Chapter 6. Open Government in Paraguay

This chapter assesses Paraguay's open government strategies and initiatives within the broader context of the ongoing public sector reform agenda. It benchmarks Paraguay against OECD standards, principles and instruments, most notably the ten provisions of the 2017 OECD Recommendation of the Council on Open Government. The chapter recognises the Technical Planning Secretariat as the key actor for the co-ordination of open government strategies and initiatives in Paraguay and identifies a number of significant achievements, including the incorporation of open government principles in Paraguay's 2030 National Development Plan, the creation of Municipal Development Councils as well as the country's ambitious Open State agenda. The chapter also finds that there is a need to foster the institutionalisation of Open Government and guarantee the sustainability of ongoing efforts, including by reforming the National Open Government Roundtable and by improving the monitoring and evaluation of open government strategies and initiatives.

Introduction

The government of President Horacio Cartes has placed the open government principles of transparency, accountability and stakeholder participation high on its political agenda. In fact, these principles constitute one of the cross-cutting axes underpinning the government's most important policy document, the National Development Plan Paraguay 2030 (NDP).

In line with the NDP's objective to raise the country's international profile (see chapter 1), Paraguay has also made strategic use of its open government agenda to enhance its international profile: President Cartes - along with five Ministers of his Cabinet and one Supreme Court Justice - participated in the Global Open Government Partnership (OGP) Summit in Paris in December 2017. Paraguay submitted its candidacy for a position on the OGP Steering Committee for the 2017 elections, placing fifth out of twelve candidate countries.

The purpose of this chapter is to analyse Paraguay's open government strategies and initiatives within the broader context of the ongoing public sector reform agenda. Given that at the time of writing the electoral mandate of the current administration is coming to an end, this chapter aims to take stock of past achievements and suggest potential follow-up actions for the next administration to make use of open government principles to strengthen citizens' trust in the institutions of the state and create a more inclusive Paraguay.

The chapter constitutes an initial "Open Government Scan" that benchmarks Paraguay against the 2017 OECD Recommendation of the Council on Open Government. In a second step, this scan could be complemented with a fully-fledged OECD Open Government Review of Paraguay.

The OECD approach to Open Government

The OECD has been at the forefront of international efforts to promote and disseminate open government principles for over fifteen years. Since 2001, the Organisation has collected and analysed information demonstrating the importance of the open government principles of transparency, accountability and participation to support countries' efforts to deliver citizen-centred public services, foster democracy and regain peoples' trust. The Organisation has carried out Open Government Reviews across the globe and conducted regional and global stocktaking exercises on the status quo of open-government reforms, including the most recent OECD Report on Open Government: The Global Context and the Way Forward (OECD, 2016).

Resulting from its long-standing experience in working on open government in member, accession and partners countries across the world and in responding to a call by countries for an OECD instrument on the governance of open government, the OECD developed an **OECD Recommendation of the Council on Open Government** over the course of 2017. The Recommendation was adopted by the OECD Public Governance Committee in November 2017 and provides the first internationally recognised legal instrument on open government worldwide.

The OECD Recommendation aims to provide countries with a comprehensive overview of the main tenets of the governance of open government strategies and initiatives in order to help them improve their implementation of OG strategies and initiatives and their

impact on peoples' lives. It defines a set of criteria that will help adhering countries to design and implement successful open government agendas.

This chapter of the OECD Public Governance Review of Paraguay assesses and benchmarks Paraguay against the provisions of the Recommendation. The assessment is based on the results of OECD peer review mission to Paraguay as well as recent OECD work on open government with Paraguay (Box 6.1).

Box 6.1. OECD work on Open Government in Paraguay

In 2013/2014, the OECD conducted a regional stocktaking exercise of open government strategies and practices in eleven Latin American and Caribbean (LAC) countries, including in Paraguay. Its main findings are reflected in the **OECD Report: Open Government in Latin America**, allowing Latin American countries to compare and benchmark their national open government agenda against good international standards and good practices. Recognising that the region as a whole is endowed with great knowledge on open government, the report included regional policy recommendations aimed to support the efforts of Latin American governments to jointly tackle common challenges and to ensure that open government contributes to address national and regional policy priorities.

Resulting from the report, the **OECD Network on Open and Innovative Government in Latin America and the Caribbean** was launched in October 2015 in the framework of the Open Government Partnership Global Summit held in Mexico City. The Network, of which Paraguay has been an active member, is a platform to provide the LAC region with the opportunity to engage in policy dialogue, knowledge transfer, and exchange of good practices with OECD countries in the areas of good governance, open government, public sector innovation, digital governance and open data, and citizen participation.

The 2016 **OECD Global Report on Open Government "The Global Context and the Way Forward"** provided an in-depth, evidence-based analysis of open government initiatives and the challenges countries face in implementing and co-ordinating them. Based on the 2015 Survey on Open Government and Citizen Participation in the Policy Cycle, which included 13 LAC countries (including Paraguay), the report identified future areas of open work in order to move towards open states.

Paraguay has expressed interest in becoming a signatory to the **OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and is an active member of the OECD-IDB LAC Public Integrity Network**.

Source: Author's own elaboration

The enabling environment for Open Government in Paraguay

A solid enabling environment for Open Government is an essential and necessary pre-condition for the successful implementation of open government strategies and initiatives in any country. Evidence gathered in OECD Open Government Reviews points to the importance for countries to have a clear definition of open government in place in order to guide a country's approach to the implementation of open government reforms. The OECD Recommendation of the Council on Open Government (see above) further highlights the importance for countries to develop an open government strategy with all stakeholders and points to the crucial necessity for countries to adopt a robust legal and regulatory framework for Open Government to flourish.

Defining Open Government

The OECD defines Open Government as "a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholders' participation in support of democracy and inclusive growth" (OECD, 2017). Defining what is meant by Open Government is an important first step in the development of any country's open government strategies and initiatives. The definition should be widely accepted by all stakeholders. Countries can elaborate their own definition or adopt definitions from external sources to their specific cultural, historical, institutional, social and political context.

The *OECD Report on Open Government: The Global Context and the Way Forward* (OECD, 2016) provides an overview of existing definitions of Open Government and outlines why a "good definition" is important:

- It informs the public about the essential elements of open government, and the extent and limitations of the term;
- It facilitates a common understanding and usage of open government, aligning all stakeholders and policy makers against the same goals;
- It facilitates a robust analysis of the impact of open government strategies and initiatives across different institutions and levels of government;
- It supports international comparisons of open government strategies and initiatives.

In its response to the 2015 OECD Open Government Survey (OECD, 2015) Paraguay indicated that the country did not have a single definition for Open Government in place. At this moment of time, 51% (49% in OECD countries) of all participating countries[1] reported having a single definition for open government (Box 6.2). Out of these countries, 30% (29% in OECD countries) had crafted their own definition.

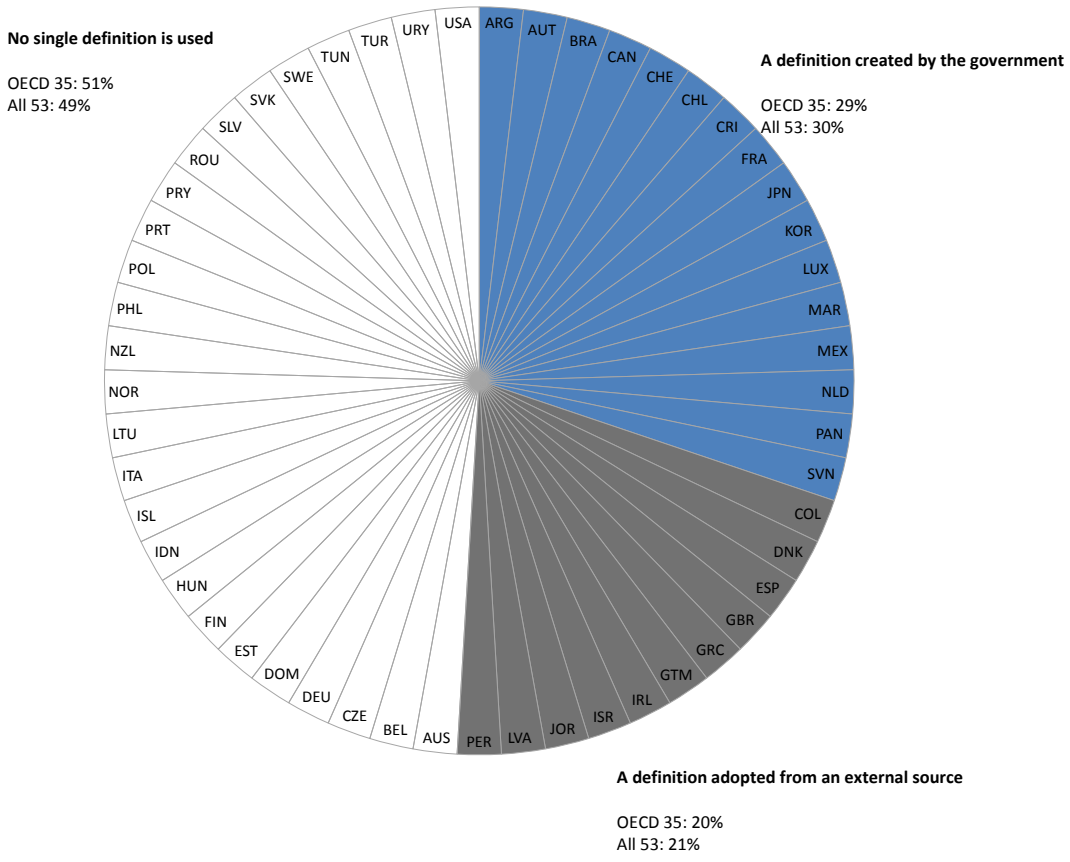
According to information received from the government, Paraguay has started making use of the vision for Open Government that is outlined by the OGP in recent years. For instance, the country's third OGP Action Plans states that "Open Government is a form of relationship between public power and citizenship; based on the participation and permanent collaboration of its members in the exercise of citizen rights and the compliance with obligations".

While the inclusion of this vision in the third OGP Action Plan is an important step forward, by OECD standards, a government's vision for Open Government does not represent a single definition. More efforts are needed to make sure that all stakeholders develop a common understanding of Open Government. The government of Paraguay could therefore consider developing a single national definition that is tailored to the national context together with all stakeholders. The National Open Government Roundtable (*Mesa Conjunta de Gobierno Abierto*, the "OG Roundtable") or the

[1] The 2015 OECD Survey on Open Government Coordination and Citizen Participation in the Policy Cycle (hereafter, the "OECD Survey") was a direct response to the request to collect better data on the design and implementation of a single open government strategy and initiatives of OECD member countries and non-member economies that participated in the OECD Open Government Forum, held in Paris on 30 September 2014. Overall, 54 countries (including all 35 OECD member countries and 13 countries from Latin America and the Caribbean) participated in the Survey

Parliamentary Commission on Open Government (see below) could provide a useful forum for the development of such a definition.

Figure 6.1. Countries with and without official definitions of open government



Source: Country responses to OECD (2015a), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris.

Box 6.2. Country examples of single official definitions of open government

Canada

A governing culture that holds that the public has the right to access the documents and proceedings of government to allow for greater openness, accountability and engagement.

Chile

A public policy applicable to the whole of the public apparatus, aimed at strengthening and improving the institutional frame and management of public affairs by promoting and consolidating the transparency and access to public information principles, as well as the mechanisms for citizen participation in the design, formulation, implementation and evaluation of public policies. All in the context of the current public institutions' modernisation process, whose goal is to move towards a state at the service of all citizens and to improve the population's quality of life.

France

Open government is seen as the transparency of public action and its openness to new forms of participation and collaboration with citizens and civil society. In France, the historical roots of the definition of open government are found in the 1789 French Declaration of Human Rights. Article 15 stated that society has the right to make any public agent of its administration accountable. Open government contributes to promoting:

- The construction of transparency and democratic trust through open data, open decision-making processes and accountability.
- Citizen empowerment based on the possibility of informed decision and an active citizenship through digital tools and shared resources for increased autonomy.
- The adaptation of government practices to the digital revolution through co-creation, agility and simplification, innovation, data-driven strategies, the transformation of the administration into a platform, etc.

Korea

Government 3.0 (Open Government Initiative) is a new paradigm for government operation to deliver customised public services and generate new jobs in a creative manner by opening and sharing government-owned data with the public and encouraging communication and collaboration between government departments. Government 3.0 aims to make the government more service-oriented, competent, and transparent, thus pursuing the happiness of citizens.

Luxembourg

Government of an accountable and democratic constitutional state based on the rule of law and justice which works to achieve, as far as possible, useful and not in contradiction with human rights or other fundamental values, a maximum level of transparency and citizen participation.

