

# Open Government Partnership: Digital Governance

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Digital tools and social media have empowered people through widespread access to information and global connections. **Citizens are using technology to hold governments to account and to exercise their civic rights. Governments are using technology to be more transparent, accountable and inclusive.** They are also innovating solutions to pressing issues, including delivering services better, establishing cutting edge systems of procurement, and fighting fraud and abuse.

Yet, the same technologies can represent real risks to democracies. Unaccountable institutions are leveraging technology to pursue their own interests. And public institutions are dealing with the unintended consequences of fast-moving technologies that often outpace government oversight<sup>1</sup>.

## I. OGP Recommendations:

- Monitor standards emerging around data rights, use, storage and privacy at the regional level.
- Ensure internet access is inclusive and addresses barriers to affordability and accessibility for underrepresented communities and geographically isolated regions.
- Proactively create mechanisms for transparency, oversight, and inclusion into the use of artificial intelligence and algorithms.
- Create policies to limit abusive surveillance and safeguard against censorship and arbitrary shutdowns. With regard to internet censorship governments must ensure that content-based restrictions meet international standards for civic rights.
- Explore policies to tackle disinformation and misuse of social media platforms.

## II. Thematic Priorities

There are three pillars of action for improved digital governance which promote the goals of transparency, accountability and participation. These are:

- 1) **Right to information**<sup>2</sup>: Governments should aim to maintain the processing of requests for information and, to the greatest extent possible, requirements to provide information “as soon as possible” should remain in place.

Measures include access to information laws, prioritisation of information requests, proactive publication of information and data, and strengthening capacity to respond to information requests.

- 2) **Preventing misinformation and protecting freedom of expression**<sup>3</sup>: *Disinformation* is defined by OGP as information that is false and deliberately created to harm a person,

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<sup>1</sup> <https://www.opengovpartnership.org/policy-area/digital-governance/#commitments>

<sup>2</sup> <https://www.opengovpartnership.org/documents/a-guide-to-open-government-and-the-coronavirus-right-to-information/>

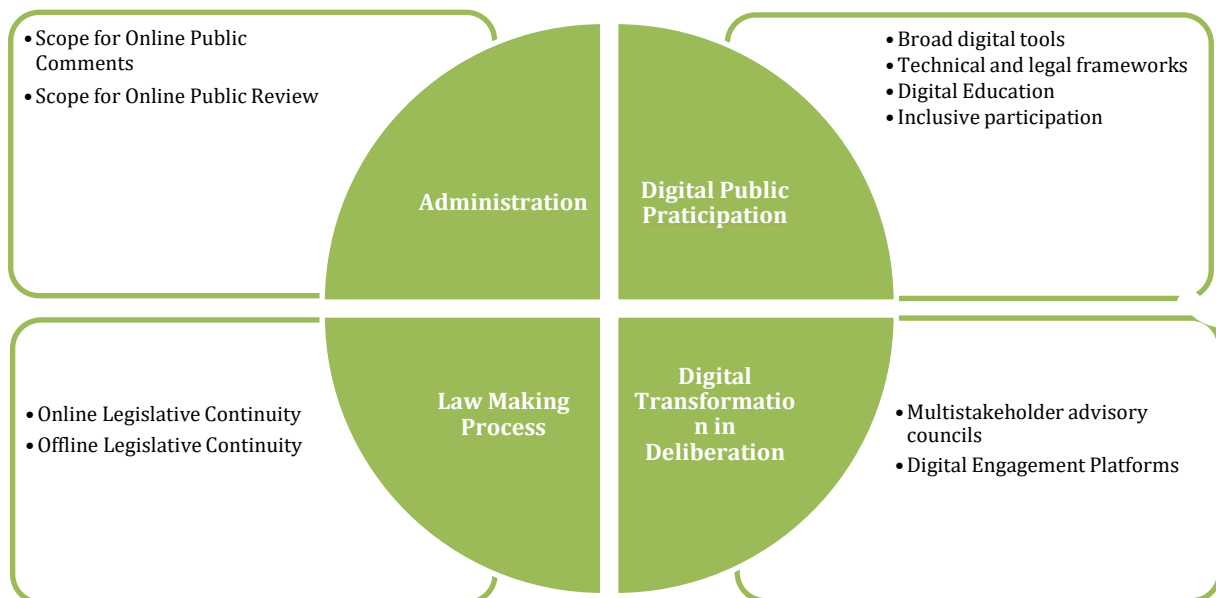
<sup>3</sup> <https://www.opengovpartnership.org/documents/a-guide-to-open-government-and-the-coronavirus-misinformation-and-protecting-freedom-of-expression/>

social group, organization or country. OGP defines *Misinformation* as information that is false but not created with the intention of causing harm.

Measures to prevent misinformation and disinformation include publishing information proactively, ensuring due process and clear definition of scope and limitation of laws, expanding digital access, raising awareness and training, and regulating the media environment.

