Independent Reporting Mechanism (IRM): Philippines' Design and Implementation Report 2017–2019

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Executive Summary: Philippines

The Philippines' fourth action plan modestly increased citizens' access to information, particularly in regard to the budget process, extractive industries, and local government spending. Despite substantial completion, open government gains were modest. Going forward, the Philippines' can achieve stronger reforms by raising commitments' level of ambition and ensuring legislative support.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Philippines joined OGP in 2011. Since then, Philippines has implemented four action plans. This report evaluates the design and implementation of Philippines' fourth action plan.

General overview of action plan

The Philippines' fourth action plan saw high levels of completion but moderate open government advancements. This aligns with the fact that 8 of the 13 commitments were of minor ambition. While PH-OGP facilitated a broad consultation process, the final action plan predominantly reflects government priorities. Regardless, civil society remained engaged from commitment design through implementation.

Some notable governance reforms were implemented, particularly in regard to access to information and civic dialogue. Government agencies established eFOI portals to facilitate more efficient responses to citizen requests (commitment 5). Additionally, the government's creation of an Assistance to Disadvantaged Municipalities portal increased citizen access to information on local infrastructure projects (Commitment 1).

A starred commitment must meet several criteria:
- The commitment's design was **Verifiable**, **Relevant** to OGP values and had a **Transformative** potential impact, as assessed at the design stage of the action plan.
- The commitment's implementation was assessed by the IRM as **Substantial** or **Complete.**

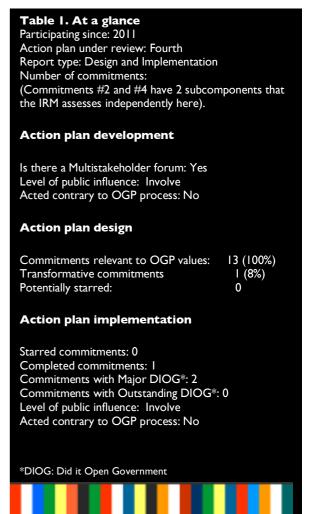On the basis of these criteria, Philippines' action plan has 0 starred commitments.

Table 1. At a glance
Participating since: 2011
Action plan under review: Fourth
Report type: Design and Implementation
Number of commitments:
(Commitments #2 and #4 have 2 subcomponents that the IRM assesses independently here).

Action plan development

Is there a Multistakeholder forum: Yes
Level of public influence: Involve
Acted contrary to OGP process: No

Action plan design

Commitments relevant to OGP values: 13 (100%)
Transformative commitments   1 (8%)
Potentially starred: 0

Action plan implementation

Starred commitments: 0
Completed commitments: 1
Commitments with Major DIOG*: 2
Commitments with Outstanding DIOG*: 0
Level of public influence: Involve
Acted contrary to OGP process: No

*DIOG: Did it Open Government

Table 2. Noteworthy commitments

Commitment description	Status at the end of the implementation cycle
Commitment 4A: Engage and empower citizenry through an effective government feedback mechanism	During the implementation period, the president continued to promote Hotline 8888 and encourage agency compliance. The government also published reports on citizen complaints and the government's response. These activities marginally contributed to the hotline's aim to enable citizens to voice complaints about red-tape regulations and corruption in public service delivery.
Commitment 7: Increase public integrity and more effectively manage public resources through budget reforms	From 2017 to 2019, the government continued its positive trajectory toward greater budget transparency, including publishing a midyear budget review. However, the Budget Reform Bill was not passed. While CSOs participated in consultations for the implementing rules and regulations, it is not clear how their presence influenced the IRR's content. Consequently, activities under this commitment were evaluated to have marginally contributed to open budget reforms.
Commitment 8: Improved transparency and increased accountability in the extractive industries	Commitment implementation resulted in the substantial release of information about the extractives industry in the Philippines and supported CSO assessments of this information. However, EITI was not institutionalized into law as planned. Additionally, there is no evidence of greater inclusion of Indigenous Peoples in extractives governance.

Five Key IRM Recommendations

The IRM provided the following recommendations to stakeholders in the Philippines during the prepublication review phase of the design section of this report. They are recorded here for public record. Please see the IRM's 2019–2021 Design Report for the most recent IRM recommendations.

1.	Design commitments to clearly articulate a theory of change.
2.	Increase the ambition of commitments, particularly by enhancing public accountability elements in recurring commitments and by exploring new areas.
3.	Strengthen the protection of civic space by establishing independent investigation mechanisms, withdrawing restrictive legislation, and building trust among civil society.
4.	Lobby for greater legislative support by raising awareness and advocating open government principles among members of Congress.
5.	Strengthen the monitoring of commitments to facilitate effective implementation.

ABOUT THE AUTHOR

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Open Government Partnership

III. List of Acronyms & Abbreviations

ADM	Assistance to Disadvantaged Municipalities
AM	Assistance to Municipalities
AO	Administrative Order
ASEAN	Association of Southeast Asian Nations
BDC	Baranggay Development Council
BIR	Bureau of Internal Revenue
CBD	Coalition for Bicol Development
CHR	Commission on Human Rights
CISFA	Comprehensive Shelter Finance Ac
CMFR	Center for Media Freedom and Responsibility
COA	Commission on Audit
CO-CD	Community Organizing - Community Development
CODE-NGO	Caucus of Development NGO Networks
COMP	Chamber of Mines of the Philippines
COVID-19	Coronavirus Disease 2019
CPA	Citizen Participatory Audit
CPBRD	Congressional Policy and Budget Research Department
CSC	Civil Service Commission
CSO	Civil Society Organization
DBM	Department of Budget and Management
DENR	Department of Environment and Natural Resources
DILG	Department of the Interior and Local Government
DO	Department Order
DOE	Department of Energy
DOF	Department of Finance
DReAMB	Disaster Response Assistance and Management Bureau
DROMIC	Virtual Disaster Response Operations Monitoring and Information Center
OpCen	Virtual Operation Center
DRSC	Disaster Response Surge Corps
DSSP	Development Support and Security Plan
DSWD	Department of Social Welfare and Development
E-/e-	Electronic
EITI	Extractive Industries Transparency Initiative

EO	Executive Order
EODB	Ease of Doing Business
FGD	Focus Group Discussion
FINEX	Financial Executives of the Philippines
FOI	Freedom of Information
GCG	Governance Commission on GOCCs
GIFMIS	Government Integrated Financial Management Information System
GOCC	Government Owned and Controlled Corporations
G-Watch	Government Watch
HoR	House of Representatives
IAP2	International Association for Public Participation
IBP	International Budget Partnership
IEC	Information, Education, and Communication
IEP	International Experts Panel
IFI	Independent Fiscal Institutions
INCITEGov	International Center for Innovation, Transformation, and Excellence in Governance
IRM	Independent Reporting Mechanism
IRR	Implementing Rules and Regulations
IP	Indigenous Peoples
ISO	International Organization for Standardization
LDC	Local Development Council
LDIP	Local Development Investment Program
LGC	Local Government Code
LGU	Local Government Unit
LRA	Land Registration Authority
LTO	Land Transportation Office
MASA-MASID	Mamamayang Ayaw sa Anomalya, Mamayang Ayaw sa Iligal na Droga
MDC	Municipal Development Council
MILF	Moro Islamic Liberation Front
MINCODE	Mindanao Coalition of Development NGOs
MOU	Memorandum of Agreement
MSF	Multistakeholder Forum
MSG	Multistakeholder Group

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MTDP	Medium-Term Development Plan
NAPC	National Anti-Poverty Commission
NCC	National Competitiveness Council
NEDA	National Economic Development Authority
NGO	Non-Governmental Organization
NHA	National Housing Authority
OBI	Open Budget Index
OBS	Open Budget Survey
OCS	Office of the Cabinet Secretary
OGP	Open Government Partnership
OPDS	Office of Project Development Services
Pag-IBIG	Pagtutulungan sa Kinabukasan: Ikaw, Bangko, Industria at Gobyerno
PAP	Petroleum Association of the Philippines
PCIJ	Philippine Center for Investigative Journalism
PCOO	Presidential Communications Operations Office
PCUP	Presidential Commission on the Urban Poor
PDC	Provincial Development Council
PDP	Philippine Development Plan
PFM	Public Financial Management
PH-EITI	Philippine Extractive Industries Transparency Initiative
PH-OGP	Philippine Open Government Partnership
PIDS	Philippine Institute for Development Studies
R2KRN	Right to Know Right Now
RA	Republic Act
REACT	Regional Emergency Assistance Communications Team
RETT	Rapid Emergency Telecommunications Team
SCM	Standard Cost Model
SHFC	Social Housing Finance Corporation
SSS	Social Security System
ToR	Terms of Reference
UDHA	Urban Development and Housing Act
ULAP	Union of Local Authorities of the Philippines
WB-IFC	World Bank - International Finance Corporation
WCAG	Web Content Accessibility Guidelines

I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

The Philippines joined OGP in 2011. This report covers the design, development, and implementation of the Philippines' fourth action plan for 2017-2019. The IRM shared and discussed its assessment of the design of this action plan with the government and the PH-OGP Steering Committee during prepublication review of Sections II, III (3.1 and 3.2), IV, and V of this report. This was to ensure that stakeholders received IRM recommendations and analysis while the Philippines' fifth OGP action plan for 2019-2021 was being developed.

Due to unforeseen delays in the completion of the report, the IRM combined its assessment of commitment design and implementation to produce this consolidated report for the 2017-2019 action plan. For the most recent IRM recommendations, please refer to the IRM's Design Report for the Philippines' 2019-2021 Action Plan.

The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology, please visit https://www.opengovpartnership.org/about/independent-reporting-mechanism.

II. Open Government Context in Philippines

The Philippines' legal and institutional framework remains strongly aligned with the values and principles of open government. Yet the country's fourth action plan was developed and implemented in an environment of deepening militarization and shrinking civic space and media freedom. Strengthening civic space and civil liberties therefore remain key areas of opportunity for open government growth.