Mexico

Open government is a new model of governance that seeks to transform the relationship between government and society to strengthen democracy. It is creating an environment that positions the government as a platform for innovation. Open government is based on a culture of transparency, collaboration, participation and accountability that allows the creation of new ventures and the generation of solutions to public challenges surrounding the development of the country.

Netherlands

A transparent, facilitative and accessible government.

Note: Some of the definitions were translated from the original languages by the authors of this report.

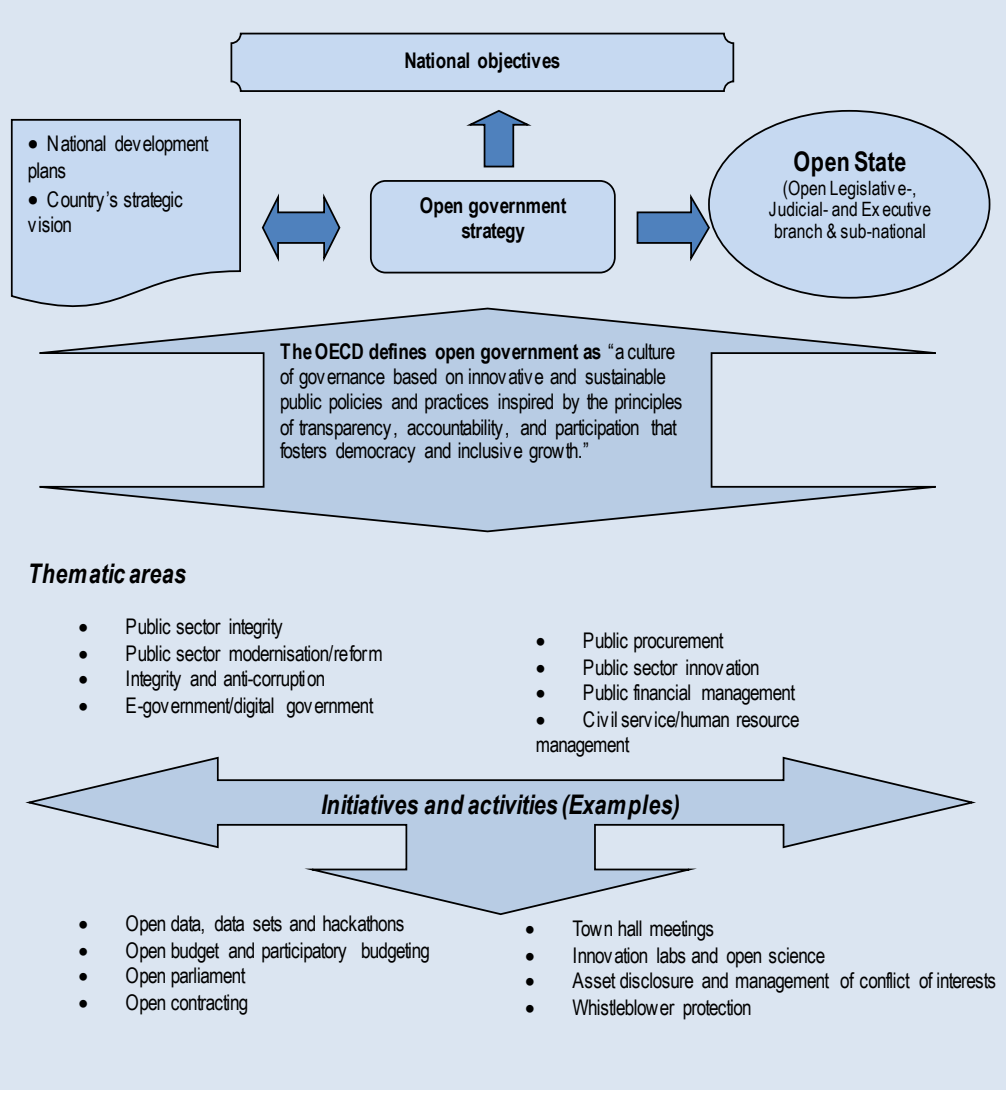
Source: Country responses to OECD (2015a), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

From scattered initiatives to a single National Open Government Strategy

Box 6.3. Provision 1 of the OECD Recommendation of the Council of Open Government

"Take measures, in all branches and at all levels of the government, to develop and implement open government strategies and initiatives in collaboration with stakeholders and to foster commitment from politicians, members of parliament, senior public managers and public officials, to ensure successful implementation and prevent or overcome obstacles related to resistance to change."

Figure 6.2. The central role of an Open Government Strategy



Source: OECD (2016), Open Government: The Global Context and the Way Forward, OECD Publishing, Paris. http://dx.doi.org/10.1787/9789264268104-en

Paraguay's National OGP Action Plans

The development of open government strategies and initiatives is another key element of a solid enabling environment for open government. Many countries, including Paraguay, have elaborated OGP Action Plans (NAP) and some have integrated open government in their National Development Plans / Modernization Plans. While these initiatives are of course of great importance, the OECD suggests that countries go one step further and develop an independent National Open Government Strategy that "operationalizes" the country's definition of open government, links the implementation of open government initiatives in different areas to broader national policy objectives and provides a clear direction for the implementation of OG strategies and initiatives to the entire public sector (Figure 6.3). The examples of Ontario (Canada) and of Costa Rica discussed below illustrate the role of a National Open Government Strategy in concrete terms.

Paraguay joined the Open Government Partnership in 2011. Since then, the country has elaborated three OGP Action Plans and is currently in the process of elaborating its fourth plan. These National OGP Action Plan processes have contributed to raising the profile of open government initiatives in the country and have allowed the government to make new connections with external stakeholders and the organised civil society. Over the years, thanks to the NAP processes, an increasing number of institutions and stakeholders have become familiar with the term 'open government' and more and more of them have started getting involved in the promotion of open government principles.

Moreover, the OGP process in Paraguay has contributed to the achievement of an important number of immediate and high-level policy objectives related to the promotion of transparency, accountability and stakeholder participation, such as the implementation of legislation on Access to Information (ATI). According to the evaluation of the second Action Plan of the Independent Reporting Mechanism (IRM) of the OGP, Paraguay's second Action Plan contained two commitments with a high level of potential impact, namely the "Adoption of the Access to Information Law" and the "Creation of Municipal Development Councils" (see below for a discussion of both) (Open Government Partnership, 2015).

While the NAPs have allowed Paraguay to make important progress in certain open government areas, given their biannual nature (which, in many cases, is not aligned with the government's policy cycle) and their focus on more short-term policy issues, NAPs do not constitute a comprehensive National Open Government Strategy and should be complemented with OG provisions in other policy documents, including National Development Plans (as in the case of Paraguay). As discussed further below, a National Open Government Strategy can provide the missing link between high-level commitments and short-term delivery-oriented commitments included in the biannual OGP Action Plans.

Aligning Open Government with the broader national development agenda and the SDGs: The National Development Plan 2030

The implementation of OG strategies and initiatives should be a means to an end: OECD experience shows that open government policies can actually be a valuable tool to contribute to the achievement of broader policy objectives, including fostering trust in public institutions and more inclusive economic development. Therefore, it is recommended for countries to make the link between their open government agendas and broader national development objectives.

Both Paraguay's OGP Action Plans and the National Development Plan 2030 show that the government believes in the importance of open government for the achievement of its development objectives. The country's most important development policy, the National Development Plan 2030 (see Chapters 1, 2 and 3 for a discussion of the plan), includes "efficient and transparent public sector" as one of its cross-cutting axes. The plan also mentions open government in its vision and as one of its key objectives, and makes explicit reference to the NAP.

Moreover, the third NAP clearly recognises as one of its main challenges the need to "improve the quality of life of people by linking the Open Government Action Plan with the National Development Plan 2030 (PND 2030) and the Sustainable Development Goals 2030 (ODS 2030)" (Government of Paraguay, 2016a). The government has made important efforts to align the NAP with the NDP: For instance the commitment on access to information included in the third NAP is aligned with strategic objectives 22 "Increase access to public information and procedures through electronic networks", 25 "Decentralization" and 47 "Ensure transparency of public spending in the three levels of government and in the three Powers of the State" of the National Development Plan (Government of Paraguay, 2016b).

Overall, the NAP has been used by the government as short-term implementation plans for some of the long-term NDP objectives. The government should continue along these lines by ensuring that the fourth OGP Action Plan, which it is currently designing, is also fully linked to the objectives of the National Development Plan.

Toward the development of a National Open Government Strategy

As discussed above, open government initiatives are critical for the achievement of positive policy results in areas as diverse as the fight against corruption, infrastructure and education. As outlined in the OECD Report on Open Government (2016), "in order to streamline all the different initiatives that cover a wide range of areas, it is important to have a single National Open government strategy that brings together all the scattered initiatives and ensures that all of them are reaching the same national objectives in co-ordination."

Box 6.4. Whole-of-government frameworks in Costa Rica and Ontario, Canada

As one of the first countries worldwide to do so, Costa Rica issued a national open government strategy in December 2015. In addition to the country's second OGP Action Plan and the Declaration on the Open State, the open government strategy is aligned with the country's National Development Plan 2014-18 "Alberto Cañas Escalante". This highlights the government's commitments to open government by making it one of the three pillars of national socio-economic development. The national development plan further includes several constitutive elements of this new culture of inclusive policy making, such as national dialogues and the promotion of gender equality in public life.

In Canada, the Government of Ontario has launched an open government strategy. The purpose is to give citizens new opportunities to participate in and strengthen public policy. Through its Open Dialogue component, the government is developing a Public Engagement Framework to help it engage a broader, more diverse range of Ontarians more meaningfully and will be tested across government in a number of pilot projects.

Source*:* OECD (forthcoming), Open Government Review of Costa Rica: Towards an Open State, OECD

Publishing, Paris; Country responses to OECD (2015a), "2015 OECD Survey on Open Government Coordination and Citizen Participation in the Policy Cycle", OECD, Paris

Such a single National Open Government Strategy (NOGS) can provide the missing link between high-level commitments (such as the ones in the National Development Plan of Paraguay) and short-term delivery-oriented commitments included in the biannual OGP Action Plans. The development and implementation of a NOGS can also streamline those existing initiatives in areas of relevance to OG principles that have not found their way into the OGP Action Plan.

If Paraguay decides to develop a NOGS, it should be co-created through a participatory methodology like the one that is currently being used in the development of the OGP Action Plans. The government could also consider including additional actors such as the Legislative and Judicial branches in the co-creation in order to support the ongoing move towards an open state (see below). The Technical Planning Secretariat (STP – see chapters 1 and 2) as the co-ordinating entity of the National Open Government Roundtable (Figure 6.3) could take the lead in the development of the NOGS which could take place in the framework of the National Open Government Roundtable or the Parliament's Open Government Commission.

Figure 6.3. The role of a National Open Government Strategy – providing the link between the NDP and the NAP

Source: Author's own elaboration

The constitutional, legal and regulatory framework for Open Government in Paraguay

Box 6.5. Provision 2 of the OECD Recommendation of the Council of Open Government

"Ensure the existence and implementation of the necessary open government legal and regulatory framework, including through the provision of supporting documents such as guidelines and manuals, while establishing adequate oversight mechanisms to ensure compliance."

Effective open government reforms need to be rooted in, and backed up by, a robust constitutional, legal and regulatory framework (OECD, 2016). Relevant laws and regulations for a strong open government enabling environment include laws on access to information, national archives, digital government and open data, anti-corruption and whistle-blower protection, among others.

Paraguay's Constitution enshrines Open Government at the highest legal level

As in most other Latin American countries, open government is enshrined in Paraguay's 1992 Constitution (Republic of Paraguay, 1992).Article 1 of the Constitution states that "the Republic of Paraguay adopts representative, participatory and pluralist democracy for its government, based on the recognition of human dignity". Article 28 of the Constitution further recognises the right to access public information. It states that "the right of the persons to receive true, responsible, and equitable information is recognized" and "the public sources of information are free for everyone (…)."

While constitutional provisions on open government are an important part of an open government enabling environment, they are not sufficient as such. Countries have to go beyond their highest legal document and elaborate specific laws and regulations in key areas of Open Government in order to provide the basis for successful implementation of strategies and initiatives.

The existence of two separate laws on Access to Information in Paraguay

As stated in the OECD Report on Open Government (OECD, 2016), a law regulating access to public information is the cornerstone of any country's enabling environment for open government. To date, all OECD countries and most LAC countries have an access to information legislation in place.

In 2014, after a lengthy process, Paraguay's Congress adopted the country's first access to information law. According to information gathered during the OECD fact-finding mission, civil society organisations were instrumental in pushing for this law. In fact, the complexity of the process led to the adoption on two separate laws relating to access to information:

- 1) Law 5189 from 2014 creates the obligation to provide information on the use of the resources and the remuneration of the civil servants of the Republic of Paraguay.
- 2) Law 5282 from 2014 on Free Citizen Access to Public Information and Government Transparency (and its regulating Decree 4064 from 2015) guarantees the constitutional right of citizens to have access, without discrimination of any

kind, to public information from the legislative, executive and judicial branches, and from independent agencies and universities.

