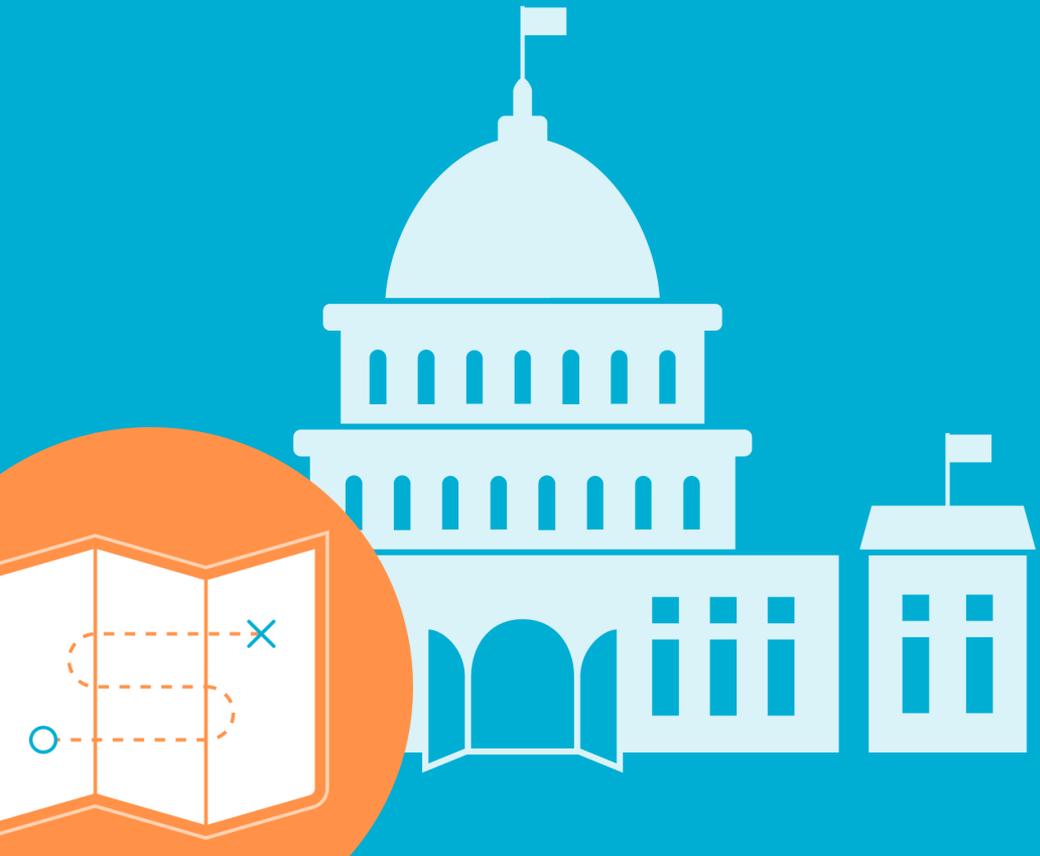


# Working Document

## Executive Summary

### Guide to Develop Open Parliament Action Plans





# Introduction

**Open Parliament Action Plans** have proven to be a useful tool to advance legislative openness through an innovative process involving an important collaboration with civil society. A **practical step by step guide** explaining how to develop Open Parliament Action Plans in accordance with OGP's co-creation standards and legislative policy, with insights from parliamentarians, parliamentary clerks and civil society representatives who have gone through this process, will be a valuable resource for others working on their first plan or those who wish to improve their processes.

An initial draft of this Working Document was developed for a working session at the 3rd Gathering of the ParlAmericas Open Parliament Network on the occasion of the VIII Summit of the Americas: Open States for Democratic Governance Against Corruption held on April 11-12, 2018 in Lima, Peru. Input collected at this meeting has been incorporated along with updates developed by ParlAmericas and information published by the Open Government Partnership (OGP). This draft has also been shared with members of the Open Parliament e-Network for initial feedback.

This executive summary served as a guide for discussions during the Co-Creation Meeting: Guide to Develop Open Parliament Action Plans that took place on December 6-7, 2018 in Santiago, Chile. Parliamentarians, parliamentary staff and civil society representatives from Latin America participated in working sessions to share their experiences, as well as highlight challenges and opportunities throughout the steps to develop and implement Open Parliament Action Plans. The guide, along with this executive summary will be updated following a further consultative process and will be published in 2019.

# What is Open Parliament?

An Open Parliament refers to a new form of interaction between citizens and legislatures that promotes parliamentary openness and transparency, to ensure access to public information, accountability, citizen participation, and high probity and ethical standards in parliamentary work.