The following section outlines the open government context in The Philippines at the time the 2017-2019 action plan was designed and implemented.[1] According to the World Bank, the Philippines is one of the most dynamic economies in the Southeast Asian region. With an average annual economic growth of 6.4% between 2010 and 2019, the Philippines is soon expected to transition from a lower-middle income to an upper-middle income economy. Poverty has decreased from 23.3% in 2015 to 16.6% in 2018. The Gini coefficient declined from 44.9 to 42.7 over the same period.[2]

The legal and institutional framework of the Philippines is conducive to citizen engagement and open government. The 1987 Philippine Constitution ensures that "sovereignty resides in the people" and encourages the active involvement of non-governmental, community-based, and sectoral organizations, guaranteeing rights to assembly, freedom of expression, and free press.[3] The government has specifically sought to institutionalize participatory governance at national and local levels. In 2016, President Duterte created the Office of Participatory Governance, and the 8888 citizens' complaint hotline and center was established through executive orders.[4] In 2017, Executive Order No. 24 created a specific Cabinet Cluster on Participatory Governance.[5] State mechanisms for accountability are extensive and include independent constitutional commissions such as the Ombudsman, Commission on Audit (COA) or the Commission of Human Rights (CHR), and performance monitoring systems at all levels across the different branches of government. The core features of procedural democracy are provided by the Philippine Constitution and the country's body of laws, but substantive democracy is generally weak, with the enforcement of laws and administration of justice being critical challenges. The concentration of power in the hands of a few at both the national and local levels has been reported to undermine accountability, leading some scholars to describe the Philippines as an elite democracy with weak institutions.[6]

The Philippines is known for its vibrant civil society, with many progressive laws and policies in the country being introduced as a result of social movements and progressive civil society action.[7] Since 2017, however, Civicus has considered civic space in the Philippines to be *obstructed*, citing concerns around deepening militarization and the use of laws and policies against CSOs.[8] Similarly, although the freedoms of expression, assembly, and association are protected under the country's Bill of Rights and the Local Government Code of 1991, the International Centre for Not-for-Profit Law finds that these freedoms have recently been constricted, particularly in light of strong anti-drug and anti-terror campaigns. Social movements and civil society in the Philippines have also not led to

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[1] A more recent assessment of the Philippines' open government context will be available in the IRM's forthcoming 2019-2021 Design Report.
[2] "The World Bank in the Philippines" (The World Bank, Apr. 2020), https://www.worldbank.org/en/country/philippines/overview.
[3] The Constitution of the Republic of the Philippines, Article III, Section 4, 1987.
[4] Executive Order 6. 2016. https://www.officialgazette.gov.ph/2016/10/14/executive-order-no-6-s-2016/; https://www.rappler.com/nation/duterte-executive-order-office-participatory-governance
[5] Executive Order 24. 2017. https://www.officialgazette.gov.ph/2017/05/16/executive-order-no-24-s-2017/
[6] Hutchcroft, Paul and Joel Rocamora (2003). Strong Demands and Weak Institutions: The Origins and Evolution of the Democratic Deficit in the Philippines. Journal of East Asian Studies. Vol 3 No. 2 (May-August 2003).
[7] Aceron, Joy (ed.). 2018a. Going Vertical: Civil Society Monitoring and Advocacy Campaigns in the Philippines. Quezon City and Washington, DC: Government Watch and Accountability Research Center.
[8] Civicus (2019), Civicus Monitor - Philippines, available at: https://monitor.civicus.org/country/philippines/

major shifts in traditional power dynamics[9] or in how wealth is distributed among the population; with 16.6% of the total population finding themselves in poverty.[10]

Within this challenging operating environment, previous IRM reports confirm that OGP in the Philippines (PH-OGP) has generally done well in completing commitments and ensuring major results in open government.[11] The implementation of all previous action plans maintained more than 50% of commitments with substantial progress or complete status, although the third action plan signaled decelerating progress in core reform areas.[12] These include, for instance, reforms aiming to deepen citizen participation, challenges with the passage of the Freedom of Information Bill, and the non-implementation of the Government Integrated Financial Management Information System (GIFMIS). Stakeholders widely agree that the implementation of GIFMIS was a critical public financial management reform that could have significantly strengthened citizen accountability efforts.[13]

The Philippines' standing in various international open government, good governance, and democracy rankings had declined by the end of the implementation period. Transparency International, for instance, considered the Philippines "among the worst regional offenders" when it comes to threats against or murder of journalists, activists, opposition leaders and even staff of law enforcement or watchdog agencies.[14] According to the Center for Media Freedom and Responsibility (CMFR), 12 journalists were killed between 2016 and January 2019.[15] Reporters Without Borders' World Press Freedom Index (where the Philippines dropped from a ranking of 127 to 134 out of 180 countries between 2017 and 2019)[16] and the 2018 Global Impunity Index (where Philippines was found to have the highest number – i.e., 40 – unsolved cases of murdered journalists),[17] also reflected deteriorating media freedom in the country.

The Philippines was tagged as "flawed democracy" in the 2019 Democracy Index of the Economist Intelligence Unit, a one-position decrease compared with the 2018 Index.[18] The country also dropped 18 positions in the 2019 World Justice Project's Rule of Law Index,[19] with no progress in the 2020 index.[20] Freedom House's Freedom in the World 2020 report also illustrates decline, from a score of 62/100 in 2018 to 59/100 in 2020.[21] The declaration of martial law in the province of Mindanao in 2017 was a principal factor that contributed to the Philippines' poor standing in these human rights and rule of law indicators. In July 2018, the president signed into law the creation of the Bangsamoro Autonomous Region in Muslim Mindanao, as part of the peace agreement with the

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[9] "A Power Shift Is Under Way in Duterte's Game of Thrones", Claire Jiao, Andreo Calonzo and Hannah Dormido. Bloomberg, June t, 2019.

[10] https://www.worldbank.org/en/country/philippines/overview

[11] For instance, under the Philippines' third action plan, 10 commitments out of 13 were completed or substantially advanced, whereas 7 of them had major results in government openness, while the first national action plan (2011-2013) assessed all 19 commitments either complete or substantially complete. For the IRM assessments of the first and third action plan, please see: https://www.opengovpartnership.org/wp-content/uploads/2019/07/IRMReport_Phillipines_100813c.pdf and
https://www.opengovpartnership.org/wp-content/uploads/2018/10/Philippines_End-of-Term_Report_2015-2017.pdf

[12] Aceron, J. (2017). The Philippines Progress Report 2015–2017. Available at: https://www.opengovpartnership.org/wp-content/uploads/2017/08/Philippines_Midterm-Progress_2015-2017_final.pdf

[13] S. Custer, H. Rahemtulla, K. Kaiser, and R. van den Brink. From Pork to Performance: Open Government and Program Performance Tracking in the Philippines. World Bank and AidData. June 2016.

[14] Salas, Alejandro. 2018. "Slow, Imperfect Progress Across Asia-Pacific." Berlin: Transparency International. February 21. Available at: https://www.transparency.org/news/feature/slow_imperfect_progress_across_asia_pacific.

[15] "Better or worse? The state of Philippine media according to watchdogs," Kristine Sabillo, ABS-CBN News. 2 January 2019.

[16] World Press Freedom Index 2019, https://rsf.org/en/ranking

[17] "CPJ's 2018 Global Impunity Index spotlights countries where journalists are slain and their killers go free," Committee to Protect Journalist.

[18] Democracy Index 2019. https://www.eiu.com/n/campaigns/democracy-index-2020/

[19] WJP Rule of Law Index 2019, https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2019

[20] World Justice Project (2020). WJP Rule of Law Index 2020. Available: https://worldjusticeproject.org/our-work/publications/rule-law-index-reports/wjp-rule-law-index-2020

[21] Available at: https://freedomhouse.org/country/philippines/freedom-world/2020

Moro Islamic Liberation Front (MILF), which eased tensions after the initial application of martial law in 2017.[22]

The Philippines' budget process improved in regard to transparency, participation, and formal oversight during the implementation period. In 2016, the Philippines ranked first in Asia for fiscal transparency; however, it had decreased from providing "adequate" to "limited" opportunities for the public to engage in the budget process.[23] By the end of the implementation period, the Philippines had improved its position in the Open Budget Survey – indicating increased transparency and better opportunities for citizen participation in the budget process. In 2017, the Philippines had become one of four countries globally with "moderate" opportunities for public participation.[24]

Overall, at the time the action plan was implemented, the worsening situation of democracy and human rights in the country, according to various international assessments, was a relevant concern for open government in the Philippines. At the same time, these challenges presented an opportunity to introduce and implement ambitious reform initiatives and deepen the impact of open government reforms. The 2017–2019 action plan attempted to cover some core issues, including the passage of the Access to Information Bill, several commitments related to budget transparency, and commitments to improve the ease of doing business. However, no commitments aimed to strengthen civic space or the status of civil rights in the country.

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[22] See Freedom House's 2020 report for the country. Check: https://freedomhouse.org/country/philippines/freedom-world/2020
[23] Open Budget Survey 2017, International Budget Partnership.
[24] Please see commitment 7.

III. Leadership and Multistakeholder Process During Action Plan Design and Implementation

Government bodies and Cabinet-level officials sustained OGP involvement amidst political transition in the Philippines. The establishment of an NGO Secretariat and increased public participation venues improved civil society involvement throughout action plan development and implementation. However, government criteria to shortlist commitments limited CSO input and resulted in a predominantly government-driven action plan.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in the Philippines.

The Department of Budget and Management (DBM) remained the Steering Committee chair and secretariat of the PH-OGP. The PH-OGP secretariat was lodged at the Fiscal Planning and Reforms Bureau, a permanent unit within the DBM. During the 2017–2019 action plan period, only one staff member was assigned to handle PH-OGP matters, though other unit staff lent assistance when necessary.[25] The relevant Cabinet clusters were also amended through an executive order.[26] PH-OGP was shifted out of the Good Governance and Anti-Corruption Cluster and moved under the Participatory Governance Cluster, which "is mandated to exert all efforts to enhance citizen engagement in governmental processes."[27] This cluster was co-chaired by the Department of the Interior and Local Government and Department (DILG) of Budget and Management. Likewise, the Office of Participatory Governance was transferred from the Office of the Cabinet Secretary to DILG by executive order.[28] The overall leadership of OGP on the government end still rested with DBM Secretary Benjamin Diokno who attended key OGP activities at the national and international levels.[29] After Secretary Diokno's departure, Undersecretary Janet Abuel and then Acting Secretary Wendel Avisado oversaw DBM – and therefore OGP – activities.[30]

The engagement of the Philippines in OGP was incorporated in the Philippine Development Plan (PDP) 2017–2022's chapter on Ensuring People-Centered, Clean and Efficient Governance. Serving as the principal development plan document of the government, the PDP views "people-centered, clean, and efficient governance" as a "key strategy to ensure that government policies, programs, and projects are responsive to the needs of the people—which is ultimately aimed at restoring the people's trust in the government."[31]

There was no formal legal mandate PH-OGP during the 2017–2019 action plan cycle. However, the Fiscal Planning and Reforms Bureau provided funding for OGP Secretariat activities such as consultations and procurement. Budget for individual commitment activities fell under the respective implementing agency.[32] Some programs received additional funding upon becoming an OGP commitment. According to the PH-OGP action plan, examples of new OGP commitments given additional funding include Assistance to Disadvantaged Municipalities (commitment 1) and the Shelter Development for Informal Settler Families through Community Organizing and Community Development Approach (commitment 10).[33]

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[25] Interview with Marianne Fabian and Assistant Secretary Rolando Toledo, 19 October 2018.

[26] Executive Order No. 24 issued 2017 https://www.officialgazette.gov.ph/2017/05/16/executive-order-no-24-s-2017/

[27] Executive Order No. 24, 2017. https://www.officialgazette.gov.ph/2017/05/16/executive-order-no-24-s-2017/

[28] Executive Order No. 24, 2017 https://www.officialgazette.gov.ph/2017/05/16/executive-order-no-24-s-2017/

[29] Philippine Open Government Partnership. 2018. Philippine Open Government Partnership (PH-OGP) National Action Plan 2017-2019: Midterm Self-Assessment Report. Manila; p. 8.