By OECD standards, law 5282 can be seen as the actual access to information legislation. The law for instance provides that Offices for Access to Public Information should be set up in public institutions, and it mandates that a website for the public to access information should be created (the website was subsequently developed: www.informacionpublica.gov.py).The law further requires public institutions to respond to inquiries submitted by email or letter and to deliver the information in less than 15 days and foresees trainings for officials.

As of April 2018, 10,769 requests for information have been entered into the country's access to information portal, of which 80.0% have been answered (Government of Paraguay, 2018). Most requests were directed to the Ministry of Justice with the Ministry of Education coming in second position followed by the Ministry of Finance (Ibid.). According to information gathered by the IRM (Open Government Partnership, 2015), since the creation of the Directorate of Access to Public Information in the Ministry of Justice, about 700 officials have been trained on the implementation of the law and 70 offices for Access to Information have been created in public entities (Ibid.).

One weakness of the law is that it does not create a formal guarantor for its implementation, as is the case in other countries such as in Mexico and Chile (Box 6.6). It only establishes the Ministry of Justice as the co-ordinator of its implementation (see Articles 12 and 13 of Decree 4064). The Ministry of Justice does, however, not have formal enforcement powers and, according to information received during the fact-finding mission, it is understaffed which may hinder its capacity to follow-up on requests. More human and financial resources for the office of the Ministry of Justice responsible for the implementation of the law should be foreseen. In addition the government could identify alternative indirect ways to incentivise compliance since sanctions are not an option under law 5282 (Law 5189 only contemplates sanctions for authorities who do not release mandatory salary information).

In general, despite the lack of sanction for non-compliance, the two laws have considerably altered the preeminent secrecy culture in the public sector. According to information gathered during the OECD fact-finding mission, an increasing number of citizens have started making use of their right to access public documents and the law has contributed to reinforced citizens' control of the institutions of the state. Civil society organisations also expressed great optimism and saw important progress in the implementation of the access to information laws. In order to continue this positive process, the government could make sure that access to information offices or focal points are set up in every institution and at all levels of government and that citizens are well aware of their right to request information. This could involve conducting further outreach and promotion campaigns.

Box 6.6. Examples of bodies that provide oversight to transparency laws: Chile and Mexico

Chile

The Council for Transparency is an autonomous public body with its own legal personality, created by the Law on Transparency of Public Service and Access to Information of the State's Administration. Its main task is to ensure proper enforcement of the law, which was enacted on 20 August 2008 and became effective on 20 April 2009.

The boards' direction falls under four designated counsellors appointed by the President, with the agreement of the Senate, adopted by two-thirds of its members. The board is entrusted with the management and administration of the Council for Transparency. The counsellors serve six years in office, may be appointed only for one additional period and may be removed by the Supreme Court at the request of the President or the Chamber of Deputies. The council has the main following functions:

- Monitor compliance with the provisions of the Law on Transparency and apply sanctions in case of infringements of them.
- Solve challenges for denial of access to information.
- Promote transparency in the public service by advertising information from the state administration bodies.
- Issue general instructions for the enforcement of legislation on transparency and access to information by the bodies of the state administration, and require them to adjust their procedures and systems to such legislation.
- Make recommendations to the bodies of the state administration aimed at improving the transparency of its management and to facilitate access to the information they possess.
- Propose to the President and to the Congress, where appropriate, rules, instructions and other regulatory improvements to ensure transparency and access to information.
- Train directly or through third parties, public officials in matters of transparency and access to information.
- Carry out statistics and reports on transparency and access to information of the organs of the state administration and compliance of this law.

Mexico

The Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales (INAI) (National Institute on Transparency, Access to Information and Protection of Personal Data) was established under the Ley Federal de Transparencia y Acceso a la Información Pública Gubernamental in 2002 (Federal Law on Transparency and Access to Public Governmental Information).

The Institute is composed of a Presiding Commissioner and six other commissioners, who are appointed by the Federal Executive for six years, without the possibility of renewal of the term. As established in the law, the institute has complete independence and reports annually to the

Congress. Its threefold mandate can be summarised as guaranteeing the access of governmental information to the public, fostering accountability and defending the right to privacy. In addition, the Institute aims to:

- Assist in the organisation of the national archives.
- Promote a culture of transparency in public expenditures
- Foster accountability within the government to raise trust among its citizens.
- Contribute to the processes of analysis, deliberation, design and issuance of judicial norms of relevance to the archives and personal data.
- Enhance the legislative processes targeted to improve and strengthen the normative and institutional framework for transparency and access to public information.

Sources: Consejo para la Transparencia (n. d.), "Qué es el Consejo para la Transparencia?", webpage, www.consejotransparencia.cl/que-es-el-cplt/consejo/2012-12-18/190048.html (accessed 24 March 2016); BCN (Biblioteca del Congreso Nacional de Chile) (2008), "Sobre Acceso a la Información Pública",www.leychile.cl/Navegar?idNorma=276363 (accessed 24 March 2016)

Consolidating Paraguay's legal and regulatory framework for Open Government

A solid legal framework for Open Government can guarantee continuity of efforts from one government to another and hence provide implementation stability. The country should therefore make efforts to complement its legal and regulatory framework for Open Government over the next years. The inclusion of relevant commitments in the fourth OGP Action Plan could provide the necessary impetus for these efforts.

Complementing the legal framework could include adopting legal/regulatory provisions on stakeholder participation. While citizen participation and engagement are enshrined as a right in many Constitutions worldwide (including in Paraguay's Constitution), according to the results of the OECD Survey (2015), less than 50% of countries have an overarching document that regulates peoples' right to participate. Only a small number of countries, including Colombia (Box 6.7), have adopted specific laws on democratic and/or citizen engagement.

Box 6.7. The Colombian law for the promotion and protection of the right to democratic participation

The objective of Law 1757 from 2015 is to promote, protect and ensure the different modalities and mechanisms of the citizens' right to participate in the political, administrative, economic, social and cultural spheres in Colombia. Article 2 stipulates that any development plan must include specific measures aimed at promoting participation of all people in decisions that affect them and support the different forms of organisation of society. Similarly the management plans of public institutions should make explicit the way in which they will facilitate and promote the participation of citizens in their areas of responsibility.

The law also created the National Council for Citizen Participation, which will advise the national government in the definition, development, design, monitoring and

evaluation of public policy on citizen participation in Colombia. The council is made up of the following representatives: the Minister of the Interior and the National Planning Department from the National Government; an elected governor from the Federation of Departments (states or provinces); an elected mayor from the Municipal Federation; members of victims' associations; a representative of the National Council of Associations or Territorial Councils for Planning; community confederation; the Colombian University Association; the Colombian Confederation of Civil Society Organisations; citizen oversight associations; trade associations; trade unions; peasant associations; ethnic groups; women's organisations; the National Youth Council; college students; disability organisations; local administrative bodies. The heterogeneous composition of the council ensures that several groups of society are represented in the council and guarantees that all voices are heard.

This same law on citizen participation in Colombia defines participatory budget practices as a process to ensure equitable, rational, efficient, effective and transparent allocation of public resources that strengthens the relationship between the state and civil society. It is also a mechanism by which regional and local governments promote the development of programmes and plans for citizen participation in the definition of their budget, as well as in the monitoring and control of public resource management.

Source: Presidency of the Republic of Colombia (2015), "Law 1757 from 2015", presidency website, http://wp.presidencia.gov.co/sitios/normativa/leyes/Documents/LEY%201757%20DEL%2006%20DE%20JULIO%20DE%202015.pdf (accessed March 2016)

As further discussed below, there are currently several legal provisions that foresee stakeholder engagement in policy processes in Paraguay such as mandatory public hearings and participatory budgeting processes. However, the lack of a unified legislation that promotes stakeholder participation prevents it from becoming a mainstreamed practice and makes it difficult for citizens to understand where and when they can participate. Paraguay could learn from the positive experience with co-creation made in the OGP process and engage stakeholders more actively in the development, implementation and monitoring and evaluation of policies. Adopting a law on participation, as done by Colombia, or creating an overarching document on stakeholder participation, could help Paraguay in this endeavour.

From laws and policies to effective and efficient implementation of open government strategies and initiatives in Paraguay

In order to implement their policy and legal frameworks for Open Government successfully, countries also need to provide an effective governance structure: this includes having the right institutions with appropriate co-ordination mechanisms in place, assigning dedicated human and financial resources to these institutions and creating strong mechanisms for monitoring and evaluation (M&E) for results.

The institutional framework for Open Government in Paraguay: Whole-of-government co-ordination of open government strategies and initiatives

Box 6.8. Provision 4 of the OECD Recommendation of the Council on Open Government

"Coordinate, through the necessary institutional mechanisms, open government strategies and initiatives - horizontally and vertically - across all levels of government to ensure that they are aligned with and contribute to all relevant socio-economic objectives."

According to OECD good practices, an adequate institutional framework for Open Government that guarantees the effective and efficient co-ordination of open government strategies and initiatives includes two key elements: a government institution in charge of the national open government agenda and an open government steering committee that counts with the participation of all relevant stakeholders from government, civil society, academia, and the private sector.

The Technical Planning Secretariat – the leader and co-ordinator of the open government process in Paraguay

The implementation of open government policies requires vision and leadership, as well as the capacity to effectively and efficiently co-ordinate, tasks that according to OECD experience are best taken over by an institution located in a country's "Centre-of-Government" (CoG) (OECD, 2016). According to the OECD Report on Open Government (2016), situating the responsibility for open government in the CoG can be beneficial for several reasons:

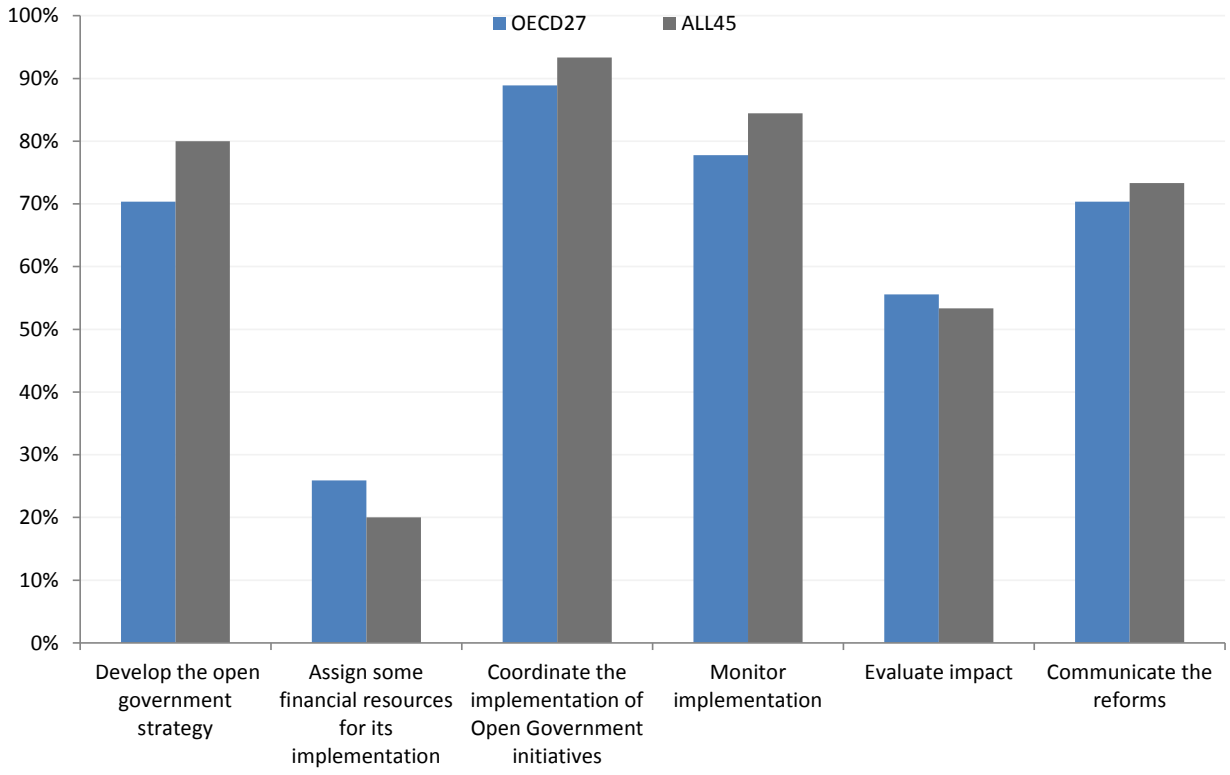
- The CoG can facilitate the link between open government objectives with the broader national ones by connecting open government principles, strategies and initiatives across government (including different sectors and different levels of government) and with non-state actors in order to foster a shared vision on open government agenda.
- It can also promote visibility across the government and towards citizens of existing good practices in the area of open government, as well as institutional champions.
- The CoG can strengthen the strategic use of performance data across the public sector in order to support the monitoring and evaluation of the impact of open government strategies and initiatives (OECD, 2015b).