## **Transparency and Access to Information**

Citizens' right to information that is of public interest through mechanisms for the disclosure of reliable information and compliance with requests for such information



## **Accountability**

Ability of the public to hold the government, including parliament, to account for its policy and service delivery performance



## **Citizen Participation**

Active involvement of citizens in public decision-making processes that may impact their lives



## **Ethics and Probity**

Norms of highest integrity that individuals should adhere to while serving as public servants

# What is an Open Parliament Action Plan?

An Open Parliament Action Plan is a mechanism through which a parliament interested in advancing openness and strengthening representation and oversight collaborates with civil society to identify priorities to implement, and to monitor and evaluate progress towards these commitments.

Given the goal to improve interaction with citizens, inviting various stakeholder groups and citizens more broadly to engage in the planning process can go a long way to increase the effectiveness and public legitimacy of this decision-making process. It is based on this logic that the concept of **Co-Creation** is applied to Open Parliament Action Plans.

The [Open Government Partnership \(OGP\)](#) is a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance.

Participation in OGP is led by the executive branch of government. To become a member of OGP, participating countries must meet [eligibility criteria](#) and a [values check](#), endorse a high-level [Open Government Declaration](#), deliver a country action plan developed with public consultation, and commit to independent reporting on their progress going forward. Since its launch in 2011, 79 OGP participating countries and 20 subnational governments have made over 3,100 commitments to make their governments more open and accountable.

# How do these efforts relate to the Open Government Partnership?

OGP promotes the engagement of parliaments from participating countries in their country's National Action Plan process. In accordance with [OGP's Parliamentary Engagement Policy](#), parliaments can contribute in two ways:

1. Submit legislative openness commitments to be included in the government's 2-year National Action Plan
2. Create an independent Open Parliament Action Plan to be included as an annex to the government's 2-year National Action Plan

Either option requires parliaments to follow the OGP principles and participation requirements, including applying [OGP Co-Creation and Participation Standards](#), developing mid-term and end-of-term self-assessments, and participating in the OGP Independent Review Mechanism's mid-term and end-of-term evaluations.

While undertaking this process through OGP brings additional benefits, parliaments whose countries do not currently participate in OGP can develop their own stand-alone Open Parliament Action Plan, to achieve the same objectives.

These efforts to advance legislative openness, both in OGP participating countries as well as non-OGP participating countries, are supported by the Open Parliament e-Network, or OPeN (formerly the OGP Legislative Openness Working Group), led by ParlAmericas, National Democratic Institute, Latin American Legislative Transparency Network, Westminster Foundation for Democracy, Directorio Legislativo, and the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE).

# Additional Resources

For additional information on the role that parliaments can play within OGP, consult the OGP publication: [Parliaments as Partners for Open Government Reform](#) and the ParlAmericas publication: [The Open Government Partnership: An Overview for Parliamentarians in the Americas and the Caribbean](#).



## Parliaments as Partners for Open Government Reform

Parliaments can be formidable champions of the principles and values of the Open Government Partnership (OGP) and pivotal partners in advancing the open government agenda. This note outlines where OGP has successfully partnered with parliaments to date and how such partnerships could be deepened to develop and implement more ambitious open government reforms. In view of the growing demand for parliamentary engagement across the Partnership, this note further serves as a conversation starter for partners and participating countries interested in taking this forward.



This guide provides a practical overview of the steps needed for the development, implementation, monitoring and evaluation of open parliament commitments. Each step includes a brief introduction and a description of relevant considerations and/or options available. Each step ends with a list of standards set by the Open Government Partnership to guide the planning cycle within the framework of this partnership.

# Main Steps to Develop an Open Parliament Action Plan



#1

Build political will and promote an organizational culture change



#2

Determine which open parliament process is appropriate for your parliament



#8

Adopt and implement the Open Parliament Action Plan



#7

Co-create the Open Parliament Action Plan



#9

Monitor advances and evaluate its success



**#3**

Create or identify a parliamentary body to lead the Open Parliament Action Plan process



**#4**

Identify a focal point for open parliament within your institution



**#6**

Develop the co-creation process with civil society



**#5**

Identify the process by which civil society participation will take place



**#10**

Repeat the cycle as of step 6

# Step 1: Build political will and promote an organizational culture change

Building political will is a critical step to advancing open parliament reforms and one that will be continuous throughout the process. To build support for engaging in an Open Parliament Action Plan, it can be helpful to build an informal cross-party network of like-minded parliamentarians to champion the reforms, as well as to consider the key parliamentary actors who need to be engaged for this process to be successful.

