one of few govts meaningfully funding this work)
 - We need to popularize this agenda
 - So much of what we are doing is building unlikely networks
- Ivan:
 - The next frontier is supporting democracies around the world – they are being weakened around the world. We need to strengthen defense of democracy through anti-corruption. We need to work with OGP to take best practices, including involving civil society orgs in anti-corruption and accountability work and invest our energy and resources into democratic governance.
- Shreya:
 - the next frontier for ac is going after the root causes, the untouchables: political party financing, truth in political part advertising, regulating enablers mm regulating lobby transparency.
 - We have made important progress on beneficial ownership transparency and open contracting – but this work isn't done. We can't take these for

granted, still need to work on these while starting to address the next frontier

Q&A

- It is mainly an executive effort – what about the legislative branch?
 - Shreya – At least 1/3 of countries have parliamentary engagement on OGP
- Want to echo Ivan's call on more pledges on civic space at the national AND international level. Civil society participation is not mandatory at UNCAC review – how can we ensure govts make pledges to expand civic space and ensure it is there and civil society orgs can participate at the international level and that they make those pledges not just at OGP but also at UNCAC?
 - Ivan - Financial inclusion for civil society, through the initial roundtables, we need to establish trust, there was distrust, after doing the national reform, we need to build on it, after this civil society spoke more openly w govts
- How do we build value from the public to build political will for joining this group
 - Blair – how to get the public interested: there is a large OGP local program, 150 local govts, that might be a better entry point where there isn't political will at the national level. OGP policy recently changed and you can join as OGP local even if your country is not a member
- Why isn't Poland involved?
 - Shreya - there are active OGP efforts and civil society efforts to get Poland to join
- When you have misinformation and hate speech from the executive, how can we counteract this?
 - Shreya - one of the open gov challenge areas is digital governance; however in settings where this is being used by govts, you are unlikely to get a commitment, but making OGP more flexible to work with other parts of the gov might be a way forward. We want the OGP platform to be one where we can pick up early warning signs and learn from Mexico and other places to take action to prevent this from happening

Main outcomes of the session (include quotes/highlights and interesting questions from the floor)

The session reaffirmed the role of OGP and open government processes more broadly as vital to the maintenance and defense of inclusive, responsive democratic governance and to advancing discrete parts of the anti-corruption agenda (several examples were given related to beneficial ownership reform, access to information, open contracting and procurement, etc.). The panel also considered how these processes are interconnected with other action plans and government effort, and how OGP pledges are steps in what is an iterative process of opening up government.

Is there a specific call to action to key stakeholders, such as governments, businesses, funders, civil society, young people, journalists or any other stakeholder that should be noted? Please specify if relevant.

Governments should embrace the fundamentals – boosting civic space and defending democracy, use these as their guiding stars for open government and anti-corruption. Government and civil society should work together to take on the Open Gov Challenge, formulate new commits, and raise ambition for the partnership as a whole on anti-corruption work, among other open gov topics; use the Open Gov Challenge to spur on political will to better effectuate commitments, not just in OGP but in the other relevant

process governments might be undertaking (e.g., FATF or IMF recommendations, other domestic action plans/national strategies, UNCAC or S4D commitments, etc.).

Rapporteur's name

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Date submitted

21 June 2024

Action! This report needs to be emailed to iacc-av@transparency.org within 24 hours of the session. If you wish to update the report, please do so by 21 July. Thank you.