As per the results of the 2015 OECD Open Government Survey, in most countries the office in charge of co-ordinating the open government agenda from a horizontal perspective in fact has its institutional anchorage in the Office of the Head of Government or in the Cabinet Office/Chancellery/Council of Ministers (in 64% of all respondent countries and in 62% of OECD countries). It is, hence, institutionally located in the CoG.

This is also the case in Paraguay, where the open government agenda is co-ordinated by the Technical Planning Secretariat (STP) of the Presidency of the Republic. The STP has been driving the national OGP process since its beginning. The STP is also the institution responsible for co-ordinating the National Open Government Roundtable, the "*Mesa Conjunta de Gobierno Abierto*" (Figure 6.4), for developing, co-ordinating the

implementation, monitoring and communicating the OGP Action Plans, as well as for promoting open government principles in the country. However, according to the results of the 2015 Survey, the STP does not assign resources for the implementation of open government initiatives and it does not evaluate impact, except for the self-assessment done in the framework of the OGP that includes an evaluation on processes and outputs of the OGP commitments (Figure 6.4).

Figure 6.4. Responsibilities of the co-ordinating office

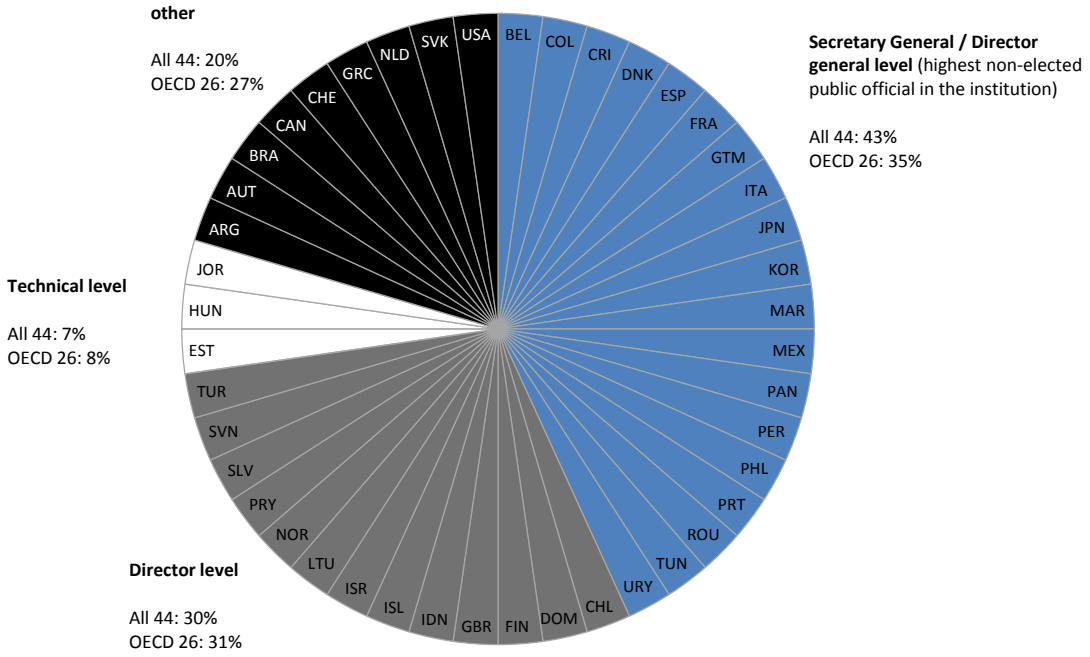


Note: Question was only asked to countries which responded that they have an office responsible for horizontal co-ordination of open government initiatives
Source: Country responses to OECD (2015c), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

In addition, and as discussed in Chapter 2, the co-ordination of the Local Development Plans (both departmental and municipal) and of the National Development Plan Paraguay 2030, is also ensured by the Technical Planning Secretariat, an important and highly strategic competence that puts it in an ideal position to link the country's OG agenda with the wider development agenda.

Within the STP, the responsibility for OG is situated at the level of a Director General. This is also the case in approximately one third of all countries that participated in the OECD survey (Figure 6.5), while it is situated at a higher level in 43% of all and in 35% of OECD countries.

Figure 6.5 Hierarchical level of the horizontal co-ordination office



Note: Question was only asked to countries which responded that they have an office responsible for horizontal co-ordination of open government initiatives. Australia "To be determined pending the finalisation of machinery of government changes"
Source: Country responses to OECD (2015c), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

The STP's dedicated staff has achieved notable results in advancing the country's open government agenda. However, the Office of the Director General for Open Government in the STP operates within a complex institutional framework. The office responds to the Minister of the Technical Planning Secretariat, who himself responds to the President of the Republic and the General Coordinator of the Government. At the same time, other actors/units within the Presidency of the Republic and the government can have an important influence on the capacity of the STP to perform its open government related functions. These include the Centre-of-Government unit within the Presidency of the Republic, the *Equipo Económico Nacional* (see chapter 2 for a description of this body) and the *Equipo Nacional de Transparencia* which was created by decree 4719 in 2015.

The *Equipo Nacional de Transparencia* (ENT) is comprised of those institutions that form part of the *Equipo Económico Nacional* (including the Technical Planning Secretariat, STP and the National Anti-corruption Secretariat, SENAC) with the aim to improve Paraguay's position in international anti-corruption perception rankings through the implementation of actions to foster integrity and fight corruption (Republic of Paraguay, 2015). As such, the ENT sets the tone for Paraguay's transparency agenda and serves as a platform to articulate the positions on the country's transparency agenda of those public sector institutions that participate in it.

Paraguay could consider broadening the scope and functions of the *Equipo Nacional de Transparencia* for it to become the national "Open Government Steering Committee", for instance by extending the responsibilities of the *Equipo Nacional de Transparencia* to the wider open government agenda (including initiatives in the areas of transparency, integrity, accountability and stakeholder participation). If it decided to do so, the government would have to make sure that all relevant contributors to the country's open government agenda are members of the reformed *Equipo Nacional de Transparencia*.

Generally speaking, while the current CoG-arrangements for Open Government are agile and have positive impacts on consensus-building, the complex layers of hierarchy and responsibility can be time-consuming from a decision-making perspective as they engender high transaction costs that could potentially reduce the effectiveness of Paraguay's open government agenda. In addition, due to limited institutionalisation, these arrangements are subject to easy alteration following a change in government. In order to improve decision-making processes, the STP should strengthen institutionality, sustain strong alliances with other key government Ministries and Secretariats and continuously encourage all relevant entities to remain engaged in the open government agenda.

As in any country, a wide variety of government actors are involved in the Paraguay's open government and OGP processes. Further key players from the central government include the *Secretaría de la Función Pública* (see chapter 5), the Ministry of Justice (MinJus), and two additional institutions within the Presidency of the Republic with Ministerial rank, namely the National Secretariat of Information and Communication Technologies (SENATICS) and the National Anti-Corruption Agency (SENAC).

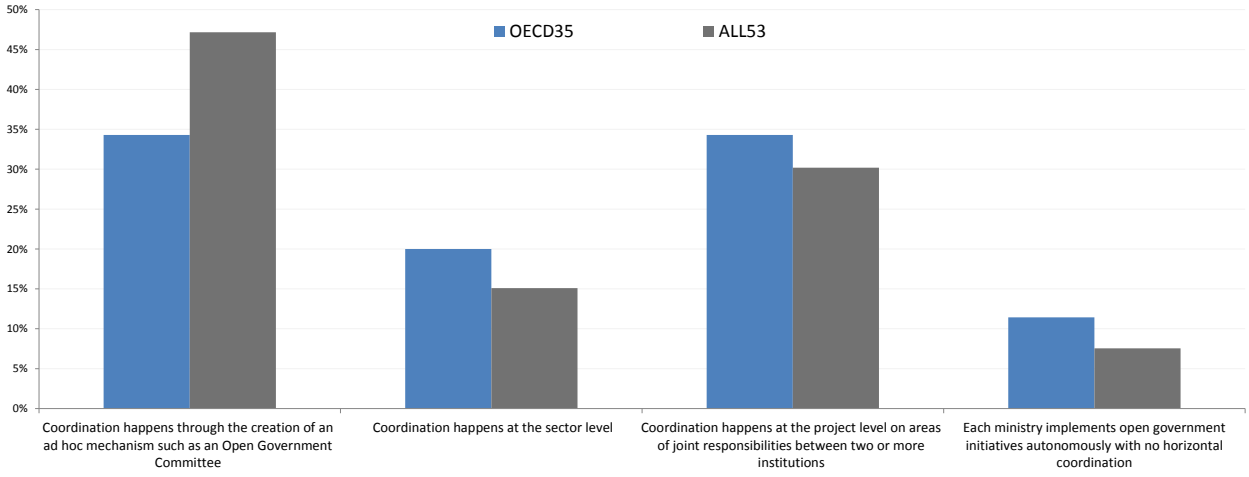
- The **Ministry of Justice** is one of the main actors responsible for the country's transparency agenda (together with the National Anticorruption Secretariat, see below) and for the implementation of initiatives related to access to information (and the implementation of the access to information law) and passive transparency initiatives. The Ministry of Justice has been very engaged in the OGP process from the beginning and has led the implementation of various commitments in different OGP Action Plans.
- The **National Secretariat of Information and Communication Technologies** (SENATIC) is responsible for the development of the Unified Portal for Access to Public Information and for policies related to open data and digital government. SENATIC is also responsible for all electronic government and digital government initiatives and for the government's technology and information needs, including the sustainability of government websites and cyber security.
- The **National Anticorruption Secretariat** (SENAC) is another key actor responsible for the country's transparency agenda and is in charge of designing public policies on anti-corruption, integrity and active transparency, as well as for promotion and trainings on active transparency. According to Presidential Decree 10.144 from 2012, the institution monitors the compliance with the obligations of active transparency within its jurisdiction.

Moreover, some units of the **Ministry of Finance** have been actively involved in the open government agenda. Through its budgetary powers, the Ministry can make an important contribution to the promotion of open government principles in line ministries. It should therefore further enhance its current role as one of the STP's main partners in the implementation of open government strategies and initiatives in Paraguay.

The National Open Government Roundtable

In Paraguay, the Joint Open Government Roundtable (*Mesa Conjunta de Gobierno Abierto*) is the main co-ordination entity of the OGP process. The creation of the Roundtable is in line with practice in approximately 50% of countries (34% in OECD countries) that participated in the OECD Survey where co-ordination also take place through an ad hoc mechanism, such as an Open Government Committee (Figure 6.6).

Figure 6.6. Mechanisms used to co-ordinate open government initiatives

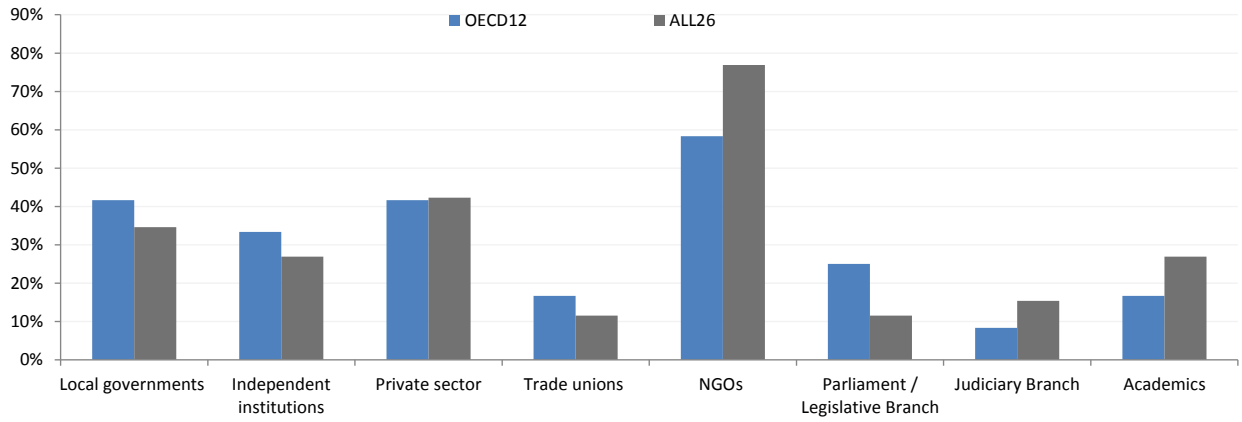


Source: Country responses to OECD (2015c), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

In its current composition, Paraguay's Roundtable includes a wide variety of public institutions from the public sector as well as civil society. The government informed the OECD that 26 public institutions and 62 civil society organisations participate in the meetings of the Roundtable. The important number of public institutions and of civil society organisations is a great opportunity to ensure inclusiveness but, if not well managed, can also create a co-ordination challenge and hinder the Roundtable's effectiveness. The government could consider, one the one hand, selecting a number of key public institutions that represent the government's position in the Committee and, one the other hand, letting civil society organisations select a smaller number of organisations to represent them in the Committee. A smaller number of present organisations would allow for Committee meetings to take place in a more participatory manner and to take more management decisions.