## Relevant actors:

Political parties	All chambers	Parliamentary administration
Parliamentary leadership	Civil society organizations	General public
	OGP National Point of Contact	

## Remember...

The objective of these plans is to generate reforms and/or activities to strengthen the parliament's ability to adopt better laws that have been debated and developed with input from individuals from all backgrounds, as well as those who will be affected by their implementation. Parliamentary openness promotes spaces for effective dialogue and the collaborative elaboration of public policies. In addition, transparency can promote respect towards opposing opinions as well as evidence-based legislation. A better quality of work will emanate from a plural, inclusive legislative body that provides data that supports the decisions that are adopted.

## Paso 2: Determine which open parliament process is right for your parliament

There are various options for parliaments to develop open parliament initiatives. Consult the [Open Government Partnership \(OGP\) Website](#) for a list of participating countries.

### **Parliaments of OGP Participating Countries**

Parliaments in OGP participating countries can determine which of the options below would be most beneficial given the national context:

<b><u>Option 1:</u></b> Presenting open parliament commitments in the National Action Plan	<b><u>Option 2:</u></b> Creating an Open Parliament Action Plan as a chapter of the National Action Plan
The executive branch has the leading role in the National Action Plan process and the parliament develops implements, monitors and evaluates the <b>open parliament commitment(s)</b> .	The executive branch has the leading role in the National Action Plan process and the parliament develops implements, monitors and evaluates the <b>Open Parliament Action Plan</b> .
The executive and legislative branches must collaborate to identify a process by which open parliament commitments can be integrated in the body of the government National Action Plan.	The executive and legislative branches must agree to integrate the Open Parliament Action Plan as a chapter of the government's National Action Plan.

If the previous two options are not feasible, the parliament can create an independent Open Parliament Action Plan outside of the OGP process, meaning that this plan will not be assessed by the OGP's Independent Review Mechanism nor will it receive support from the OGP Support Unit. The timeline for a plan in this context is at the discretion of the parliament. Consult step 7 for important considerations to determine the timeframe of the plan.

For both options, either open parliament commitments integrated in the body of the government's National Action Plan or an Open Parliament Action Plan integrated as a chapter of the the government's National Action Plan, the following must be considered:

- ⇒ Cover the same 2-year period of time as the country's National Action Plan.
- ⇒ Be submitted to OGP as part of the country's National Action Plan through the official OGP Point of Contact.
- ⇒ Follow the [OGP Co-creation and Participation Standards](#) and thus be developed and implemented in partnership with civil society, as explained in this guide. Additional information can be consulted in [OGP's Participation and Co-Creation Toolkit](#).
- ⇒ Follow OGP National Action Plan development guidance on the format of commitments (see Annex 2).
- ⇒ Be subject to the process and timeline of the country's review by the Independent Reporting Mechanism (IRM). Per country there will only be one IRM process, and for each National Action Plan cycle one IRM Progress Report and one IRM End of Term report (see Step 10 for additional information).

### **Parliaments from non-OGP participating countries**

Parliaments in countries that do not participate in OGP can develop their own Open Parliament Action Plan. While these plans will be not be evaluated by the OGP Independent Review Mechanism, parliaments are encouraged to follow the same steps and standards set by OGP, particularly in terms of participation, monitoring and evaluation. Parliaments embarking on this process can also take this opportunity to promote OGP and advocate for their government to join this international partnership.

# Step 3: Create or identify a parliamentary body to lead the Open Parliament Action Plan

A parliamentary body should be identified or created to provide institutional leadership and sustainability to the process. Such a parliamentary body can be established under various levels of formality. It can be an existing or new standing parliamentary committee, a special ad-hoc committee, a multi-party group or caucus, or the process can be led by the board of directors or president of the parliament. A more formal arrangement will ensure the sustainability of this initiative but this may not be feasible in all cases.

Composition	Mandate	Resources
<ul style="list-style-type: none"> <li>- Multi-partisan representation</li> <li>- If a bicameral parliament, ideally representation from both chambers</li> <li>- Key parliamentary clerks</li> <li>- It is recommended for the presidency of the body to rotate between majority and opposition parliamentarians</li> </ul>	<ul style="list-style-type: none"> <li>- Lead a process that will commit the parliament to the action plan created</li> <li>- Serve as champions of parliamentary openness reforms</li> <li>- Engage with civil society in a co-creation process</li> <li>- Undertake public consultations</li> <li>- Monitor the implementation of the action plan adopted</li> <li>-Lead the development of self-assessments reports</li> </ul>	<ul style="list-style-type: none"> <li>- Human resources: Support from parliamentary clerks (ideally non-partisan staff who remain employed across electoral cycles)</li> <li>-Financial / institutional resources: Ability to meet regularly, budget for consultations</li> </ul>