[30] Information provided to IRM staff by PH-OGP during the report's prepublication comment period.

[31] National Economic and Development Authority. 2017. Philippine Development Plan 2017-2022 (Abridged Version). Pasig City.

[32] Information provided to IRM staff by PH-OGP during the report's prepublication comment period.

[33] Philippine Open Government Partnership. 2017b. Philippine Open Government Partnership (PH-OGP) National Action Plan 2017-2019: Co-Creating Governance Outcomes with the Filipino People. Manila.

3.2 Multistakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise the ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish the participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. In sum, given the standards set by OGP, the Philippines did **not** act contrary to the OGP process.[34]

Please see Annex I for an overview of the Philippines' performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Table [3.1]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[35] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborate."

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.	✔	✔
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		
No Consultation	No consultation		

The co-creation process just met the basic requirements for an "involve" level of public participation. There was equal representation of government and civil society in the Steering Committee, the main PH-OGP decision-making body. However, the level of public influence on the action plan was limited by the following factors, explained in greater detail in the sections below:

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[34] OGP's Participation & Co-creation Standards were updated in 2016 to support participation and co-creation throughout all stages of the OGP cycle. The Participation & Co-creation Standards outline "basic requirements" which all OGP member countries are expected to meet, and "advanced steps" which, although not obliged to meet, countries will be supported and encouraged to do so. In this line, the Steering Committee resolved in 2017 that if a government does not meet the IAP "involve" requirement during development, or "inform" during implementation of the NAP, as assessed by the IRM, it will be considered to have acted contrary to OGP Process. Given that guidance materials were not yet published during the rollout period of this new policy, countries developing 2017-2019 action plans were given a one action plan cycle grace period. Therefore, Philippines is not considered to have acted against the OGP process. For more information, visit Section 6 of the OGPHandbook – Rules and Guidance for Participants: https://www.opengovpartnership.org/wp-content/uploads/2019/03/OGP_Handbook-Rules-Guidance-for-Participants_20190313.pdf

[35] "IAP2's Public Participation Spectrum," IAP2, 2014. http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

- The government required that commitments included in the action plan have political buy-in and existing funding. These prerequisites limited civil society and citizen influence over what could be included in the action plan.
- The action plan development process was tailored and more conducive to government participation. While the government documented instances of civil society participation, commitments were strongly aligned with government priorities.
- The deactivation of the Governance Cluster website, shift to a PH-OGP Google Drive, and creation of the new DBM OGP website in 2019 meant that documents on the decision-making process were not always easily found by participants.

Multistakeholder Forum

The PH-OGP Steering Committee served as the main multistakeholder forum (MSF) of PH-OGP. The PH-OGP Steering Committee comprised eight government members and eight non-government members.[36] DBM co-chaired the Steering Committee for the government, and Mindanao Code co-chaired for civil society. In addition, there was a separate secretariat for civil society members of the Steering Committee, led by the PH-OGP NGO chair.[37] The PH-OGP Steering Committee was governed by a terms of reference the government and CSO members jointly crafted. The ToR provided the functions and mandate of the Steering Committee, regularity of meetings, and standard processes.[38]

The PH-OGP Steering Committee served as the main decision-making fora, coordination, and oversight body for PH-OGP activities and processes. Since June 2016, eight Steering Committee meetings were convened during the development of the action plan. Generally, only members of the Steering Committee attended the meetings, which were all conducted face-to-face. During action plan development, Steering Committee meeting minutes were stored on the Cabinet Cluster on the Good Governance and Anti-Corruption website. The website was shut down in 2017 with files transferred to a public Google Drive folder[39] linked to the PH-OGP Facebook page. Beginning March 2019, meeting minutes and other documents were stored on the new PH-OGP page on the DBM website.[40]

The commitments for the fourth PH-OGP national action plan were finalized and adopted by the Steering Committee on June 21, 2017, after a consultation and filtering process had been conducted involving CSOs and the government. The forum received 30 initial submissions, which were narrowed down to the final 11 included in the action plan.[41]

Aside from the Steering Committee, several other multistakeholder fora were convened by PH-OGP to discuss the development of the commitments and provide feedback to the PH-OGP.[42] Participants of these fora were pre-identified by DBM, INCITEGov (which was the NGO secretariat during the plan development), and the Office of the Cabinet Secretary and National Anti-Poverty Commission (NAPC). Although the identification of participants precludes inclusive participation, the PH-OGP secretariat noted that the fora were advertised on social media, and thus anyone could

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[36] The members of the Government Steering Committee include the following: Department of Budget and Management, Office of the Cabinet Secretary, National Economic Development Authority (NEDA), Office Senator Poe, Department of Interior and Local Government, Department of Social Welfare and Development, Union of Local Authorities of the Philippines. However, the members of the NGO Steering Committee are as follows: De La Salle University-Jesse Robredo Institute of Governance (DLSU_JRIG, International Center for Innovation, Transformation, and Excellence in Governance (INCITEGov), Bantay Kita, Unang Hakbang Foundation, Coalition for Bicol Development, Mindanao Coalition of Development NGO Networks (MINCODE), FINEX, Public Services Labor Independent Confederation, and UP-NCPAG.
[37] As per the terms of reference of the Steering Committee, the co-chair for the NGO is tasked to support or find support for the PH-OGP NGO secretariat. PH-OGP NGO Co-chair Patricia Sarenas has tapped CODE NGO, the mother coalition of her organization, MINCODE, to serve as secretariat. In recent years, CODE NGO received funding from Making All Voices Count (MAVC) then from USAID to perform its task as secretariat.
[38] Available at: https://drive.google.com/file/d/1kkQD5Pm6CPhPw5EH0siBGoqc0lgYbgxd/view?usp=sharing
[39] Available at: https://drive.google.com/drive/u/3/folders/1thQIymCBq0bXMS6IqOw6RoSsMzlff7oO
[40] Available at: ogpdbm.gov.ph
[41] See pp. 11-14 of PH-OGP's National Action Plan 2017-2019 for the detailed account of how the 30 commitments initially enrolled to PH-OGP has been narrowed down to 11.
[42] See Annex C of PH-OGP's National Action Plan 2017-2019.

join.[43] Four out of six of these additional activities were conducted in Metro Manila, and two were held in other major cities outside Metro Manila (Davao and Cebu).[44] The participants were mostly formal and professional non-governmental organizations, alongside government representatives.

Before Consultations

Before the consultations, the PH-OGP Secretariat presented the plans and processes for action plan development to the Steering Committee, which they later discussed and adopted during its meeting in the third quarter of 2016. The proposed action plan development timeline was shared in advance on Facebook.[45] According to the PH-OGP national action plan, the timeline was also shared on the Governance Cluster Website, but the website was inaccessible at the time of writing this report. Only the timeline of activities was published and not the detailed procedures or rules, though the PH-OGP national action plan states that "the development process was also guided by the steps detailed under the OGP Point of Contact Manual and the OGP Participation and Co-Creation Standards."[46] PH-OGP reported that materials about OGP were also shared with participants before the consultations, though the IRM did not find or receive concrete evidence to validate this.

During Consultations

The PH-OGP Secretariat first gathered inputs and commitment recommendations to include in the action plan from government agencies. The agencies sent their proposals in response to a call from the PH-OGP Secretariat.[47] According to several offices, some of the commitments were to be implemented by institutions different from those proposing them.[48] Ultimately, 26 commitment proposals came from government agencies. Government representatives themselves facilitated some of the subsequent consultations.[49]

Compared with the previous action plan, the PH-OGP Secretariat made a clear effort to broaden the consultation process to include wide civil society participation. Details around the consultation process were disseminated online (Facebook, website, etc.).[50] The list of participants invited was put together with inputs from the CSO Secretariat and other relevant government agencies (Office of the Cabinet Secretary - OCS, National Anti-Poverty Commission - NAPC, Department of Social Welfare and Development - DSWD). As a result, civil society and public involvement in the development of the action plan was improved from the previous action plan cycle.

Consultations created space for civil society to provide input on the action plan and for government feedback on how that input was considered. In accordance with the coding of "involve,"[51] the government provided evidence that a feedback response mechanism was available.[52] Despite the government just meeting these requirements, there were notable limitations. Written records show a consolidated version of comments without specifying who proposed what. Government records also do not mention how or when this feedback was returned to citizens involved in the process. Moreover, most of the meetings were initially framed as opportunities for civil society to participate in capacity-building or information-sharing events about OGP and government programs/policies rather than consultations about specific commitment proposals.[53] In addition, though there were

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[43] Interview with Marianne Fabian and Assistant Secretary Rolando Toledo. 19 October 2018.
[44] Information on the consultation was published in the Philippines Open Government Facebook profile.
[45] https://web.facebook.com/opengovPH/photos/p.664090997080234/664090997080234/?type=1&theater
[46] Philippine Open Government Partnership (2017a); p. 11.
[47] 30 national government agencies, 3 LGUs (Bohol, Albay, and Surigao del Norte provinces), CSOs that participated in the consultations
[48] Interview with Marc Leo Butac, DROMIC Focal Person, Disaster Response Management Bureau (DRMB) and Monica Dianne L. Martin, Project Development Officer III (GIS Specialist), Risk Resiliency Program – Climate Change Adaptation and Mitigation, Disaster Response Management Bureau (DRMB), Department of Social Welfare and Development (DSWD). 22 December 2018. See also email exchange with Almirah Alidon, Provincial Government of Bohol, 7 December 2018.
[49] Interview with Nino Versoza (lead of former PH-OGP NGO Secretariat, INCITEGov), 20 November 2018.
[50] Philippines Open Government Facebook Profile
[51] Independent Reporting Mechanism, IRM Guidance on minimum threshold for involve (IRM, February 2020), https://www.opengovpartnership.org/wp-content/uploads/2020/02/IRM-Guidance-Involve.pdf
[52] See Annex A of the action plan, pp. 66-83.
[53] Review of notes on the consultations activities. PH-OGP Google Drive.

several new civil society participants (including those suggested by OCS), the CSOs that attended the consultations[54] were mostly those based in urban areas.[55]

The nature of non-Steering Committee CSOs' participation in the development of the action plan included providing feedback on commitments to carry over from the previous action plan and ranking the proposed commitments from national government agencies. Through the consultations, CSOs not included in the Steering Committee or technical working group could also propose commitments or influence the design of the action plan.[56]

However, the criteria for the selection of commitments provided a notable constraint to civil society influence on action plan development and content. The criteria were as follows:

1. Have ambitious targets
2. Be anchored on one or more OGP Grand Challenge and OGP Value
3. Secure government support or buy-in (priority initiative of concerned agency/ies)
4. Have existing funding

Even with proactive efforts of the DBM to generate government buy-in,[57] the criteria (specifically criteria 3 and 4) limited CSOs' options to present compelling proposals. This made the final selection of commitments largely dependent on the availability of existing funds. According to civil society representatives,[58] only three eligible commitment proposals originated from CSOs. These were commitments focused on disaster management, housing, and MASA-MASID (a commitment that was later removed from the action plan).