Moreover, while the inclusion of civil-society organisations(CSOs) in the co-ordination body is a standard practice (77% of all countries and 58% of OECD countries that responded to the 2015 OECD Survey include non-governmental organisations), the representativeness of the OG Roundtable could be further enhanced through the inclusion of actors from the private sector, the media, other branches of power as well as local government and local civil society organisations (see the section on the open state below).

Figure 6.7. Members of the horizontal co-ordination mechanism on open government



Note: Only countries that responded that coordination happens through the creation of an ad hoc mechanism such as an Open Government Committee were asked this question
Source: Country responses to OECD (2015c), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

In Paraguay, the Roundtable meets on a regular basis (at least every three months, having met five times in 2017), and its meeting are public and broadcasted online. The STP functions as the Roundtable's Secretariat and prepares its agenda. The Roundtable was created for the process leading to the second OGP Action Plan. For the time being, the Committee's responsibilities mainly focus on the OGP process. Its functions include:

- Developing of the biannual OGP Action Plans in a participatory manner;
- Monitoring the implementation of the Action Plan;
- Receiving and reviewing monthly and quarterly reports from public institutions with commitments under the Action Plan.

In line with the government's ambition to move its open government agenda beyond the scope of the OGP process, Paraguay could consider extending the Roundtable's responsibilities to the broader open government agenda of the country and to transform it into a real Open Government Steering Committee that meets more regularly and takes management decisions, as for instance done in Tunisia where the Committee is composed of five government institutions and five civil society organisations and meets monthly.

Given its representativeness, the Committee could for instance be used for the development and implementation of a National Open Government Strategy (see above). Indeed some CSOs interviewed during the OECD mission mentioned that in their view the Roundtable was rather a space for information, consultation and ratification but that there was still too little co-implementation and co-evaluation. The government informed the OECD that during the second NAP-cycle, civil society organisations were nominally assigned to each goal; during the third NAP-cycle, CSOs were given joint assignation to goals but there was mixed CSO participation in the evaluation meeting. In any case, the government should address CSO concerns and make sure that civil society is fully involved in all steps of the open government policy cycle.

There are also opportunities to enhance communications among committee members. The communication application WhatsApp and Facebook are widely used as the main communication tool. WhatsApp is undeniably an effective tool for co-ordination.

However, it ought not to be the only tool and decisions ought not to be made using that space. A dedicated interactive web-space (for instance, on the existing website www.gobiernoabierto.gov.py) and more regular meetings between members of the Roundtable could help enhance transparency and inclusiveness in communications among stakeholders.

Lastly, the functioning and the responsibilities of the Roundtable are currently regulated by a roundtable resolution. The Roundtable might benefit from a higher level of institutionalisation and its functioning and responsibilities could be regulated by a decree (as done in Costa Rica) or through other official regulation that is the subject of broad agreement between all involved stakeholders. This regulation could also define sub-committees in charge of specific topics, such as access to information, open data and stakeholder participation. Creating a regulatory basis for the roundtable would further institutionalise this important space and guarantee continuity of the country's open government agenda.

Open government literacy, human resources, education, training and capacities

Box 6.9. Provision 3 of the OECD Recommendation of the Council on Open Government

"Ensure the successful operationalisation and take-up of open government strategies and initiatives by:

(i) Providing public officials with the mandate to design and implement successful open government strategies and initiatives, as well as the adequate human, financial, and technical resources, while promoting a supportive organisational culture;

(ii) Promoting open government literacy in the administration, at all levels of government, and among stakeholders."

Integrating Open Government in the culture of the civil service

At the moment, there are only few institutions in Paraguay, including the STP, MinJus, SENATICs, Ministry of Finance and SENAC that have staff that is especially assigned to (or specialised in) the broader open government agenda. All 26 public institutions that participate in the Open Government Roundtable have at least one representative assigned to their different OGP commitments. In most Ministries, these representatives are institutionally located in the offices for planning, anti-corruption, or transparency. While the nomination of staff that is dedicated to the implementation of OGP commitments is an important step forward, for many of these people the OGP agenda is one of many professional commitments they have in their portfolio The government should consider creating open government contact points in each public institution that are in charge of the wider open government agenda of their institutions.

In addition to hiring or assigning staff that is especially dedicated to Ministries' open government agendas (beyond the OGP process), further efforts are needed to embed an open government culture in the public service. For the time being, there are no specific open government requirements in terms of skills for civil servants in Paraguay. Except for some training on the implementation of the access to information law, new employees of the state do not receive open government training, and human resources management

(HRM) policies (such as recruitment etc.) are not used to promote open government nor include open government related skills in their competencies frameworks.

The government could consider collaborating with INAPP, its National Institute for Public Administration (*Instituto Nacional de Administracion Pública de Paraguay*, inter alia Paraguay's main continuous training provider for civil servants (see chapter 5), or a national university, to elaborate an open government curriculum for interested students and/or public servants, as for instance done by Chile. It could further promote "Open Government Diplomas" which civil servants can obtain by participating in capacity-building events. The Secretariat of the Civil Service (*Secretaría de la Función Pública*, SFP) is the driver of the civil service reform in Paraguay and is one of the STP's most important partners in the promotion of Open Government though HRM. Paraguay could involve the SFP even more actively in the open government agenda (for instance by giving it a seat in a reformed and more streamlined OG Roundtable and, possibly, a reformed Equipo Nacional de Transparencia. The government could also consider including HRM elements in its fourth OGP Action Plan.

A complex financial context for Open Government in Paraguay

Donors have played a vital role in the development of Paraguay's open government and OGP agendas. CEAMSO (*Centro de Estudios Ambientales y Sociales*), a CSO that is largely funded by the United States Agency for International Development (USAID), and the USAID office in Asunción have contributed to Paraguay's open government agenda since 2006/2007 by supporting the development of the different OGP Action Plans, providing funding for the implementation of commitments (in different ministries) and hiring staff for open government related initiatives. USAID has also supported the government in pushing its open government agenda beyond the formal requirements of the OGP process by supporting open government initiatives that were not included in the OGP action plans, such as the Modelo Estándar de Control Interno del Paraguay (MECIP) and administrative reforms to foster open government principles in the Judicial Branch.

Evidence gathered during the fact-finding mission suggests that open government initiatives in some ministries (and in line ministries in particular) are largely dependent on the financial support provided by CEASMO and USAID. This fact has an important impact on the sustainability of open government efforts in the country. This is especially true as it seems that USAID is slowly reducing its support to Paraguay's open government process. With the end of USAID's current country strategy in April 2019, large amounts of funding may disappear, underscoring Paraguay's need to move away from current donor-dependency or at least diversify its donor portfolio.

Hence, there is a need to create lasting human and financial capacities both in the ministries in charge of the open government agenda and in line ministries. Thanks to the support provided by donors and to capable and dedicated staff in key ministries, open government has little by little gained a foothold within the state apparatus. In order for Paraguay's open government movement to continue, additional financial resources assigned from the national budget will be needed. As stated above, Paraguay could also diversify the donors involved in supporting Paraguay's national open government process.

Creating a more robust monitoring and evaluation framework

Box 6.10. Provision 5 of the OECD Recommendation of the Council on Open Government

"Develop and implement monitoring, evaluation and learning mechanisms for open government strategies and initiatives by:

(i) Identifying institutional actors to be in charge of collecting and disseminating up-to-date and reliable information and data in an open format;

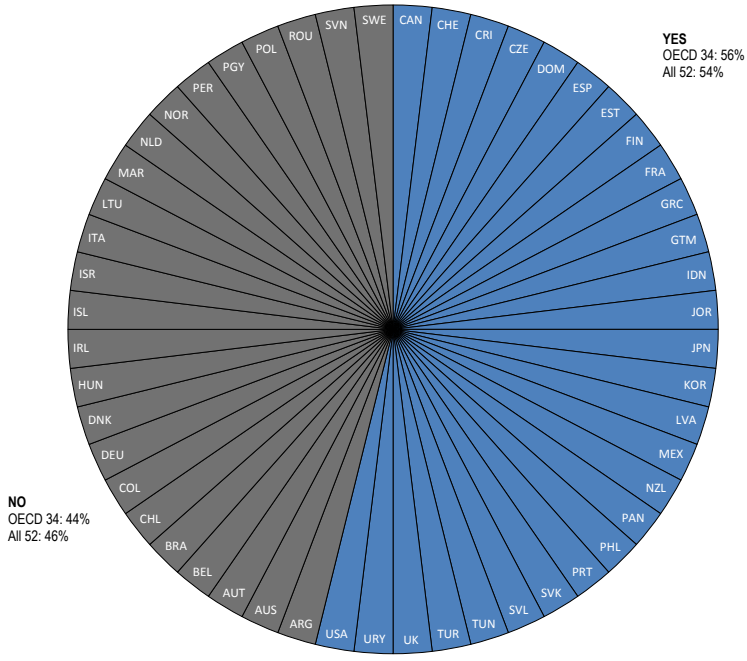
(ii) Developing comparable indicators to measure processes, outputs, outcomes, and impact in collaboration with stakeholders; and

(iii) Fostering a culture of monitoring, evaluation and learning among public officials by increasing their capacity to regularly conduct exercises for these purposes in collaboration with relevant stakeholders."

Monitoring and evaluation (M&E) systems are indispensable to ensure that public policies achieve their intended goals and learn from the experience made to elaborate more sound and robust public policies (OECD, 2016). In the specific context of Open Government, monitoring and evaluation mechanisms are all the more important, as data availability, communication of impacts and their evaluation from stakeholders, the so-called "feedback loop", lay at the heart of the open government principles (Ibid.).

To ensure that open government strategies and initiatives are sound, robust and accountable, they need to be developed on the basis of evidence. Hence, monitoring and evaluation should be an essential element of the policy process, yet it is still done in a limited way in most countries, including in Paraguay. The results of the OECD Report on Open Government (2016) show that almost half of the countries that participated still do not evaluate the impact of open government initiatives for results (Figure 6.8).

Figure 6.8. Countries that evaluate the impact of open government initiatives



Note: Luxembourg did not provide an answer to the question
Source: Country responses to OECD (2015b), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris

Over the past years, Paraguay has made important progress with regards to the monitoring of its open government agenda. For example, the country has developed an ambitious monitoring system for its third OGP Action Plan. The Technical Planning Secretariat has, for instance, designed an Open Government dashboard that allows civil society and interested citizens to monitor the implementation of commitments under the OGP Action Plan (via the country's open government website http://gobiernoabierto.gov.py/content/plan-de-accion-2016-2018).

However, monitoring of the implementation of open government commitments and the inclusion of performance data in the dashboard is mainly done by the civil servants of the STP with inputs from other ministries and civil society during the Roundtable meetings. For the time being, there are no independent indicators from third party sources that are being used and the existing ones mainly focus on process.

The participation in monitoring activities of civil society and of academia could thus be further enhanced, for instance through the organisation of additional M&E meetings asking CSOs to provide feedback on and rank commitments that are being or have been completed. The government could also consider creating strategic alliances with independent institutions and universities to enrich its monitoring activities, as in the case of Costa Rica that is detailed in Box 6.12.

In order to increase the overall awareness about results of its monitoring activities they need to be communicated more widely and in ways that are appealing and easier to

understand by stakeholders. Communicating results, as well as sharing performance data in an open format , are crucial to maintaining the momentum of open government strategies and initiatives and people's confidence in them (OECD, 2017).

While monitoring has advanced considerably, evaluation is an area in which the country could make further progress, just as many other countries. Currently, in Paraguay, the evaluation of open government efforts is mainly done by the OGP Self-Assessment and the OGP's Independent Reporting Mechanism. Whereas this is common practice in the OGP community, evaluating the impact of open government initiatives (both of those in the OGP-process and outside of it could benefit from being included in the formal ongoing evaluation mechanisms of the government, which, in turn, would provide the information and data to compile the OGP requirements.

In this endeavour and in order to move to the monitoring and evaluation of impact/outcome, the government could make use of the experience made with the monitoring and evaluation system created by the STP for the National Development Plan (the SPR-system) which is already linked to the monitoring and evaluation of the OGP Action Plan. Additionally, the government could consider making additional efforts at communicating the impact of its open government agenda across the country, including by raising awareness about the benefits of Open Government in those institutions that have not yet participated in the open government agenda and by sharing positive results with Ministers and in Cabinet.