## Step 4: Select a parliamentary focal point for all open parliament matters

This role is usually assigned to a non-partisan senior parliamentary official for sustainability reasons, to support the work of the parliamentary body leading this process. This person's main responsibilities are to:

- ⇒ Serve as an internal champion for parliamentary openness reform efforts
- ⇒ Support dialogue between parliament and civil society
- ⇒ Coordinate the implementation of legislative openness commitments adopted in the Open Parliament Action Plan
- ⇒ Report on progress of the Open Parliament Action Plan
- ⇒ Support communications around the Open Parliament Action Plan
- ⇒ Liaise with the Open Parliament e-Network and request support when required
- ⇒ Participate in and promote parliamentary participation in regional and global open parliament and open government events
- ⇒ Liaise with Open Parliament focal points from other countries

As the parliamentary focal point will be responsible for supporting the action plan process, it might be important to consider the resources he or she might need to effectively undertake this role. This might include a team of dedicated staff and financial resources to implement the co-creation process and the adopted commitments, as well as to participate in regional and global events to exchange experiences.

## Step 5: Identify a process to determine civil society engagement

To ensure high quality participation from various stakeholder groups, a strategy to engage civil society in this process should be established. To fully comply with the concept of co-creation, it is advised to not only invite civil society to provide their input in the development of the Open Parliament Action Plan, but also in determining the process that will be applied to develop, monitor and evaluate it.

The mechanism for civil society engagement throughout the action plan cycle should be open, fair and transparent. Such engagement can take place through various levels of formality, ranging from the establishment of a Parliamentary Multi-Stakeholder Forum to an open call for participation at all meetings.

<b>Formal – Multi-Stakeholder Forum</b>	<b>Informal – Open Call for Each Meeting</b>
A forum composed of both the parliamentary body and civil society representatives oversees the entire action plan cycle. It is recommended for civil society representation on this forum be determined by a civil society led process.	An open call for civil society participation is sent with reasonable notice prior to all meetings where the plan is being developed, monitored or evaluated.

## Step 6: Develop the co-creation process with civil society

The first co-creation meeting, with participation from the parliamentary body and civil society representatives (as identified in the previous step), can focus on determining the co-creation process for the Open Parliament Action Plan. In planning for an Open Parliament Action Plan process, as with any participatory process, it is recommended to pay particular attention to four elements:

- **Purpose:** Defining and agreeing with a clear purpose is the first crucial step to developing any participatory process. When defining a purpose, it's important to consider the primary and secondary outputs and outcomes that you wish to achieve.
- **Context:** There are a wide range of contextual factors that should be considered when planning the co-creation process. These relate both to internal factors (capacity and resources, decision-making process, internal parliament stakeholders, Budget process) within the parliament and external factors (awareness, geographic scale, internet penetration, expertise, pre-existing networks) in wider society.
- **People:** Different groups may be involved for different purposes at different stages of the OGP cycle. For example, citizens, civil society, and other stakeholders may be engaged in awareness raising, agenda setting, ideas generation, commitment formulation, decision-making, implementation, oversight or evaluation.
- **Process:** Considering the questions of purpose, context, and people will help define the process of involving civil society, citizens, and other stakeholders in the Open Parliament Action Plan cycle. Specifically, it will determine the combination of methods and channels to be used at different stages of the process.

## Step 7: Co-create the Open Parliament Action Plan

The co-creation process developed in the previous step is applied and the commitments of the Open Parliament Action Plan are developed and prioritized. Successful Open Parliament Action Plans focus on significant national priorities and ambitious reforms; are relevant to the values of transparency, accountability, public participation and ethics; and contain specific, time-bound, and measurable commitments.

### **Timeframe**

It is recommended for action plans to cover a minimum duration of one year in order to achieve significant results, and a minimum of two years withing OGP. It can be important to consider: 1) electoral cycles, 2) changes in parliamentary leadership and 3) parliamentary budgeting and strategic planning processes

### **Format and Length**

Experience has shown that action plans listing around 5 high quality commitments spread over multiple themes are preferable to those with a large number of weaker commitments. Action plans should be clear, succinct, and action oriented and should be written in plain language with minimal use of jargon or technical terms.

### **Individual Commitments**

When drafting individual commitments within the plan, it is important for them to be verifiable, measurable, answerable, relevant and time-bound.

## Step 8: Adopt and implement the Open Parliament Action Plan

The Open Parliament Action Plan is formally adopted by the parliament in accordance with the authorization process determined in step 2, Create or identify a parliamentary body to lead the Open Parliament Action Plan. It can be important to consider a communications strategy for the launch of the plan.