Eventually, many of the selected commitments reflected or responded directly to:

a) Self-declared priorities by the presidency (Commitments 4A on hotline 8888 and Commitment 5 on the Freedom of Information Law);
b) Public policy objectives (such as improving Philippines's positions in international rankings, such as Commitment 2A and Commitment 7); or
c) Recurring activities by state agencies (Commitment 3 on Citizen Participatory Audits, Commitment 2B on "Project Repeal," or Commitment 8 on EITI, all of which involved activities initiated prior to the fourth action plan).

In the context of preexisting funding (criterion 4), according to the government, no commitment could be part of the PH-OGP action plan if funding was not provided. For instance, the commitment on MASA-MASID was removed from the fourth action plan because it did not secure budgetary

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[54] See Annex C of PH-OGP's National Action Plan 2017-2019 for the complete list of action plan development. The specific consultation events and attendance noted in the PH-OGP Google Drive were as follows: Governance Cluster and PHOGP Assessment Workshop; Nov. 29, 2016; DBM Manila; 65 government and civil society reps; Roundtable Discussion on Participatory Budgeting; Feb. 1, 2017; Quezon City; 41 gov and civil society reps (6 INCITEGov reps, 22 national CSOs, 1 regional CSO, 4 government reps, 7 from DLSU, 1 public sector rep); Open Government Dialogues – Mindanao Regional Consultation; 22 March 2017; Davao City; 73 government and civil society reps, academe and business (59 CSOs, 14 NGA officials); Roundtable discussion on Justice, Peace, and Rule of Law; 27 March 2017; Quezon City; 89 gov and civil society reps, academe (14 government agencies and 75 CSOs); Open Government Dialogues – Visayas Regional Cluster; 25-26 April 2017; Cebu City; 98 gov and civil society reps, academe and business (75 CSOs, 23 NGA officials, 3 LGU officials); Open Government Dialogues – Luzon Regional Cluster; 18-19 May 2017; PICC; 164 gov and civil society reps, academe; business; and media partners (90 CSOs, 46 NGA officials, 15 LGU officials, 13 media partners).
[55] Interview with Marian Fabian and Asec. Rolando Toledo, 19 October 2018; discussion with NGO Steering Committee members, 19 October 2018. See also Interview with Nino Versoza (lead of former PH-OGP NGO Secretariat, INCITEGov), 20 November 2018.
[56] Review of notes on the consultations activities. PH-OGP Google Drive.
[57] Ibid.
[58] Interview with NGO Steering Committee members 19 October 2018; Notes, Interview with Nino Versoza (lead of former PH-OGP NGO Secretariat, INCITEGov), 20 November 2018.

funding for the year 2018.[59] This demonstrates that while the Department of Budget and Management aims to "secure additional funding [for commitments] under the national budget," funding is not guaranteed.[60]

After Consultations

The government shifted its OGP repository from the Governance Cluster website to the current PH-OGP website during the implementation period. However, documents were made available on the PH-OGP Google Drive in the interim, and general information about PH-OGP activities and progress were posted on social media.

The first draft of the national action plan was published on 7 June 2017 for public comment and feedback through social media, an email blast, and the PH-OGP website. The PH-OGP Secretariat mostly gathered feedback through online engagement.[61] The call for feedback was open for 20 days (posted on 9 June 2017 and closed on 29 June 2017).[62] Five recommendations to rephrase specific parts of the draft document were received through public feedback, and all of these were adopted with modifications. These recommendations were put forward by CODE-NGO, Unang Hakbang Foundation, and De la Salle University – Jesse Robredo Institute of Governance, and they aimed at clarifying the roles and needs of civil society in the OGP process.[63] The commitment selection and approval process was described in the action plan itself. The final plan was published online and sent out to relevant stakeholders by email.

However, as discussed above, because the plan development generally remained more conducive to government input, the commitments in the fourth national action plan largely reflected government priorities that had the support of some civil society groups. The two commitments proposed by civil society and included in the final plan addressed housing and disaster management, specific substantive issues that affect citizens.

Co-creation and participation recommendations throughout development

The Philippines showed strong performance in the areas of MSF composition and frequency of convening, particularly given that CSOs had equal representation on the forum and had a separate NGO Secretariat. However, as discussed above, civil society's ability to meaningfully and independently shape the national action plan was compromised by the need to conform to government priorities and funding.

The IRM shared and discussed the following recommendations with key stakeholders during the pre-publication review process of the design sections of this report:

- Increase the capacity of CSOs to engage and influence the OGP process more effectively, especially in agenda setting and the selection criteria for commitments.
- Increase communication and outreach during action plan development, with particular focus on informing the public of guidelines, plans, and lessons learned from the past and the decision-making processes and its results.

The IRM also suggested the following actions to key stakeholders, noted here for public record:

- Introduce and sustain dedicated budget allocations to support the work of the PH-OGP and the CSO secretariats. While positive efforts have been made to reach out and inform the public, this can be improved further if the secretariats receive dedicated financial and human

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[59] "Since government buy-in and existing funding are requirements when enrolling PH-OGP programs under the PH-OGP, MASA-MASID has been removed from the current NAP. The OGP Support Unit has been informed of this decision in writing last June 28, 2018." Action plan, p. 16.
[60] Action plan, p. 11.
[61] (https://web.facebook.com/opengovPH/photos/p.796205970535402/796205970535402/?type=1).
[62] Action Plan consultation period announcement
[63] See Annex C of Mid-Term Self Assessment Report on the 4th PH-OGP National Action Plan for details. Philippine Open Government Partnership (2018); pp. 55-56.

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capital resources. Ensuring technically sound commitments in terms of design and monitoring requires strong secretariat technical support.

- Refine commitment selection criteria to ensure greater space and uptake of CSO proposals. The PH-OGP could, for instance, explore the option of using civil society priorities as a criterion for including commitments in the action plan, even when they do not currently have funding but could be implemented if the government allocates resources in the future.
- Engagement with the public can be improved through up-to-date reporting on Steering Committee processes and decisions. Reporting should be made easy to understand, accessible, and relevant to the general public. The PH-OGP can explore making the meetings viewable online and providing on-time publication of minutes on public sites. Keeping the website running and updated should be considered a priority.
- For the Philippines to meet OGP's participation and co-creation standards,[64] the next action plan development process could continue to maintain functionality of the multi-stakeholder forum and provide the public with information about how its input was or was not used in action plan commitment development, i.e., provide a reasoned response.

The IRM finds that the development of the 2019–2021 action plan followed an improved co-creation process, including the conduct of regional and sectoral consultation workshops that civil society led.[65]

3.3 Multi-stakeholder process throughout action plan implementation

Civil society participated in commitment implementation mainly through the NGO Secretariat[66] and the PH-OGP Steering Committee.[67] The government states that the multistakeholder forum "proactively communicates PH-OGP updates to relevant stakeholders and to the wider public."[68] The forum also conducted an event titled "Assessment Workshop for the 4th National Action Plan: Learning Session and Closing the Loop" in February 2020 in Manila. According to the government, 19 CSO representatives participated in the meeting (around 37% of total participants). The objective was to extract lessons from action plan implementation that would help enhance the overall OGP process in the country.[69]

As a result of the NGO Secretariat's ongoing engagement during implementation, the Philippines achieved an "involve" level of public participation according to the IRM's adapted IAP2 scale. CSOs on the Steering Committee also disseminated updates on implementation and monitoring.[70] The country's repository was active throughout the implementation period,[71] as were the Facebook[72] and Twitter[73] accounts for OGP in the Philippines.

Additionally, implementing offices provided information on commitment progress, although mostly without references to the fourth action plan. Moving forward, the IRM suggests that implementing agencies are able to report back with clear links to the action plan and commitment objectives. This will provide more clarity on what happens within the scope of the plan and what is happening outside of it. This is particularly important to understand how change happens and what the concrete outcomes of commitments are.

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[64] For the design process, government should reach the level of involvement: that is, to give feedback on how the public inputs were considered.

[65] For more information, please see: "Independent Reporting Mechanism (IRM): The Philippines Design Report 2019-2021" (Independent Reporting Mechanism, 2020)

[66] For instance, please see the Power Point Presentation "PH-OGP Non-Government Updates (Q1 2018)" that contains a list of activities carried out by this body until May 2018. Available at the repository: https://drive.google.com/file/d/1AGdQWOyeUUT0E3IXi9tG23Qty4x5N-my/view?usp=sharing

[67] End-of-Term report, p. 20-27.

[68] End-of-Term report, p. 13.

[69] End-of-Term report, p. 133-134.

[70] About CSOs taking part in monitoring activities for this action plan, please check: "PH OGP Non Government Updates (Q1 2018)". Available: https://drive.google.com/file/d/1AGdQWOyeUUT0E3IXi9tG23Qty4x5N-my/view?usp=sharing

[71] http://ogp.dbm.gov.ph/index.php/repository

[72] https://www.facebook.com/opengovPH/

[73] https://twitter.com/opengovPH

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's/entity's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.[74] Indicators and methods used in the IRM research can be found in the IRM Procedures Manual.[75] A summary of key indicators the IRM assesses can be found in the Annex of this report.

4.1 General Overview of the Commitments

The Philippines' fourth national action plan tackles substantive issues in light of its strategic direction of "bringing OGP closer to citizens." The fourth action plan therefore emphasizes civic participation and increasing access to information. Three commitments explicitly aimed to facilitate or enable citizen participation (Assistance to Disadvantaged Municipalities, Citizen Participatory Audit, and Shelter Development for Informal Settler Families). Three commitments aimed to provide spaces for consultations with civil society or multi-sectoral/ public-private dialogues (PH-EITI and 2 EODB commitments). Four commitments provided new or improved spaces for citizen feedback (Hotline 8888 Citizens' Complaint Center, Satisfaction Rating on GOCCs, E-Participation, and DROMIC Virtual OpCen).

For brevity, commitment text was abridged throughout the report. For the full text of each commitment, please see:
https://www.opengovpartnership.org/sites/default/files/Philippines_%20Action-Plan_2017-2019_updated.pdf

4.2 General Overview of Action Plan Implementation

At the end of the implementation period, eight commitments were substantially completed,[76] four had limited completion, and one commitment was entirely completed out of the total of13. This is a similar rate of completion in comparison with that of the previous action plan, whereby 10 out of 13 were substantially or fully complete.[77] Many commitments included an objective that required congressional approval. This did not happen and therefore limited the completion of several commitments.

As a result of the implementation of this action plan, there has been a significant amount of new information released to citizens. This does not guarantee, however, that citizens will use the information or that the release of more information directly contributes to solving public problems. Future commitments that focus on information disclosure should also consider mechanisms that encourage and measure use and uptake to understand the public value of the information being disclosed.