Communication, access to information and participation in practice

Box 6.11. Principles 6, 7 and 8

"Actively communicate about open government strategies and initiatives, as well as about their outputs, outcomes and impact, in order to ensure that they are well-known within and outside government, to favour their uptake, as well as to stimulate stakeholders' buy-in."

"Proactively make available clear, complete, timely, reliable and relevant public sector data and information that is: free of cost; available in an open and non-proprietary machine-readable format; easy to find, understand, use and reuse; and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders."

"Grant all stakeholders equal and fair opportunities to be informed and consulted and actively engage them in all phases of the policy-cycle and service design and delivery. This should be done with adequate time and at minimal cost, while avoiding duplication to minimise consultation fatigue. Further, specific efforts should be dedicated to reaching out."

Principles 6, 7 and 8 of the OECD Recommendation encourage countries to implement effective communication tools; foster access to public information and open data; and involve stakeholders in all phases of the policy-cycle. While a detailed analysis of these key principles and of the full ladder of participation (Figure 6.10) goes beyond the scope of this assessment and is usually dealt with through a full chapter in an OECD Open Government Review, this section provides an initial benchmarking of Paraguay's efforts in the areas of open government communication and stakeholder participation. A brief

discussion on the implementation of access to information is included in the section "The existence of two separate laws on Access to Information in Paraguay" above.

Open Government Communication

In order to be truly open a government needs to communicate about its initiatives and reforms in any policy area. Given the scope of this chapter, this section will focus on the effective and efficient communication of open government reforms. As discussed above, a successful open government agenda cannot be implemented without efforts to disseminate achievements/challenges as well as the benefits of the implementation of open government initiatives to all key stakeholders inside and outside of government (OECD, 2016b). Being a relatively new topic on the global agenda, many stakeholders – including public servants, civil society organisations, companies and the media – remain unaware of the great potential of open government reforms (OECD, 2014a). The communication of a country's open government agenda and the benefits it brings should therefore be an important element of the implementation of any country's OG agenda.

The STP has made important efforts to enhance the communication of its open government efforts to the wider public. Paraguay's National Radio station for instance regularly reports about the country's OGP process and different government representatives have discussed the country's efforts on Paraguay's official state television broadcaster. The STP has further organised high visibility events such as the *Expo Gobierno Abierto*, during which progress made in the implementation of the NAP was presented and discussed with different stakeholders. Moreover, the government has made extensive use of social media since 2014 to communicate about its open government agenda, including by extending open invitations to the OG Roundtables to all interested CSOs and allowing them to participate in online chat platforms.

Over the past few years, websites have been created for different open government related themes, including on the national OGP process, the implementation of the access to information law and an open data portal. The website www.gobiernoabierto.gov.py provides ample information on the country's open government agenda. It for instance gives access to the current and past OGP Action Plans, includes a forum in which citizens can give their opinions and feedback and it provides a wide variety of resources related to the wider open government process in Paraguay (including on the Open Parliament process). As a next step, the government could consider creating an integrated Open State website for the country that includes information on initiatives taken by all branches of power in order to create synergies between the initiatives and give citizens a single entry point. This website could for instance be managed by the STP.

In some countries, independent state institutions or civil society organisations regularly conduct stock-taking exercises of the openness of government websites. Costa Rica's Ombudsman, the *Defensoría de los Habitantes*, manages a "Transparency Index of the Public Sector" which measure the transparency offered by the websites of Costa Rican public institutions at all levels of government and including decentralised public institutions (Box 6.12). It analyses information available on the institutions' websites, including on public procurement, salaries, contracts of public workers, tenders, annual reports, minutes, agreements and circulars etc. Paraguay could consider developing its own transparency index using the methodology applied by the Costa Rican Ombudsman in order to stimulate institutions to provide more open and transparent information on the web.

Box 6.12. Costa Rica's Transparency Index of the Public Sector

Costa Rica's Transparency Index is an evaluation instrument that was established by the Ombudsman in co-operation with the Centre for Research and Capacity Building in Public Administration (*Centro de Investigación y Capacitaciónen Administración Pública*) at the University of Costa Rica and the subsidiary company of the Costa Rican Institute of Electricity (ICE), *Radiográfica Costarricense* S.A.

The Index uses international best-practices as a baseline to assess the status quo of the degree of transparency of the public institutions' websites in Costa Rica. The Index was elaborated in a scientific manner with clearly defined indicators, which provide the basis for the annual report on the openness and accessibility of information on the institutions' websites. As summarised in the 2015 Annual Report: "All these [initiatives] aim at strengthening the experience of effective democratic governability, which promotes the improvement and the State modernisation in light of the new tendencies and orientation towards open government."

Source: Defensoría de los Habitantes (n.d.), Red Interinstitucional de Transparencia, http://dhr.go.cr/red_de_transparencia/index.aspx (accessed 8 February 2016)

Stakeholder engagement in the OGP process

Civil society organisations interviewed during the OECD fact-finding mission acknowledged that the OGP process has allowed improving the overall relationship between the state and civil society organisations (CSOs). The dialogue that takes place in the OG Roundtable and on online platforms as well as via WhatsApp is seen as an important step forward by many.

CSOs also stressed that stakeholder engagement in the design and implementation of National OGP Action Plans has improved considerably from the first to the second and from the second to the third NAP, having become more inclusive and representative. In the co-creation process of the third NAP, which followed an open call of consultation, 47 public institutions and 62 civil society organizations (a total of 600 citizens) participated (Government of Paraguay, 2017). The government also engaged in an important communication effort, using social media, mailing lists and its dedicated open government website in order to get people involved.

Information sessions took place at the local level in Ciudad del Este and Caacupé. The government recognises the need to go beyond the usual suspects in Asunción and to start including stakeholders from the countryside in the open government and OGP processes. As in many other countries, the participation in the OGP process in Paraguay is still largely dominated by a small group of civil society organisations from the capital. There is a need to continue empowering civil society organisations for them to become even more active contributors to the country's open government agenda. Specific capacity building events for CSOs could be offered by more experienced organisations, such as the CEASMO, IDEA, *Semillas por la Democracia*, CIRD, *Fundación Libre* and other CSOs.

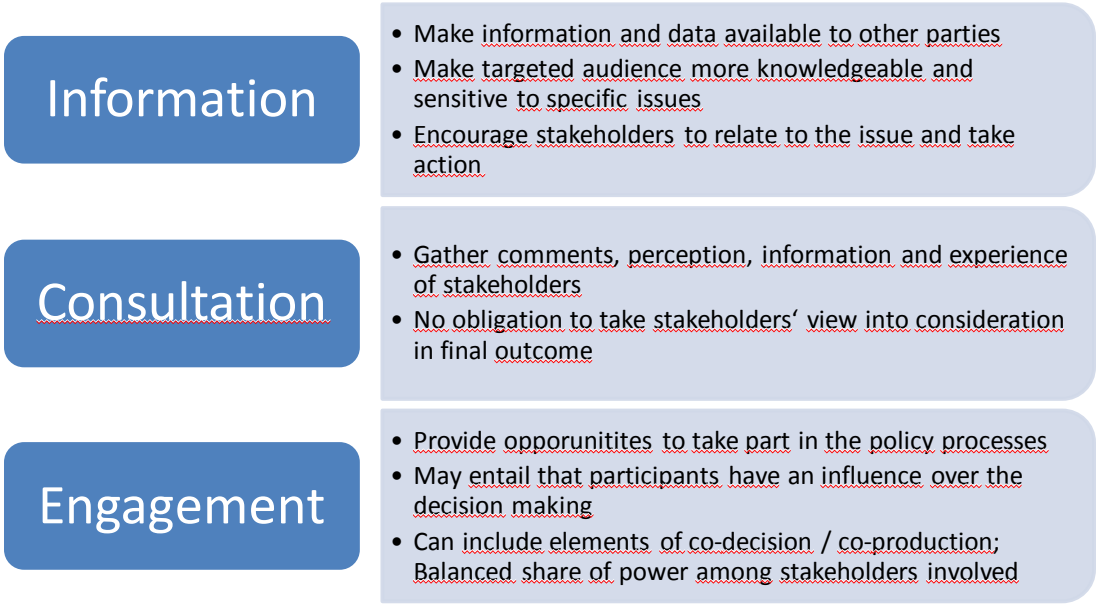
As done in the third NAP-cycle, Paraguay could also aim to make use of the design process of its fourth NAP to reach out to an even wider range of stakeholders and organise co-creation sessions across the entire country to engage citizens, CSOs, the private sector and academia from outside the capital. As in the third NAP which also

counted with a roundtable focused on local governments, concrete commitments focusing on open government at sub-national level would allow these actors to become more engaged. Some of the commitments could for instance focus on departments / municipalities that were not previously involved in the OGP process. Citizens and CSOs from outside of the capital could also be involved in the co-creation of a national Open Government Strategy, as done in Costa Rica and in Paraguay's process to design the National Development Plan 2030.

Stakeholder engagement in other policy processes

Stakeholder engagement in Paraguay exists in different areas: citizens can for instance participate in participatory budget processes (currently existing at municipal level), there are mandatory Parliamentary processes such as public hearings, and roundtables have been established by law in different policy areas. These formal mechanisms give citizens and the organised civil society the opportunity to participate in policy processes. However, most of these processes are not very visible and, in the majority of cases, participatory instances are spaces for "public accountability" rather than actual spaces for engagement. Hence, as in many countries, participation in Paraguay mainly focuses on the information and consultation stages on the imaginary ladder of participation practices (Figure 6.9).

Figure 6.9. The imaginary ladder of participation practices: Levels of stakeholder participation



Source: Adapted from OECD (2015a), "Policy shaping and policy making: The governance of inclusive growth", background report to the Public Governance Ministerial Meeting, 28 October, www.oecd.org/governance/ministerial/the-governance-of-inclusive-growth.pdf

One notable exception is the *Equipo Nacional de Estrategia País* (ENEP – see chapter 2) which was created by Decree 1732 in 2014. While this chapter focuses on open government-related practices, the ENEP needs to be mentioned here because of its special

status and because it is very much linked with the STP, the national open government leader. The ENEP's main task is to develop a vision of integral development for the country with a view to overcoming poverty and guaranteeing the exercise of the human rights of the entire Paraguayan population (*Equipo Nacional de Estrategia País*, 2017).

The ENEP was one of the leading actors in the preparation of the National Development Plan Paraguay 2030 and functions as the "custodian" of the NDP. It supports the Plans' design, communication and implementation in the various sectors of society, with the aim of converting the NDP into an actual State policy. The workshops that it facilitated at local level made a crucial contribution to the design of the NDP and allowed for the participation of citizens that would usually not have been involved.

The ENEP is composed of notable personalities from different parts of society: 1) social sector; 2) business and cooperatives; 3) scientific, academic and cultural sector; and 4) representatives of the Executive branch. This public-private participation between government and civil society, is supposed to "combine the experiences of the different sectors" and "facilitate and promote social dialogue as a way to achieve the agreements that society requires, as well as to resolve conflicts" (*Equipo Nacional de Estrategia País*, 2017). ENEP members are chosen by decree. They do not represent their respective organisations.

The ENEP is a vivid example of multi-stakeholder consultation and participation in Paraguay and could play a more active role in the country's open government process. Its members could for instance be involved in the process to design a national Open Government Strategy. Given its high level of visibility and the importance of its members, the ENEP could be further used to organise ad hoc dialogues on pressing open government topics such as access to public information and anti-corruption. Participatory spaces such as the ENEP should be made full use and efforts should be made to guarantee its independence.

In general, and as discussed above, more efforts are needed to empower CSOs and citizens. This includes giving them more and better opportunities to participate in the policy-setting cycle more generally. The government of Paraguay has informed the OECD that it is already making use of the experience made in the co-creation process of the OGP Action Plans in its education reform process. The country could further "upscale" its OGP co-creation experience in other policy areas. The Civic Participatory Service Design Team in Korea provides an interesting example (Box 6.13).

Box 6.13. Civic Participatory Service Design Team in Korea

In an effort to engage more citizens in the policy design process, the Government of the Republic of Korea decided to launch a pilot project to form Civic Participatory Service Design Teams, whose members include the general public. The teams are organised to encourage citizens to participate in the design process for certain public policies or services.

The Civic Participatory Service Design Teams are composed of citizens (as customers), civil servants (as service providers) and experts. They play a role to design a new government policy or public service and improve any existing policy or service. For each policy task, conducted either by a central government agency or local government, about seven members assemble to form one team and work for about three to four months in various forms such as field studies, literature reviews and brainstorming sessions.