The parliament, in collaboration with civil society partners, then implements the commitments of the Open Parliament Action Plan and monitors its progress (as explained in the following step). During this phase of the action plan, parliament holds regular meetings with civil society representatives to monitor its progress.

Parliaments undertaking the action plan cycle within the OGP framework must coordinate the inclusion of their open parliament commitments or Open Parliament Action Plans in the country's OGP National Action Plan. The OGP Point of Contact then submits the country's National Action Plan to the OGP Support Unit.

## Step 9: Monitor progress and evaluate success

To ensure that the plan is on track and that commitments are implemented successfully, it is recommended for the parliament to monitor its progress on a regular basis and engage stakeholders to determine if new initiatives are reaching intended outcomes. Mid-term and end-of-term self-assessment reports completed in consultation with civil society are encouraged, along with a communications strategy to share progress with citizens.

**Self-assessment reports** are a key element for accountability and serve as a means of tracking progress. They are also helpful for various stakeholders to gain an understanding of the parliament's perspective on the Open Parliament Action Plan process and results achieved over the course of the year. Incorporating the reflections of civil society participants and the public at large in the process can add great value to the self-assessment reports, whether it is undertaken through the multi-stakeholder forum if one was established, or through a separate consultative process.

### **OGP Independent Review Mechanism (IRM)**

Open Parliament Action Plans or commitments developed in the framework of the OGP will also be subject to the Independent Review Mechanism of this partnership. As part of this process, an independent researcher will undertake the necessary review and consultations with key actors to develop an evaluation report both at mid-term and after the end of action plan cycle.

# Step 10: Repeat the cycle starting at step 6

Given that this is a process of continuous improvement, after one plan ends, lessons learned from the monitoring and evaluation process are considered in the development of a new plan. It is recommended to cycle back to step 6 or earlier, to have an opportunity to review and consider improvements to the civil society engagement process/mechanism.

## Examples of Open Parliament Action Plans and commitments in the Americas

Open Parliament Action Plans	Open Parliament commitments in National Action Plans
<a href="#">Chile 2014-2016</a>	<a href="#">Argentina 2017-2019</a>
<a href="#">Chile 2017-2018</a>	(commitment 11)
<a href="#">Colombia 2016-2017</a>	<a href="#">Costa Rica 2017-2019</a>
<a href="#">Colombia 2017-2018</a>	(commitment 8)
Colombia 2018-2019	<a href="#">Guatemala 2016-2017</a>
<a href="#">Costa Rica 2015-2016</a>	(commitment 4, 12 & 16)
<a href="#">Costa Rica 2016-2017</a>	
<a href="#">Paraguay 2016-2018</a>	
<a href="#">Paraguay 2018-2020</a>	

## How can the Open Parliament e-Network (OPeN) assist?

The Open Parliament e-Network (OPeN) is a consortium of international and civil society organizations composed of ParlAmericas, National Democratic Institute, Latin American Legislative Transparency Network, Westminster Foundation for Democracy, Directorio Legislativo, Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), and United Nations Development Programme (UNDP) that have come together to coordinate global efforts to advance legislative openness and contribute to global progress towards Sustainable Development Goal 16 to build strong institutions.

OPeN partners can support actors involved in the Open Parliament Action Plan cycle by:

- Sharing experiences and best practices on aspects of action plans.
- Reviewing and providing feedback on content of draft action plans.
- Identifying ambitious model commitments to include in action plans.
- Helping parliaments incorporate feedback from self-assessments and Independent Review Mechanism reports.
- Connecting parliaments to learning resources such as case studies, good practices, research papers, etc.
- Conducting bilateral or regional peer exchanges among countries.
- Providing technical assistance at the country-level to help with any stage of the action plan process.
- Organizing periodic regional and global events for the parliamentary openness community.
- Supporting advocacy efforts related to parliamentary openness, such as the [Global Legislative Openness Week \(GLOW\)](#).

For any additional information about OPeN or its Parliamentary Leadership Council, contact the consortium through any of the partner organizations or by contacting [openparlnetwork@gmail.com](mailto:openparlnetwork@gmail.com).



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ParlAmericas is headquartered in **OTTAWA, CANADA**



ParlAmericas International Secretariat  
710—150 Wellington St., Ottawa, Ontario, K1P 5A4 Canada  
Telephone: +1 (613) 594-5222 | Fax: +1 (613) 594-4766  
[www.parlamericas.org](http://www.parlamericas.org) | [info@parlamericas.org](mailto:info@parlamericas.org)