Out of the 13 commitments, two achieved major changes in government practice in the key areas of access to information and public accountability (Commitments 1 and 5). These commitments had strong political buy-in from the government, which may explain their results at the end of the implementation period. The commitments improved the accountability of national institutions and increased access to information through agencies' onboarding of an eFOI portal.

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[74] "Open Government Partnership: Articles of Governance," OGP, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf
[75] "IRM Procedures Manual," OGP, https://www.opengovpartnership.org/documents/irm-procedures-manual/
[76] For the purpose of the completion assessment, the IRM treats commitments 2B and 4B as independent commitments.
[77] IRM Philippines End of Term Report. 2015-2017. https://www.opengovpartnership.org/wp-content/uploads/2018/10/Philippines_End-of-Term_Report_2015-2017.pdf

1. Strengthen civil society participation in local planning and development to further improve LGU delivery of basic services

Commitment text from action plan:

"The program shall aim to contribute to the full attainment of empowered, responsible and responsive LGUs (Local Government Units). It shall serve as a tool to assist all municipalities to access basic facilities by strengthening the LDCs (Local Development Councils) to become more able partners in national development and strengthening of LGU abilities to deliver basic services. It shall provide a revitalized thrust to government's efforts to contribute to the realization of a responsive national priorities and budget."

Milestones

1. "50% (19,770) of Barangay Development Councils (BDCs), 70% (962) Municipal Development Councils (MDCs) and 60% (46) of Provincial Development Councils (PDCs) are fully functional, such that: Required composition of the councils is observed; Representation of Non-Governmental Organization; The LDC meets at least once every six months; and Creation of Executive Committee.
2. 50% of Barangays, 70% of Municipalities, and 60% of Provinces have LDIP approved by the Sanggunian and submitted to the DILG
3. Establishment of open ADM portal
4. 1,373 Municipalities' CSOs capacitated on ADM
5. Three (3) regional workshops with HEIs on ADM monitoring
6. Three (3) case studies on ADM implementation
7. Convene One (1) regional consultation with key CSO networks in budget advocacy for crafting the guidelines for strengthening LDIPs' quality
8. Conduct one(1) FGD for the dissemination of the approved guidelines and mechanism of strengthening LDIPs' quality
9. Conduct one (1) briefing and assessment of ADM full delivery system and 2018 implementation"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Overall		✓	✓	✓				✓					✓					✓	

Context and Objectives (Commitment Design)

The decentralization of Philippine governance, as mandated by the Local Government Code (LGC) of 1991, is aimed at improving the contribution of local governments to national development and improving governance in the country by bringing government closer to the people. The participation of CSOs in local governance is deemed both a means and end to decentralization.[78] LGC provides numerous mechanisms for participation to enable active participation of civil society, including local development councils (LDCs). LDCs are tasked to create and coordinate development planning of the locality and consist of government and CSO representatives.

Specifically, LDCs develop Comprehensive Development Plans (CDP) that outline development objectives, strategies, and policies at the city or municipal level for six-year periods. LDCs also develop a Local Development Investment Program that links the CDP to the annual local budget. This contains a prioritized list of programs, projects, and activities, matched with financing resources over a three-year period.[79] A 2011 sample study found that most LGUs met the basic requirements to create development plans and meet at least twice a year. However, 67% of the LGUs failed to meet the requirement of having one-quarter of council members be from non-governmental organizations.[80]

This commitment recognized the problem of ensuring effective and efficient functioning of the LDC, particularly in enabling civil society and in addressing local development needs, given the persistent fiscal and infrastructure gaps.[81] According to the Department of Interior and Local Government (DILG), this is elevating "the practice of citizen participation and good local governance . . . from procedural to substantive."[82] This is in line with the OGP value of enhancing civic participation.

DILG and its partners aimed to provide support to local governments through a program called Assistance to Disadvantaged Municipalities (ADM) (now referred to as Assistance to Municipalities-AM). Over a five-year period, ADM provides funding assistance to municipalities specifically to address fiscal and infrastructure gaps. This commitment was consistent with ADM's year-one stage, as described in the action plan. The commitment was also set to be achieved through various capacity-building, consultative, and documentation activities, including the establishment of an online portal and enabling third-party monitoring of local planning. The establishment of the open ADM portal made this commitment relevant to the OGP value of access to information. The milestones of the commitment were generally specific enough to verify completion.

This commitment carries a minor potential impact to increase civic participation in local development planning and increase citizens' access to development information through the ADM portal. Importantly, through this commitment, DILG aimed to shift its focus from procedural compliance to LGU's substantive functioning. However, the milestones as written gave priority to ensuring LGUs meet procedural requirements rather than focusing on the quality of their operations. Furthermore, baseline information available suggests that many LDCs were meeting these basic functions. The misalignment between the scope of the activities set out by the commitment and the objective it was trying to achieve limited the potential impact of this commitment to minor. However, this commitment may have a greater open government effect if

[78] Brillantes, Alex Jr. 2003. "Decentralized Democratic Governance under the Local Government Code: A Governmental Perspective," in Introduction to Public Administration in the Philippines (Second Edition). Victoria Bautista, Ma. Concepcion Alfiler, Danilo Reyes and Proserpina Tapales (eds.). Quezon City: National College of Public Administration, University of the Philippines. See also Ronald Holmes. 2016. "Local Governments, Civil Society, Democratization, and Development," in Chasing the Wind: Assessing Philippine Democracy (Second Edition). Felipe Miranda and Temario Rivera (eds.). Quezon City: Commission on Human Rights, Philippines.
[79] Information provided to IRM staff from PH-OGP during the report's prepublication review stage.
[80] People's Participation in the Local Administration in the Philippines. Kenichi Kishimura. 2018. Osaka University Knowledge Archive.
[81] DILG cited the following as its reference to defining and baselining the problem being addressed by the commitment: Urbanization review focusing on the LGSF-Am by the World Bank; A Look at Participatory Local Governance in the Philippines from the CSO Perspective by PhilDHRRA; Results of various Round Table Discussions (RTDs) conducted for improving local good governance. (Department of Interior and Local Government, Response to IRM Questionnaire, 5 December 2018).
[82] Department of Interior and Local Government (DILG). Response to IRM Questionnaire, 5 December 2018.

implementation activities are expanded to also support LDCs' substantive functioning, such as the quality of dialogue between government and nongovernment council members.

Commitment Implementation

This commitment's implementation was substantial. According to government's End-of-Term self-assessment report,[83] 83% of Municipal Development Councils achieved high compliance regarding the inclusion of CSOs in sectoral committees, and 89% held regular council meetings (milestone 1). Regarding access to information, the government implemented the open ADM portal (milestone 3) that covers "all OPDS locally funded projects by the department. It includes Geo-tagging, Map Integration, Physical and Financial Monitoring Graphs, Reports, administrative functions and other useful analytical tools."[84] Under milestone 4, the government conducted capacity-building sessions for municipality-level CSOs, including six "Regional Dialogues on Open Government and Participatory Governance" in Visayas, Mindanao, and Luzon, and three "targeted pilots" regarding the "enhancing of the Monitoring of ADM Sub-Projects through the Establishment of Community-Based Monitoring."[85]

Milestones coordinated by De la Salle University (milestones 5 and 6) and the International Center for Innovation, Transformation, and Excellence in Governance (milestones 7 to 9) showed limited progress. According to the government, only 1 out of 3 workshops by De la Salle University were carried out, and milestones 8 and 9 were not started.

This commitment advanced civic participation marginally by creating new opportunities for CSO participation at the municipal and regional levels in LDCs. The commitment opened up local-level decision-making by securing CSO representation in LDCs (milestone 1) and supporting its operation through capacity building (milestone 4). The commitment also made use of participatory mechanisms in its design.[86]

Additionally, the government made progress for future implementation of community-based monitoring in the country's local planning. CBM aims to address issues with LGUs' noncompliance with CSO participation. A 2019 paper highlighted challenges that include accreditation hurdles for CSOs and LGUs forming their own NGOs to meet requirements on paper.[87] In 2017, the Republic Act 11315 institutionalizing the community-based monitoring system was passed. This was followed by its implementing rules and regulations in May of 2020.[88] Therefore, the early results of these regulations cannot yet be observed.

The commitment resulted in major changes in citizens' access to information about local infrastructure. The ADM portal (milestone 3)[89] offers a new channel with geo-located data about infrastructure projects, including project code, type, costs, status, among other indicators.[90] The

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[83] End-of-Term report, pp. 34-44

[84] "Office of Project Development Services - #SubayBAYAN" https://subaybayan.dilg.gov.ph/

[85] A summary of the meeting conducted in the city of Bacolod (Western Visayas) on January 29, 2018 is available online: https://www.facebook.com/DBMgovph/videos/1998447693742823/?v=1998447693742823. End-of-Term report, pp. 39-40

[86] According to Philippine Institute for Development Studies (PIDS), the baseline for this program during 2019 included "two sets of face-to-face surveys, one of representatives of local government unit (LGU) planning teams and one of civil society organizations (CSO) representatives. The targeted survey respondents reach[ed out to] included more than 4,000 LGU representatives and about 1,373 CSO representatives (1 per LGU)." Please see: "PRIMARY DATA COLLECTION FOR THE CONDUCT OF BASELINE STUDY IN POLICY AND GOVERNANCE GAPS FOR THE LOCAL GOVERNMENT SUPPORT FUND ASSISTANCE TO MUNICIPALITIES (LGSF-AM)". Check: https://www.orient.com.ph/index.php/updates/current-event/lgsf-am-primary-data-collection

[87] PIDS (2019), p. 2. PIDS' comments on a House bill concerning participation of civil society is available: https://pidswebs.pids.gov.ph/CDN/OUTREACH/pids_comments_on_hbns_230_and_832.pdfThis document is based in: Aceron, J. (2019). Pitfalls of Aiming to Empower the Bottom from the Top: The Case of Philippine Participatory Budgeting. G-Watch and Accountability Research Center. Accountability Working Paper #4. Available: https://accountabilityresearch.org/publication/pitfalls-of-aiming-to-empower-the-bottom-from-the-top-the-case-of-philippine-participatory-budgeting/#publication8430-afad

[88] Information provided to IRM staff from PH-OGP during the report's prepublication review stage.