Furthermore, Civic Participatory Service Design Teams use service design methodologies to conduct research. Service design is well known as a tool to develop innovative services. Before service design methodologies were adopted, the Government struggled to understand what citizens actually needed. Rounds of interviews, surveys, and discussions only ended up with fragmentary and superficial results. Unlike other methodologies, service design involves methodologies to closely observe customer experience, behaviour, psychology and even surrounding environments in order to discover the hidden needs of customers.

In 2014, 19 central government agencies and 12 municipal or provincial governments piloted a service design programme with the Civic Participatory Service Design Teams, which produced satisfactory policy proposals that met the needs of the people. This pilot programme was significant in that citizens themselves served not as passive customers but as active participants in designing a public policy. This new model for policy establishment engaged citizens in the policy decision-making process as partners, thus innovating the ways of working in the public sector.

Thanks to the success of the pilot programme, the Civic Participatory Service Design Teams will be launched on a larger scale at various levels of government in 2015. To date, over 200 teams were formed to work on a policy proposal in nearly every policy area, including safety, public health, culture, social welfare, industry, energy, environment, transport, housing, education, and finance. The Government will provide steadfast support to the Civic Participatory Service Design Teams so that those teams will take root and grow to be a significant part of Korean society.

Source: OECD (2016d), The Governance of Inclusive Growth: An Overview of Country Initiatives, OECD Publishing, Paris

Moving towards an Open State

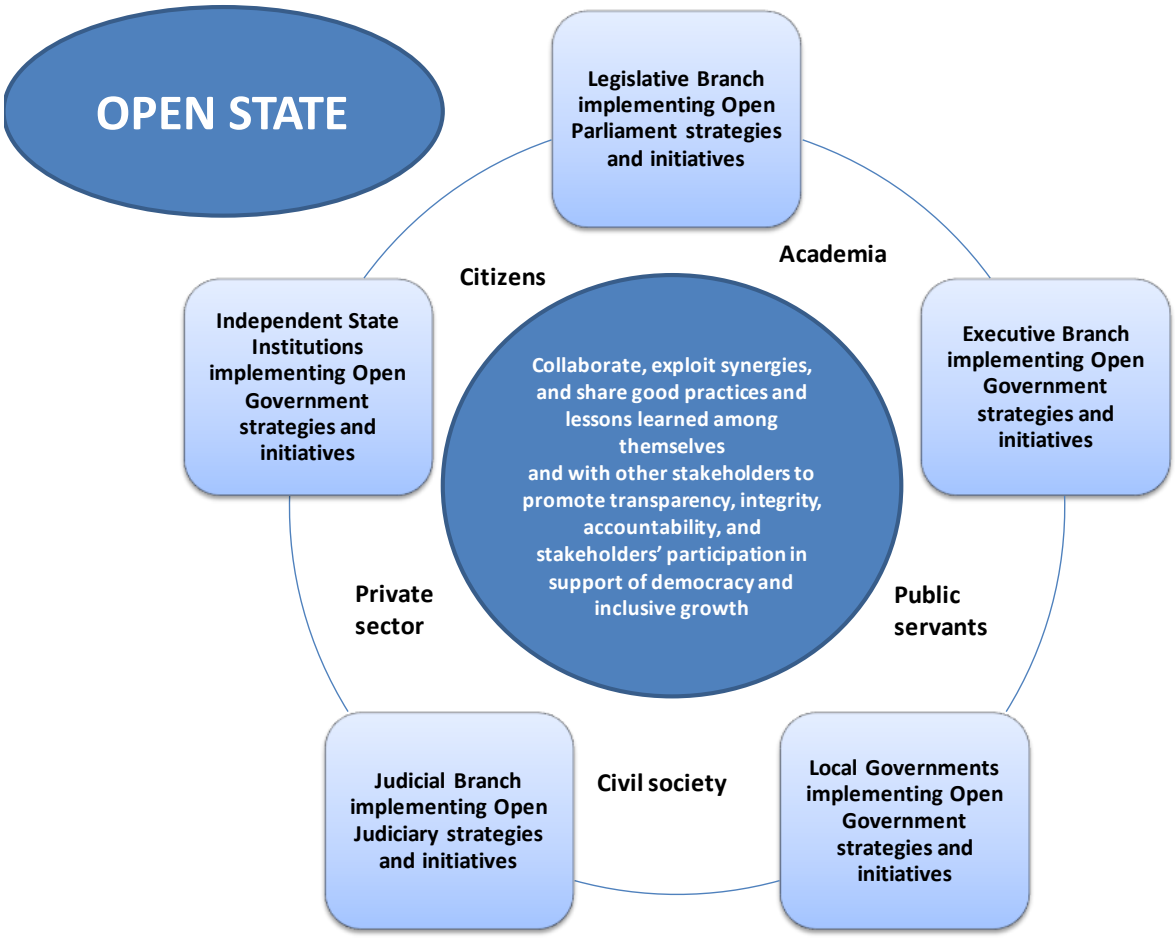
Box 6.14. Provision 10 of the OECD Recommendation of the Council on Open Government

"Promote a progressive move from the concept of open government toward that of open state, while recognising the respective roles, prerogatives and overall independence of all concerned parties."

For many years, the global open government movement has focused its attention mainly on strategies and initiatives taken by the executive branch of the state. In the framework of the first Action Plans under the OGP, national ministries for instance committed to making data available or to providing better access to public information. These days, however, countries across the world are increasingly acknowledging that open government initiatives should not be seen as an endeavour that the executive branch pursues in isolation. Citizens, civil society organisations, the private sector and the media expect the same level of transparency, accountability and opportunities to participate in their interactions with the different actors that comprise a state.

As a reaction to this and as shown by the results of the 2016 OECD Report on Open Government, some countries have started mainstreaming open government principles and are moving towards a truly holistic approach to their efforts to foster transparency, integrity, accountability and stakeholder participation which also includes a wide variety of other actors. They are thereby moving towards what the OECD has termed an "Open State" (OECD, 2016) as illustrated in Figure 6.10.

Figure 6.10. The OECD Open State Approach



Source: Author's own elaboration

In its Recommendation by the Council on Open Government, the OECD defines the open state as follows: "When all public institutions of the executive, parliament, and the judiciary, independent public institutions, and all levels of government join forces and collaborate with civil society, academia, the media, and the private sector to design and implement a reform agenda to make public governance more transparent, accountable and participatory." In this notion, while it is clear that the different branches of the state are and should be independent from each other, an entire society jointly develops a common understanding and commitment to more openness. As Oszlak (2017) points out, an open state is more than the sum of an open government, open judiciary and open parliament. It is about the joint commitment by all actors to convert the open government principles into the guiding principles of the entire country, making them part for the culture of citizens and all public servants.

In recent years, Paraguay has started taking first important steps towards the creation of an open state. For instance, different initiatives to foster open government at local level have been taken, the Parliament has its own open parliament initiative, the judiciary has included open government principles in its Institutional Strategic Plan and the third OGP Action Plan includes elements related to the participation of independent state institutions such as the Comptroller General (Contraloria).

Open Government at the Sub-national Level in Paraguay

Sub-national governments have to be key players when it comes to the implementation of open government strategies and initiatives. As far as their specific competences are concerned, when implementing them they are closest to citizens' needs and have the most direct interaction with them. As discussed in previous chapters, the OECD fact-finding mission had the opportunity to visit the Paraguayan Municipalities of Carayaó, Cecilio Báez, Ciudad del Este, and Minga Guazú and to gain an overview of existing open government practices at municipal level.

The visit to these Municipalities showed that Paraguay has made important progress in fostering open government at sub-national level. Most importantly, as already discussed in Chapter 3, Municipal Development Councils (Consejos de Desarrollo Municipal, MDC) have been created in almost all (232 out of 254) Municipalities and Departments (15 out of 17) since 2014. The Councils are quintessential open government tools and, once firmly established, have great potential to become important players in the promotion of open and participatory policy-making and service delivery at sub-national level. They bring together Municipal authorities (including the Mayor/*intendente*), the private sector as well as local civil society organisations.

The Councils meet regularly to discuss questions of relevance for the economic and social development of the Municipality. In accordance with their obligation under decree 4774 from 2016, 244 Municipalities in Paraguay have now elaborated Municipal Development Plans (MDP) which outline their strategic development priorities and are aligned with the National Development Plan. Departmental Development Councils (DDCs) have also been created at departmental level.

While the creation of the MDCs and DDCs is certainly an important step in the right direction, to date, the Councils' administration as well as the initiatives taken by them, including the MDPs, often remain underfunded. MDCs in many instances and especially in the poorest parts of the country, still lack dedicated staff and only a few of them have an actual Secretariat. Many of the MDPs are very ambitious but lack the resources to achieve their high objectives. This creates a potential threat as the MDCs and the MDPs

they have adopted can raise expectations in the citizenry. If Councils do not deliver on those expectations, their activities have the potential to actually decrease citizens' trust.

Hence, there is a need for more support and guidance to MDCs from both the central and departmental governments. In line with commitments 4 and 5 of its third OGP Action Plan, the central government should continue its efforts to provide Municipal Development Councils with clear guidelines in order to support them. The government has already elaborated several manual that explains the functioning of the MDCs.

Now that most Municipalities have MDCs and MDPs in place, it will be important assess information on lessons learned in order to support continuous improvement of the Councils. In line with this consideration, the government could make use of the existing Network of MDCs which currently meets once a year. The Network could meet on a more regular basis and have a permanent secretariat that facilitates the exchange of experiences and peer-learning. Overall, the government could pursue its ambitious efforts to include the local level in the open state process. DMCs, MDCs and MDPs have the potential to significantly alter governance at local level in Paraguay over the next years.

Open government at sub-national level also depends to a large extend on the existence of a vibrant civil society community. In some parts of Paraguay, and in particular in Ciudad del Este, the OECD mission had the opportunity to interact with civil society organisations that use open government tools to promote the fight against corruption, citizens' control and transparency of the local authorities (Box 6.15). The government could make efforts to involve more of these local champion CSOs in the open government agenda.

Box 6.15. ReAcción – Monitoring of government spending through access to information and open data

ReAcción is a non-profit civil society organisation based in Ciudad del Este. The organisation has more than 5 years of experience promoting projects in the areas of citizen participation, transparency and good governance.

The organisation, composed mainly of young students, investigates the allocation of resources of the National Fund for Public Investment and Development (FONACIDE) in Ciudad del Este with the support of Transparency International.

The project ParaguaYOite promotes the monitoring of the administrative process and the allocation of FONACIDE resources in the city through the use of available open data and access to information requests. Students monitor the city's spending of the FONACIDE resources, point to irregularities and provide concrete recommendations to the authorities. The OECD mission had the opportunity to participate in a public session organised by FONACIDE. The meeting had a high level of visibility and counted with the participation of various members of the city council and of the media.

ReAcción is also involved in the OGP process and supports the implementation of the third National Action Plan.

Source: ReAcción (2017), Informe del Monitoreo de Ejecución Física del FONACIDE https://reaccionpy.neocities.org/informe-mef-cde.html

Open Parliament and Open Justice in Paraguay

Following the examples of Costa Rica and Chile, Paraguay's Congress has taken first steps towards increased openness. Paraguay's "Alliance for an Open Parliament" was created in 2016 by members of Parliament, the administration of Parliament and various civil society organisations to foster "a new relationship between citizens and the Legislative Branch" (Legislative Assembly of Paraguay, 2017a). Its main objective is to "install the Open Parliament Alliance in Paraguay as platform of collaboration between civil society organisations, legislators and citizens in general in order to jointly promote a co-ordinated approach to openness in legislative institutions through the signing of a **declaration** that signals the commitment to develop a national Open Parliament agenda and that includes the creation of specific **action plans** through all available participation and dialogue mechanisms" (Legislative Assembly, 2017).The high-level Open Parliament Declaration that was signed by members of Parliament and civil society includes the commitment to "summon the other Powers of the State to install a joint working table where strategies are analysed and implemented (…)" (Legislative Assembly of Paraguay, 2017b).

In 2016, a first Open Parliament Action Plan was elaborated. The Plan was drafted jointly with civil society organisations and includes a number of commitments of the Congress (both Chambers together), the Senate, the Chamber of Deputies and of CSOs.

Moreover, in the framework of the Open Parliament initiative, an "Open Parliament Commission" was created in Congress. The Commission includes members of both chambers and has great potential to guide the country's overall open state process over the next years. Parliamentary Commissions in Paraguay have the power to bring together

actors from all branches as well as civil society. The country could consider renaming the Commission "National Open State Commission" and call for the participation of all branches of power as well as civil society in its sessions.

While less advanced than the Open Parliament initiative, Paraguay's judicial branch is also experimenting with **Open Justice initiatives**. The branch's Institutional Strategic Plan (*Plan Estratégico Institucional*, PEI), which was elaborated with the support of USAID and CEASMO (see above), includes open government principles as one of its axes. The plan makes extensive reference to transparency, integrity, accountability and participation and, if successfully implemented, has the potential to fundamentally change the functioning of the branch and its relationship with citizens.