- 3) **Protecting participation and deliberation in administration**<sup>4</sup>: Governments should ensure that there are no secret laws, especially on emergency powers (in the context of COVID 19 and its aftermath), continue or improve publication of ex-ante evaluations such as regulatory or environmental impact assessments in advance of consultations to allow public deliberation, carry out enhanced online deliberations and maintain timelines, extend public comment periods and allow for challenges to regulations and decisions within adjusted timelines.

### III. Public Participation in Digital Governance



Note: Here, online legislative continuity refers to public observation and participation that must be incorporated into video conferencing applications as legislatures convene, deliberate and vote. Similarly, offline legislative continuity refers to continued public participation in instances where technological barriers require legislatures to continue meeting in person but the public cannot be present.

<sup>4</sup> <https://www.opengovpartnership.org/documents/a-guide-to-open-government-and-the-coronavirus-protecting-participation-and-deliberation/>

## IV. Principles of Digital Governance:

Open data is digital data that is made available with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime, anywhere. The six Charter principles were developed in 2015 by governments, civil society, and experts around the world to represent a globally-agreed set of aspirational norms for how to publish data. The six key principles are explained below<sup>5</sup>:

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### **1. Open By Default**

At the moment we often have to ask officials for the specific information we want. Open by default turns this on its head and says that there should be a presumption of publication for all. Governments need to justify data that's kept closed, for example for security or data protection reasons. To make this work, citizens must also feel confident that open data will not compromise their right to privacy.

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### **2. Timely and Comprehensive**

Open data is only valuable if it's still relevant. Getting information published quickly and in a comprehensive way is central to its potential for success. As much as possible governments should provide data in its original, unmodified form.

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### **3. Accessible and Usable**

Ensuring that data is machine readable and easy to find will make data go further. Portals are one way of achieving this.

It is also important to think about the user experience of those accessing data, including the file formats that information is provided

Data should be free of charge, under an open license, for example, those developed by Creative Commons.

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### **4. Comparable and Inter-operable**

Data has a multiplier effect. The more quality datasets you have access to, and the easier it is for them to talk to each other, the more potential value you can get from them.

Commonly-agreed data standards play a crucial role in making this happen.

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### **5. For Improved Governance and Citizen Engagement**

Open data has the capacity to let citizens (and others in government) have a better idea of what officials and politicians are doing.

This transparency can improve public services and help hold governments to account.

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### **6. For Inclusive Development and Innovation**

Finally, open data can help spur inclusive economic development. For example, greater access to data can make farming more efficient, or it can be used to tackle climate change

We often think of open data as just about improving government performance, but there's a whole universe out there of entrepreneurs making money off the back of open data.

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<sup>5</sup> <https://opendatacharter.net/principles/#open-by-default>

## **V. Examples of Digital Governance Ideas from Other Countries:**

### **PUBLIC PARTICIPATION IN ADMINISTRATION**

#### **CROATIA (2014-2016)**

[Croatia](#) prioritized public participation throughout the drafting process for the national Anti-Corruption Strategy.

#### **UNITED KINGDOM (2013-2015)**

[United Kingdom](#) involved civil society in designing the Cross-Government Anti-Corruption Plan.

#### **LATVIA (2017-2019)**

[Latvia](#) committed to raising awareness and strengthening processes for public participation in decision making.

#### **AUSTRALIA (2018-2020)**

[Australia](#) committed to creating a whole of government approach to digital governance by increasing data access and use within government, while improving data privacy and security with strengthened safeguards.

#### **DENMARK (2017), CHILE (2018), INDONESIA (2018)**

[Denmark](#), [Chile](#), [Indonesia](#) have made explicit commitments on issues of responsible data stewardship in the public sector.

### **PUBLIC PARTICIPATION IN THE LAWMAKING PROCESS**

#### **LATVIA (2015-2017)**

[Latvia](#) enabled the collection of signatures online to initiate a referendum.

#### **URUGUAY (2016-2018)**

[Uruguay](#) involved civil society in creating a participatory water management system under the National Water Plan.

#### **IRELAND (2014-2016)**

[Ireland](#) held three referenda that arose from Constitutional Convention recommendations.

#### **CHILE (2014-2016)**

[Chile](#) implemented and monitored the Lobbying Law, which regulates lobbying activities.

#### **CANADA (2018)**

[Canada](#) is developing a government directive “to set rules on how departments can use AI ethically to make decisions.”

#### **ITALY (2016-2018)**

[Italy](#) is using OGP to adopt the Charter of Internet Rights, as approved by its legislature in 2015. The Charter links on and offline rights, including protecting basic civil liberties such as the freedom to assemble.

## **DIGITAL PUBLIC PARTICIPATION AND DELIBERATION**

### **JALISCO, MEXICO (2019-2021)**

[Jalisco, Mexico](#) committed to providing a digital platform for citizen participation in the creation and approval of laws.

### **COLOMBIA (2015-2017)**

[Colombia](#) created automated services to process citizen comments and input.

### **GEORGIA (2016-2018)**

[Georgia](#) enhanced citizen participation in the supervision process of public finances.

### **FRANCE (2018-2020)**

[France](#) is using OGP to improve the transparency of public algorithms and source codes and is working within its government to develop a shared methodology for opening algorithms and the codes contained in its information systems.