[89] Available at: https://subaybayan.dilg.gov.ph/

[90] Available at: https://subaybayan.dilg.gov.ph/projects/index?ProjectSearch%5BREGION_C%5D=&ProjectSearch%5BPROVINCE_C%5D=

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government also conducted a significant number of outreach activities regarding the ADM program. A 2012 guide to citizen monitoring of local infrastructure projects by G-Watch outlines a list of complex and time-consuming steps citizens must take to monitor construction projects in their area.[91] Citizens previously had to gather documents from various government offices, conduct interviews, and observe the construction site. The ADM portal therefore significantly simplifies the process by consolidating a majority of the relevant information in a publicly available site through which citizens can submit comments and flag concerns.[92]

DILG continues to conduct activities beyond the scope of the milestones to further advance participatory development planning at the local level. Some of these activities are captured under commitment 1 of the Philippines' 2019–2022 action plan. These include building CSOs' capacity to participate in local governance and the Participatory Governance Cluster's creation of strategic and operational directions for participatory governance at the national and local levels. Additionally, DILG is working to incorporate LDC functionality in the Seal of Good Local Governance assessment, monitor CDP formulation, and strengthen vertical alignment between development plans and investment.[93]

Next Steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below solely for public record and no longer reflect the most recent recommendations.[94]

Improving local service delivery and engaging citizens in a planning process to achieve this delivery are important efforts. If these efforts are carried forward to future action plans, the design of commitments needs to take into consideration the following:

- Set clear indicators and activities that are able to measure and link capacity-building efforts with improved development planning.
- Establish a baseline and diagnosis. A future commitment may include actions that address the fiscal and infrastructure gap through a multidimensional approach. It is important to consider actions that address other factors limiting successful implementation, other than the lack of engagement with civil society or citizens.

&ProjectSearch%5BCITYMUN_C%5D=&ProjectSearch%5BPROGRAM_C%5D=&ProjectSearch%5BPROGRAM_C%5D%5B%5D=26&ProjectSearch%5BPROGRAM_C%5D%5B%5D=27&ProjectSearch%5BPROGRAM_C%5D%5B%5D=28

[91] "Monitoring Infrastructure: A Guide Based on the Experience of Tambayayong sa Infrastrakturang Paglambo sa Southern Leyte." G-Watch. 2012. Accessible at: https://www.g-watch.org/resources/g-watch-monitoring/monitoring-infrastructure-guide-tambayayong-infrastrakturang-paglambo-southern-leyte

[92] Department of the Interior and Local Government. "DILG urges public to monitor local projects through SubayBAYAN" 27 July 2018. https://dilg.gov.ph/news/DILG-urges-public-to-monitor-local-projects-through-SubayBAYAN/NC-2018-1222

[93] Information provided to IRM staff from PH-OGP during the report's prepublication review stage.

[94] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

2A. Improve Ease of Doing Business

Commitment text from the action plan:

"To improve the ease the doing business in the Philippines."

Milestones:

1. "3 competitiveness policies issued within prescribed time
2. 10 validation workshops conducted
3. Reform inventory submitted to WB-IFC
4. 10 monitored EODB reforms
5. Bring the Philippines to the top third ranking in the EODB Survey
6. 10 Multi-stakeholders Group Meetings conducted"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2A. Overall		✓		✓				✓				✓					✓		

Context and Objectives (Commitment Design)

The commitment aimed to improve the standing of the Philippines in the World Bank's Ease of Doing Business (EODB) survey[95] through streamlining of processes, transparency measures, and performance incentives.

Red tape in the conduct of business and the delivery of services was a problem that experts considered a key hindrance to improving the Philippines' competitiveness.[96] The goal to improve the country's competitiveness, along with cultivating a culture of excellence in public service and improved public-private sector collaboration, was considered a strategy to propel growth and economic development through increased private sector investment and business activities.[97]

Improved EODB standing was crucial in increasing private sector investments through efficient frontline services, especially those involving business transactions. Specifically, the commitment targeted passing competitiveness policies, undertaking and monitoring reform measures, and conducting multisectoral dialogues to pursue the Philippines' Ease of Doing Business (EODB) "Game plan for Competitiveness," which is a multisectoral plan on enabling a business environment and

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[95] The 10 areas measured by the EODB survey are starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts, and resolving insolvency.

[96] World Bank. 2010. Doing Business in the Philippines 2011: Comparing Business Regulations in 25 Cities and 183 Economies. Washington, DC.

[97] Executive Order No. 44, June 2011.

improving the Philippines' EODB ranking. Beginning in June 2016, the Duterte administration continued reforms under Game plan 4.0.[98]

The relevance of the commitment to OGP values was generally weak. However, given the consultative approach to reform the policies and the establishment of multisectoral engagement on business and competitiveness issues, the commitment was considered relevant to civic participation.

As designed, it is possible to verify the milestones under this commitment to some extent. For example, it is possible to broadly identify competitiveness policies passed, validation workshops conducted, a reform inventory submitted, and EODB reforms monitored. However, the commitment's design did not specify the particular content and scope of the policies, workshops, reforms, and inventories.

In general, an improved EODB standing could be viewed as a positive development in terms of improved economic competitiveness, specifically improvement of efficiency in frontline services that could attract more investment. However, because other factors come into play in generating new investments, with the EODB standing being just one of many factors, the potential impact of this commitment in general was assessed as minor, an incremental positive step.

Commitment Implementation

This commitment's implementation was substantial. The government's end-of-term self-assessment report[99] states that the main result of implementation was the passage of the "Republic Act No. 11032" about "the Ease of Doing Business and Efficient Government Service Delivery Act of 2018" (milestone 1). The Act was signed into law on 28 May 2018. Two other policies – amendments to the Corporation Code and the Security Transaction Bill – were pending approval at the end of the implementation period.

The government completed 10 monitored EODB reforms (milestone 4),[100] validation workshops (milestone 2), and 10 multi-stakeholder group meetings (milestone 6). The IRM did not find evidence on the progress of milestone 3. This commitment did not bring the Philippines to the top-third ranking in the EODB Survey (milestone 5). Beginning with a ranking of 99 out of 190 countries in the 2017 EODB Survey, the Philippines regressed over the course of 2017 and 2018, but received a ranking of 95 in the 2020 Survey.[101] The Philippines showed improvement in reducing barriers for domestic companies, easing access to construction permits, and strengthening minority investor protections.[102]

Although the commitment was substantially implemented, it only resulted in marginal changes to open government practices. This is in part due to shortcomings in commitment design outlined in the design section above. The creation of opportunities for participation through validation workshops and the multistakeholder meetings resulted in a marginal change to open government practices. However, the government has not provided evidence of how CSOs helped in the construction of new policies or how their inputs were taken into consideration during related decision-making processes.

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[103]

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98 World Bank. n.d. "Business Reforms in Philippines." Available at: http://www.doingbusiness.org/reforms/overview/economy/philippines.

99 End-of-Term report, p. 45-48

100 End-of-Term report, p. 47.

101 "Doing Business 2017: Equal Opportunity for All," Washington, DC: World Bank (2017); "Doing Business 2018," Washington, DC: World Bank (2018); "Doing Business 2019," Washington, DC: World Bank (2019); "Doing Business 2020," Washington, DC: World Bank (2020).

102 The Philippines ranks 95th globally, an improvement in comparison with the 2019 ranking. Check https://www.doingbusiness.org/en/data/exploreeconomies/philippines#

103 See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

The IRM does not recommend that this commitment be carried forward into future action plans in its current form.

If reformulated, PH-OGP could identify specific challenges and gaps in improving the Philippines' standing on EODB and address more explicitly and specifically how the commitment is written and designed. The proponents may opt to address the following question: What are the key reforms on competitiveness that are most challenging and that can be more advanced through OGP values (civic participation, access to information or public accountability)? Milestones, hence, should be tied to how these values can be used for this specific strategic goal. For example, one of the areas the government could consider is improved transparency and red tape reduction in associated processes.

2B. Improve ease of doing business

Commitment text from action plan:

"The concept of Project Repeal was first introduced by the National Competitiveness Council (NCC), in line with its advocacy to ease of doing business in the Philippines. Through Public – Private collaboration, NCC seeks to repeal or amend outdated laws and/or issuances which impede the country's competitiveness.

The project was patterned after similar initiatives to countries like Australia (Cut Red Tape Initiative), United Kingdom (Red TapeChallenge), South Korea (Regulatory Guillotine), and in ASEAN, Vietnam's Project 30 which are all focused on reducing the cost of compliance for businesses and entrepreneurs and the cost of administration and enforcement for the government.

For its initial stage, NCC will be reviewing Department Orders (DOs) issued by Cabinet Departments and attached agencies. The project will be expanded to eventually cover Executive Orders (EOs), Administrative Orders (AOs), Republic Acts (RAs), and local ordinances and executive orders.

The Project Repeal can serve as the interim Integrative Framework for Whole-of-Government Regulatory Improvement."

Milestones

1. "Finalized Standard Cost Model (SCM)
2. 300 regulations/issuances repealed, amended, consolidated or delisted
3. Capacity Building Program in Standard Cost Model (SCM) conducted for 80 partner agencies/institutions
4. 3 public dialogues on policies/regulations under review involving the identified CSOs/private sector organizations"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2B. Overall		✓		✓				✓				✓					✓		

Context and Objectives (Commitment Design)
Similar to commitment 2A, the goal of commitment 2B was to improve the country's competitiveness. Cultivating a culture of excellence in public service and improved public-private

sector collaboration was considered a strategy to propel growth and economic development in the long run through increased private sector investment and business activities.[104]

The commitment sought to implement Project Repeal, launched in 2016, which aims to address causes and instances of red tape, that is, cut ineffective and unnecessary rules and regulations and administrative processes and improve communication and information among internal and external stakeholders. Project Repeal ultimately aims to lower the cost of business transactions with frontline services and make the "repeal system" (referring to the system of removing and streamlining processes and rules) more evidence based and participatory. While most of the commitment's activities pertained to internal government-facing activities, the commitment did aim to leverage the OGP value of civic participation to conduct multisectoral dialogues on policies under review.

The indicators were specific enough to be verified. They included a cost model; number of regulations and issuances repealed, amended, consolidated, or delisted; number of partners served by a capacity-building program; and number of public dialogues on specific reforms with pre-identified civil society and private sector stakeholders.

If fully implemented as written, this commitment was expected to have minor potential impact. From 2017 to 2019, under Project Repeal, the commitment aimed to repeal, amend, consolidate, or delist 300 issuances according to an evidence-based and participatory "repeal system." This could potentially have improved some frontline agencies' ability to provide cost-efficient and responsive services, although the commitment described Project Repeal as an "interim" measure on government regulatory reform. In terms of scope, the commitment's target number of 300 issuances was modest, considering that in 2016, Project Repeal repealed, amended, consolidated, and delisted 4,609 issuances.[105] Meanwhile, the intended scale of public participation was limited to three public events.

Commitment Implementation

This commitment's implementation was limited, as only milestone 2 was fully implemented. Under this milestone, rather than 300 issuances, 1,023 issuances were repealed, amended, consolidated, or delisted over two rounds of repeal in 2017 and 2018 – exceeding the action plan's target by threefold.[106] However, milestone 4, which made this commitment relevant to OGP values, was partially implemented. Two of the three planned public dialogues were conducted in 2018 and 2019 with private sector representatives about the repeal process.