The judicial branch is also working on its own digital government and open data initiatives and is increasingly reaching out to citizens via programmes such as "Justice in your neighbourhood" (Justicia en tu barrio). Moreover, there seems to be a general willingness in the judicial branch to join forces with the other branches of power and civil society in order to generate a truly holistic approach to open government principles in Paraguay. As a next step, the judicial branch could consider elaboration its own Open Justice Plan together with civil society and academia. Both the OGP process led by the National Government and the Alliance for an Open Parliament can provide important lessons.

Overall, these efforts by the other branches of power should be pursued. There is ample potential to better co-ordinate between all three branches and exchange experiences and good practices. As previously discussed, Paraguay could consider creating some kind of Open State Roundtable, either by extending participation in the existing OG Roundtable to the other branches; by inviting all branches to participate in the existing Parliamentary Commission on Open Government; or by creating an additional round that counts with the participation of representatives from all branches of power and other key stakeholders.

An Open State approach to the OGP Action Plan

OGP Action Plans can provide the opportunity for countries to experiment with open state practices and take initiatives that are implemented jointly by different branches of power, as done for instance in Costa Rica's third NAP. Paraguay's first two OGP Action Plans did not include any commitments made by institutions outside of the Executive branch. However, Paraguay's third OGP Action Plan for 2016-2018 identified the involvement of government institutions outside the executive branch and subnational governments as a major challenge for its open government process. For the first time, the third NAP included a commitment by an Independent State Institution, the Comptroller General. Furthermore, several goals of the plan include sub-national governments on issues such as participatory design of public policies and access to public information.

For its fourth NAP, due to be presented in 2018, the government of Paraguay could consider including concrete commitments by the other branches of power and an increasing number of commitments made by the sub-national level of government. Colombia's third OGP Action Plan entitled "Toward an Open State" (Government of Colombia, 2017) could provide an interesting example.

Recommendations

This chapter identifies a number of good practices in Paraguay that could inspire other countries from the region in their open government agendas. These good practices include the inclusion by the Government of Paraguay of open government principles in Paraguay's 2030 National Development Plan (NDP) and the strong link the country's OGP Action Plan has with the NDP, the creation of Municipal Development Councils and the ambitious ongoing open state agenda.

The chapter also discussed challenges that the government will need to address in order to foster institutionalisation and guarantee the sustainability of its efforts. In order to address these challenges, the OECD recommends that the government of Paraguay consider the following:

- **Co-create a single national definition of "Open Government"** together with all stakeholders. The National Open Government Roundtable (*Mesa Conjunta de Gobierno Abierto*) or the Parliamentary Commission on Open Government could provide the adequate forum for the development of such a definition.
- **Pursue efforts to link the OGP Action Plans with the national development agenda** by making sure that the fourth OGP Action Plan is also fully connected to the objectives of the National Development Plan Paraguay 2030.
  - **Make use** of the long-term framework provided by the National Development Plan to promote a long-term vision for open government in Paraguay that goes beyond the OGP Action Plan.
- **Co-create a single National Open Government Strategy** (NOGS) with all stakeholders, including the other branches of power; in order provide the missing link between the high-level commitments of the National Development Plan and short-term delivery-oriented commitments included in the biannual OGP Action Plans.
- **Make further efforts** to enhance the legal and regulatory framework for open government, including by working on regulation on stakeholder participation (as done by Colombia) and on a national archives law.
  - **Harmonise** access to information legislation in order to create a more easily usable and understandable legal framework that provides the necessarily security and stability for all stakeholders.
  - **Focus** on the effective implementation of the access to information legislation by providing incentives and considering the possibility of sanctions for non-compliance.
  - **Provide** more human and financial resources to the office of the Ministry of Justice that is responsible for the implementation of the access to information legislation in order to improve the implementation of both laws.
  - **Conduct** online and offline (i.e. public events etc.) outreach campaigns about the laws in order to make sure that citizens are well aware of their right to request and access information.
- **Involve the Secretariat for the Civil Service (SFP) even more actively** in the open government agenda (for instance by actively including it in a reformed Open Government Roundtable).
  - **Consider including Human Resources Management** elements in the fourth OGP Action Plan, for instance the promotion of regular open government trainings for new civil servants.

- **Extend the Open Government Roundtable's** responsibilities to the wider open government process of the country and review its composition in order for it to become the country's Open Government Steering Committee.
  - **Extend the Roundtable's representativeness and enhance its effectiveness** by selecting a number of key public institutions that represent the government's position in the Committee and by letting civil society organisations select a small number of organisations that participate in the sessions.
  - **Include actors from the private sector, the media, other branches of power as well as local government and local civil society organisations** in the Roundtable.
  - **Regulate** the functioning and the responsibilities of the Roundtable by decree (as done in Costa Rica) or through other regulation that is widely agreed on by all involved stakeholders in order to further institutionalise this important co-creation space and guarantee continuity of the country's open government agenda.
  - **Define sub-committees** of the Roundtable that are in charge of specific topics, such as access to information, open data and stakeholder participation.
- **Broaden the scope and functions of the *Equipo Nacional de Transparencia*** for it to become the government's internal open government decision-making body.
  - **Extend the responsibilities of the *Equipo Nacional de Transparencia*** to the wider open government agenda (including initiatives in the areas of transparency, integrity, accountability and stakeholder participation) and consider renaming it *Equipo Nacional de Gobierno Abierto*.
  - **Review the composition of the *Equipo*** and make sure that all relevant contributors to the country's open government agenda are members of it.
  - **Organise regular meetings of the *Equipo*** in order to facilitate the government's internal decision-making process on open government principles.
- **Diversify the range of donors supporting the national open government agenda** in order to reduce the dependency on Official Development Assistance from a single country.
- **Improve the monitoring and evaluation of open government strategies and initiatives**.
  - **Enhance the participation in monitoring activities of civil society** and of academia, including through the creation of strategic alliances with universities to enrich monitoring activities.
  - **Consider communicating results of monitoring activities** more widely across the entire state apparatus in order to maintain the momentum of open government strategies and initiatives and people's confidence in them.
  - **Give civil society the opportunity to provide feedback** on the government's monitoring.
  - **Link the monitoring and evaluation of the OGP Action more strongly to the M&E of the NDP** in order to ensure that all efforts go in the same direction.
- **Continue the ongoing move to bring the benefits of open government to the sub-national level.**
  - **Provide more technical support and guidance to Departmental and Municipal Development Councils**, including through the elaboration of

clearer guidelines (for instance in the form of a handbook) in order to support their functioning.
  - **Consider using existing networks of Departmental and Municipal Development Councils more actively** in order for them to exchange experiences and learn from each other.
  - **Engage** citizens and CSOs from outside of the capital in the co-creation of the fourth OGP Action Plan and in the creation of a National Open Government Strategy.
  - **Consider including** concrete commitments focusing on open government at sub-national level in the fourth OGP Action Plan in order to allow these actors to become more engaged.
- **Foster open government communication**, including by creating an integrated Open State website for the country that includes information on initiatives taken by all branches of power in order to create synergies between the initiatives and give citizens a single entry point to the state's efforts to promote open government principles.
- **Continue empowering civil society organisations and citizens**, including by giving them more and better opportunities to participate in policy cycles outside of the OGP process.
  - **Make use of the first experiences made with co-creation in the framework of the OGP Action Plans**. The experience could be "unscaled" and used in other policy areas.
- **Continue the ongoing move towards an "Open State"**.
  - **Consider including concrete commitments by the other branches of power** made by the sub-national level of government in the fourth OGP Action Plan.
  - **Continue the ongoing Open Parliament efforts** and make sure to exploit synergies with the Executive's open government agenda.
  - **Consider renaming the Parliamentary Open Government Commission "National Open State Commission"** and calling for the participation of all branches of power as well as civil society in its sessions.
  - **Consider designing an Open Justice Plan together with civil society and academia**. Both the OGP process led by the National Government and the Alliance for an Open Parliament can provide important lessons.

References

Biblioteca del Congreso Nacional de Chile (2008), "Sobre Acceso a la Información Pública", www.leychile.cl/Navegar?idNorma=276363 (accessed 24 March 2016);

Consejo para la Transparencia (n. d.), "Qué es el Consejo para la Transparencia?", webpage, www.consejotransparencia.cl/que-es-el-cplt/consejo/2012-12-18/190048.html (accessed 24 March 2016).

Defensoría de los Habitantes (n.d.), Red Interinstitucional de Transparencia, http://dhr.go.cr/red_de_transparencia/index.aspx (accessed 8 February 2016).

Equipo Nacional de Estrategia País (2017), QUIÉNES SOMOS, http://enep.org.py/index.php?option=com_content&view=article&id=2&Itemid=121 (accessed 5 November 2017).

Government of Colombia (2017), Colombia Action Plan 2017-2019, www.opengovpartnership.org/documents/colombia-action-plan-2017-2019 (assessed 27 November 2017).

Government of Paraguay (2016a), Paraguay National Action Plan 2016-2018, www.opengovpartnership.org/documents/paraguay-national-action-plan-2016-2018 (accessed 15 November 2017).

Government of Paraguay (2016b), Paraguay Mid-Term Self-Assessment Report 2016-2018, available at: https://www.opengovpartnership.org/documents/paraguay-mid-term-self-assessment-report-2016-2018.

OECD (2017), Recommendation by the Council on Open Government.

OECD (2016), Open Government: The Global Context and the Way Forward, OECD Publishing, Paris. http://dx.doi.org/10.1787/9789264268104-en.

OECD (2016b), Open Government in Indonesia, OECD Publishing, Paris.DOI: http://dx.doi.org/10.1787/9789264265905-en.

OECD (2015a), "2015 OECD Survey on Open Government Co-ordination and Citizen Participation in the Policy Cycle", OECD, Paris.

OECD (2015b), "Policy shaping and policy making: The governance of inclusive growth", OECD Ministerial Meeting, www.oecd.org/governance/ministerial/thegovernance-of-inclusive-growth.pdf (accessed 29 June 2016).

OECD (2014a), Open Government in Latin America, OECD Public Governance Reviews, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264223639-en.

Open Government Partnership (2015), Paraguay Informe de Avance 2014-2015, available at: https://www.opengovpartnership.org/documents/1-paraguay-informe-de-avance-2014-2015-final-english-summary.

Oszlak, O. (2017), "La noción de Estado abierto en el contexto de América Latina y el Caribe", in Naser, A. et al. (2017), Desde el gobierno abierto al Estado abierto en América Latina y el Caribe, Comisión Económica para América Latina y el Caribe, Santiago.

Presidency of the Republic of Colombia (2015), "Law 1757 from 2015", presidency website, http://wp.presidencia.gov.co/sitios/normativa/leyes/Documents/LEY%201757%20DEL%2006%20DE%20 JULIO%20DE%202015.pdf (accessed March 2016).

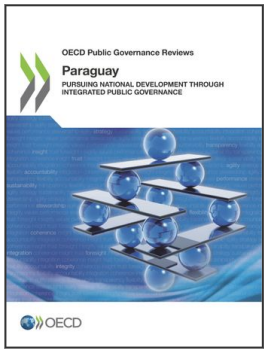
ReAcción (2017), Informe del Monitoreo de Ejecución Física del FONACIDE https://reaccionpy.neocities.org/informe-mef-cde.html.

Republic of Paraguay (2015), Decreto Nº 4719.Por la cual se crea el equipo nacional de transparencia, integrado por las instituciones que conforman el equipo económico nacional y la secretaria nacional anticorrupción, www.transparencia.gov.py/application/files/8414/5649/0573/DECRETO4719.pdf (accessed 3 November 2017).

Republic of Paraguay (1992), Constitución Nacional de la República del Paraguay, available at http://www.bacn.gov.py/constitucion-nacional-de-la-republica-del-paraguay.php.

Legislative Assembly of Paraguay (2017a),ParlamentoAbierto - Paraguay 2017, www.diputados.gov.py/ww5/index.php/institucion/parlamento-abierto-paraguay (accessed 15 November 2017).

Legislative Assembly of Paraguay (2017b), DeclaraciónConjunta, www.diputados.gov.py/ww5/application/files/8015/0703/8161/Declaracion_Conjunta_APA.pdf (accessed 15 November 2017).



From:

OECD Public Governance Reviews: Paraguay

Pursuing National Development through Integrated Public Governance

Access the complete publication at:

https://doi.org/10.1787/9789264301856-en

Please cite this chapter as:

OECD (2018), "Open Government in Paraguay", in *OECD Public Governance Reviews: Paraguay: Pursuing National Development through Integrated Public Governance*, OECD Publishing, Paris.

DOI: https://doi.org/10.1787/9789264301856-9-en

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