Milestones 1 and 3 were not implemented, with the standardized cost model incomplete by the end of the implementation period. However, the development process commenced with two workshops in 2017 and private sector stakeholder consultations. This commitment incorporated technical support by stakeholders such as the Civil Service Commission (CSC), the Philippine Institute for Development Studies (PIDS), and the Embassy of the United Kingdom in the country and with political buy-in by government and state agencies.[107] In 2018, the government passed the Ease of Doing Business and Efficient Government Service Delivery Act. This Act created the Anti-Red Tape Authority, which took over Project Repeal.[108]

The commitment opened government marginally. The commitment's main components relating to civic participation (the creation of multistakeholder platforms to inform the repeal process) was partially achieved through two events. First, one focus group with representatives of the private sector on 16 May 2018 helped the government "to review the modality that the project is using in assessing laws and government agency regulations and to collect recommendations on how to better

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[104] Repeated as the previous commitment (2A) as these two commitments address the same context.

[105] "Project Repeal: The Philippines' Anti-Red Tape Challenge." Development Academy of the Philippines, 5 April 20. Available: https://www.dap.edu.ph/coe-psp/innov_initiatives/project-repeal-the-philippines-anti-red-tape-challenge/

[106] "Project Repeal: The Philippines' Anti-Red Tape Challenge." Development Academy of the Philippines, 5 April 20. Available: https://www.dap.edu.ph/coe-psp/innov_initiatives/project-repeal-the-philippines-anti-red-tape-challenge/

[107] End-of-Term Report, p. 54.

[108] Anti-Red Tape Authority. https://arta.gov.ph/about/the-ease-of-doing-business-law/

implement and monitor the repeal process." In another event with the private sector on 24 April 2019, "the laws submitted for repeal and amendment during the Fourth Repeal Day were presented to the private sector for their additional comments and recommendations."[109]

The government has provided written records of both events. The May 2018 event, presented as a focus group, included four representatives from the private sector and academia.[110] Discussions focused on how to improve the Project Repeal process and which areas/sectors should be given priority, among other issues.[111] The April 2019 event included 10 representatives from different private sector organizations[112] who raised concerns around time-consuming procedures. Government representatives provided specific responses to each of these comments and concerns.

Although the organization of these specific events is indicative of positive change in government practices regarding the inclusion of citizens in red tape reduction, the changes to government practice remain marginal. First, these one-off events were mainly consultations on the current procedures of "Project Repeal" and were not specifically aimed at repealing norms with the private sector. Second, the list of participants at these events confirm that firms and private sector representatives involved represented large organizations and that there was no identifiable participation of medium or small enterprises. In addition, there is no evidence of how the government ultimately used input from the private sector to inform implementation of the other milestones.

Next steps
The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[113]

To increase ambition of a future commitment in this policy area, the IRM recommends designing a commitment that focuses on the participatory elements of both commitments 2A and 2B, in addition to elements of disclosure and transparency. It would be helpful for a future commitment to address specific dimensions of the Ease of Doing Business indicators that benefit directly from increased transparency and participation.

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[109] End-of-Term Report, p. 54.
[110] The Development Academy of the Philippines (two representatives), a law firm (Divina Law Office) and the Ateneo de Manila University.
[111] Documentation of the Focus Group Discussion. Project Repeal. May 16, 2018 2:00 PM – 5:00 PM
[112] American Chamber of Commerce (AmCham), Federation of Philippine Industries (FPI), Management Association of the Philippines, Financial Executives Institute of the
Philippines (FINEX), Samahan sa Pilipinas ng mga Industriyang Kimika (SPIK), Philippine Exporters Confederation, Inc. (PhilExport), Tax Management Association of the Philippines, among others.
[113] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

3. Expand and institutionalize citizen participatory audit

Commitment text from action plan:

"Expansion of the coverage of the CPA to include not only performance / compliance audit engagements and the related capacity building activities, but also in the following areas:
● Validation of implementation of audit recommendations, both by COA and CSO representatives, and citizens of the community;
● Conduct of CPA Dialogues to obtain citizen inputs for the COA's Strategic Planning and Audit Planning."

Milestones

1. "Issuance of Commission Proper Resolution institutionalizing and enhancing the CPA
2. At least 1 activity to validate implementation of audit recommendations is conducted annually
3. At least 1 CPA Dialogue is conducted and the data considered as inputs in the COA's Strategic Planning and Audit Planning annually
4. At least 1 CPA audit conducted for each of the 3 Audit Sectors, annually
5. Passage of CPA bill in the Senate on third and final reading"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✓		✓	✓				✓				✓				✓		

Context and Objectives (Commitment Design)

This commitment aimed to sustain, institutionalize, and expand the Citizen Participatory Audit (CPA). Public auditing in the Philippines confronts the challenge of insufficient resources and low public support. Approximately 7,000 state auditors are expected to audit 61,000 government agencies.[114] According to the action plan, these public auditors find it difficult to compel auditees to implement their recommendations. This is crucial because, if implemented, the public audit could serve as an important function of checking inefficient use of public resources and curbing corruption. The Commission on Audit (COA) is constitutionally mandated to "ensure accountability for public resources, promote transparency, and help improve government operations, in partnership with stakeholders, for the benefit of the Filipino people."[115]

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[114] Initiativa TPA. 2012. Citizen Participatory Audit in the Philippines. Buenos Aires.
[115] The 1987 Philippine Constitution.

CPA had also been a commitment in the Philippine OGP national action plan for the previous three cycles. CPA became a platform for citizens to participate and become deputized as public auditors, thereby acting as a force-multiplier in the audit process. The direct involvement of citizens led to positive gains: CPA checked whether projects were beneficial to citizens, and those audited were more receptive of audit recommendations when citizens were part of the audit team. Furthermore, the COA noticed that auditees implemented recommendations faster, sometimes even before receiving the final audit reports.[116]

For this CPA commitment, the milestones of continuing the efforts to institutionalize, expand, and sustain the conduct of CPA were not new; the same or related milestones had been included in the past plans but covered different sectors, programs, and time periods. Milestone 1 commits to a CPA in each of the national, local, and corporate audit sectors. The new milestone (2) was to conduct the validation of agency response to audit recommendations. The main OGP values that this commitment addressed were civic participation and public accountability, especially given the new milestone on checking the response to audit findings. This commitment is specific enough to verify, as completion can be determined by the issuance of Commission Proper Resolution, whether CPA audit and dialogues are held, and whether the CPA Bill is passed into law.

Previous action plans focused on putting CPA into practice and delivering participatory audits across sectors. This commitment builds upon previous efforts and aims to institutionalize CPA at full scale and expand CSO involvement to include the validation of audit recommendations. The two most significant elements to ensure CPA's long-term sustainability are the issuance of Commission Proper Resolution and the official passage of the CPA Senate bill, which was in its third and final reading at the time the commitment was developed. This represents a significant step forward and also incorporates elements from an IRM recommendation from the 2015–2017 Action Plan IRM progress report.[117] This report suggested the validation of agency actions on recommendations as crucial to building evidence that government services and programs are improved when an agency acts on or responds to CPA recommendations.

Commitment Implementation
This commitment's implementation was substantial at the end of the implementation period. According to government's end-of-term self-assessment report,[118] all the activities were completed or substantially advanced, except milestone 5 (passing of the CPA bill in Philippines' Senate). Particularly relevant to OGP values, dialogues to generate inputs for COA's Strategic Planning and Audit Planning were carried out in Metro Manila, Luzon, Davao, and Cebu (milestone 3).[119] The government issued COA Resolution 2018-006 on the "adoption and Institutionalization of the Citizen Participatory Audit in the Commission on Audit" and also carried out "validation of implementation of audit recommendations, both by COA and CSO representatives."[120]

This commitment resulted in marginal improvements in civic participation and public accountability through citizen participatory audits. CPA has been a permanent strategy in the COA since 2012.[121] Therefore, activities carried out during the implementation period largely continued and institutionalized existing CPA processes. CPA reports online list the government, CSO, and citizen participants in audits conducted in the national, local, and corporate audit sectors. However, many

[116] Aceron, Joy. 2018b. Independent Reporting Mechanism (IRM): Philippines End-of-Term Report on 2015-2017. Washington, DC. See also Commission on Audit; Response to IRM Questionnaire; 3 December 2018.
[117] Aceron, Joy. 2017. Independent Reporting Mechanism (IRM): The Philippines Progress Report 2015-2017. Washington, DC.
[118] End-of-Term report, pp. 56-69.
[119] "COA, civil society hold dialogues to enhance citizen participation in public audit and in capacity-building activities". Check: https://www.coa.gov.ph/index.php/2013-06-19-13-07-50/news-releases/249-coa-civil-society-hold-dialogues-to-enhance-citizen-participation-in-public-audit-and-in-capacity-building-activities
[120] With limited results in 2018 and substantial results in 2019. Check: End-of-Term report, p. 57.
[121] Tan, M.G. (2019). Citizen Participatory Audit in the Philippines— Pilot phase I (2012–2014). Learning note 3. Washington: World Bank, p. iii. Available: http://documents1.worldbank.org/curated/en/995101557837621617/pdf/Citizen-Participatory-Audit-in-the-Philippines-Pilot-Phase-I-2012-2014.pdf

of these reports predate the implementation period.[122] Moreover, while the government noted that validation of audit recommendations was carried out, it did not provide any evidence of the role citizens played in the process. CSO were also not available to respond.[123] This commitment would have achieved "major" early open government results had the IRM found evidence that CPAs conducted during the implementation period resulted in greater government accountability. Examples of public accountability would include investigations into misused funds or changes to government programming as a result of CPA findings.

The commitment also led to a marginal change in government practice in the context of civic participation. Since 2012, COA has increased CSO and citizen involvement throughout the audit process to include the design of audit tools, to policy formation, to data gathering, to simplifying and disseminating audit reports. This commitment expanded citizen involvement to also include the identification of CPA goals and projects through CPA Dialogues. According to COA's website, "during these Dialogues, representatives of the COA, CSOs, and other external stakeholders were able to share their aspirations and goals for the CPA as well as identify programs, projects, and activities that they want to be audited."[124] According to records on the COA website on citizen audits, CPA Dialogues took place in Palo Leyte (Visayas), Batangas City (Luzon), and Zamboanga City, all of them at the end of 2019.[125] However, as specified in the resolution institutionalizing CPA, these events were "annual one-day activities," and therefore do not represent sustained practice of civic participation in the country.

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[126]

Some key areas to consider for CPA in future action plans are:
- CPA could target critical processes with broader impact on public sector integrity, such as procurement or programs with greater potential of scale, including those implemented or undertaken by various government agencies at different levels, such as education or health. The commitment should articulate how it can address these multisectoral and multilevel processes and programs.
- As previously recommended in the 2015–2017 IRM progress report,[127] the validation of agency actions on recommendations is crucial to building evidence that government services and programs are improved when an agency acts on or responds to CPA recommendations. This can be done through a process that seeks to uncover the facilitating and hindering factors to agency action on CPA recommendations and the extent of impact of CPA recommendations on the overall performance of the agency/ program.

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[122] Citizen Participatory Audit Reports. https://www.coa.gov.ph/index.php/reports/citizen-participatory-audit-reports
[123] The IRM conducted a final stakeholder round of interviews in September 2020; however, no CSO representative was available to comment on this commitment.
[124] "COA, civil society hold dialogues to enhance citizen participation in public audit and in capacity-building activities". Check: https://www.coa.gov.ph/index.php/2013-06-19-13-07-50/news-releases/249-coa-civil-society-hold-dialogues-to-enhance-citizen-participation-in-public-audit-and-in-capacity-building-activities
[125] https://cpa.coa.gov.ph/events/
[126] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.
[127] Aceron, Joy. 2017. Independent Reporting Mechanism (IRM): The Philippines Progress Report 2015-2017. Washington, DC.

4A. Engage and empower citizenry through an effective government feedback mechanism.

Commitment text from action plan:

"Citizens are provided a platform to report their complaints and grievances that will result to an immediate and appropriate government response."

Milestones

1. "Publication and distribution of the Implementing Rules and Regulations (IRR) and the Manual of Operations
2. Establishment of the 8888 Citizens' Complaint Center at Mabini Hall, Malacanang
3. Institutionalization of Hotline 88888
4. Submission of quarterly reports to the President on the activities and accomplishments of the 8888 Citizens' Complaint Center, to be made available to the public."

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4A. Overall		✓	✓	✓	✓			✓					✓				✓		

Context and Objectives (Commitment Design)

The aim of the commitment was to set up a citizen's complaint hotline and referral system in which citizens could file complaints and grievances that the hotline's support system would immediately refer to the concerned agencies for immediate, concrete, and appropriate action. According to the Office of the Cabinet Secretary, the response would be within 72 hours.[128]

In the period before this action plan, making frontline service delivery efficient, non-corrupt, and consistently responsive to citizens was a challenge for the Philippines.[129] With efforts of concerned government agencies like the Civil Service Commission (CSC)'s Report Card Survey and Contact Center ng Bayan, agencies had established their Citizens' Charter and feedback mechanisms that set performance standards and generate citizen feedback. However, there was still much room for improvement in consistently observing the standards, in encouraging more citizens to use the feedback mechanisms to file complaints, and in ensuring government agencies responded decisively to complaints and used feedback to further improve services.[130]

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[128] Office of the Cabinet Secretary. Response to IRM Questionnaire, 14 December 2018.
[129] Office of the Cabinet Secretary. Response to IRM Questionnaire, 14 December 2018.
[130] Focus Group Discussion with CSOs, 27 November 2018. See also Joy Aceron (2018b); Independent Reporting Mechanism (IRM): Philippines End-of-Term Report on 2015-2017.

This commitment planned to institutionalize Hotline 8888, a platform launched in 2016, whereby complaints and grievances may be reported, alerting government agencies to take immediate action. Hotline 8888 includes various communication channels: phone, email, text, website, social media, and so on. In addition, quarterly reports on the activities and results from the hotline would be addressed to the president and made publicly available.

As designed, this commitment was expected to have minor potential impact. Through Hotline 8888, increased opportunities for citizen feedback was expected to improve citizen satisfaction with government services and reform service delivery in the bureaucracy. However, as the hotline was launched prior to this commitment, the hotline was already receiving 1,000 calls a day by January 2017.[131] The commitment did not identify the degree to which it would increase the receipt or resolution of citizen feedback or complaints.

In addition, based on the commitment's design, it appeared it would be challenging to scale up the volume of complaints, particularly on agencies widely perceived as corrupt.[132] The commitment also did not describe mechanisms to ensure quick response from agencies or to implement citizen feedback to improve service delivery systems.[133] However, the potential extent of these challenges was mitigated by Hotline 8888's political positioning directly under the Office of the President, which is well-positioned to compel an expedient response from other government agencies.

Commitment Implementation
This commitment's implementation was substantial at the end of the implementation period. According to government's end-of-term self-assessment report,[134] internal administrative work for the setting up of Hotline 8888 was completed (milestone 1). However, its manual of operations had not been amended. Regarding the institutionalization of the Hotline (milestone 3), the government noted that a number of technical activities were carried out, such as training civil servants and hardware set-up. This did not include broader legal or institutional framework reforms to ensure sustainability of this initiative. With respect to milestone 2, there is a functioning 8888 Citizens' Complaint Center at Mabini Hall, Malacañang (i.e., Philippines' presidential palace) that received 690,661 calls, from which 144,057 complaint tickets had been generated by 2019.[135] These figures represent a similar rate of calls received when compared to that of 2016. By May 2019, most of the complaints (94,152) had been closed, with citizens receiving a final response.

Among the factors that enabled substantial commitment completion was the executive's political buy-in. According to government, Hotline 8888 was a central priority under the incumbent presidential administration: it is "under the direct supervision of the Office of the President" and "the Presidential Communications Operations Office directly helps promote the enterprise by hosting a television show which addresses the complaints of our citizens through the said hotline."[136]

This commitment contributed to marginal improvements in access to information and public accountability. As mentioned, Hotline 8888 was established prior to the implementation period. However, the hotline was actively promoted and further institutionalized from 2017 to 2019, extending its contribution to public accountability. For example, the president publicly criticized the Home Development Mutual Fund (Pag IBIG) in 2019 for "mounting complaints."[137] Consequently,

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[131] Sherrie Ann Torres, SSS, LTO, BIR, Pag-IBIG get most flak in 8888 hotline, ABS-CBN News, 12 January 2017. Available at: https://news.abs-cbn.com/news/01/12/17/sss-lto-bir-pag-ibig-get-most-flak-in-8888-hotline

[132] Aceron, Joy et al. 2015. "Monitoring and Assessment of the Anti-Red Tape Act (ARTA) Report Card Survey." Quezon City: Ateneo School of Government. Unpublished report.

[133] Office of the Cabinet Secretary. Response to IRM Questionnaire, 14 December 2018. See also Joy Aceron (2018b) Independent Reporting Mechanism (IRM): Philippines End-of-Term Report on 2015-2017.

[134] End-of-Term report, pp. 70-73.

[135] According to the government, not every call produced a ticket, because many of them were private concerns, prank calls, requests for general information, etc. End-of-Term report, p. 72.

[136] Office of the Presidential Spokesperson (2019). Facebook Post, February 27th. Retrieved from: https://www.facebook.com/PresSpokespersonPH/photos/a.397841807217544/826032717731782/?type=1&theater

[137] "How do you solve a problem like red tape?" Check: https://businessmirror.com.ph/2019/10/10/how-do-you-solve-a-problem-like-red-tape/

the fund took steps to resolve all calls received that year and began to receive fewer complaints. According to an executive officer, in 2018, Pag-IBIG was fifth "in terms of the number of calls" received, and it aimed to significantly reduce this amount by the first half of 2019.[138] In March 2020, the agency stated that it had resolved "all 2,196 calls from the 8888 hotline in 2019" in line with the president's instructions.[139]

Other agencies that were called out by the president, based on Hotline 8888 results, included the Land Transportation Office (LTO), Social Security System (SSS), Bureau of Internal Revenue (BIR), and Land Registration Authority (LRA). All these agencies committed to streamline their procedures and reduce complaints in a meeting in the presidential palace in August 2019, organized by the Anti-Red Tape Authority.[140] Despite these developments, all agencies were not equally responsive, and 21% of outstanding complaint tickets received at the time were still awaiting response at the end of the implementation cycle in August 2019.[141] According to Mr. Arnel Caranto, CSO representative for Life Inc., pressure for improved performance by public institutions "is already embedded in the core system." According to Mr. Caranto, "The pressure is automatically felt by the concerned agency or individual through the written complaint and consistent requests for explanation regarding the reported irregularity," which may even lead to resignations.[142]

In terms of access to information, the government provided important figures on the use of Hotline 8888 and how it has handled responses to citizen claims. Reports on complaint processing were also made available through the "accomplishment reports" to the president, accessible online.[143] The 2017 accomplishment report, for instance, included data about total numbers of calls received (monthly and yearly), the nature and complexity of complaints received, and the list of government agencies that received tickets, among other indicators. It also includes quantitative information pertaining to the resolution of cases, both by national and subnational agencies, but does not include any details on specific actions taken to resolve complaints.[144] The government's End-of-Term Self-Assessment Report also did not include references on response time; as noted above, citizens should expect to receive a response within 72 hours.

Next steps
The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[145]

- Gathering citizen feedback on the most crucial agencies is imperative to Hotline 8888's success. Another key element is ensuring that citizens trust the system. Future action plans may consider enhancing the commitment by adding accountability elements that demonstrate that the system delivers reforms to agencies identified in complaints.
- The IRM recommends that aside from the regular reporting on activities and results to the president, Hotline 8888 focus more on reporting to users in a way that is easily consumable by ordinary citizens. Following an example of a similar hotline in Panama,[146] this commitment could include enhanced accountability mechanisms, such as 1) a case management tool for

[138] "How do you solve a problem like red tape?" Check: https://businessmirror.com.ph/2019/10/10/how-do-you-solve-a-problem-like-red-tape/
[139] A representative from Pag-IBID stated that "out of the 2,196 concerns received in 2019, only 26% or 575 were actual complaints. That number is 78% lower compared with the 2,582 actual complaints received by the agency in 2018. Business Mirror (2020). "Pag-IBIG Fund resolves all 8888 hotline calls, complaints reduced by 78%", https://businessmirror.com.ph/2020/03/09/pag-ibig-fund-resolves-all-8888-hotline-calls-complaints-reduced-by-78/
[140] "ARTA summons gov't agencies mentioned during President Duterte's SONA." Press release, 6 August 2019. Available: https://arta.gov.ph/pages/downloads/PR-08062019.pdf
[141] End-of-Term report, p. 73.
[142] According to Mr. Caranto: "As a result of a hotline report, a voluntary resignation took effect in one of the agencies which I've personally known." Email communication with IRM researcher, 25 September 2020.
[143] https://contactcenterngbayan.gov.ph/transparency/accomplishment-report
[144] "Accomplishment report 2016-2017. 8888 Citizens' Complaints Hotline." Available: https://contactcenterngbayan.gov.ph/images/ARTA_REPORTS/reports/2016-2017HOTLINE8888-REPORTS.pdf
[145] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.
[146] "Panama: Converting Complaints Into Solutions". Available: https://www.ogpstories.org/impact_story/panama-converting-complaints-into-solutions/

complaints received through the hotline; 2) disclosure of data on response rates by different agencies; 3) reports on improvements made as a result of citizen feedback; and 4) improvement plans with agencies to monitor progress on response times and solve recurring issues.

4B. Engage and empower citizenry through an effective government feedback mechanism

Commitment text from action plan:

"A standardized methodology on the conduct of the GOCCs' Customer Satisfaction Survey that will periodically indicate the perceived satisfaction level of their respective customers with respect to GOCC operations and services."

Milestones

1. "Establishment of standard methodology on Customer Satisfaction Survey
2. Roll-out of standard methodology on Customer Satisfaction Survey
3. Establish baseline of percentage of GOCCs with Satisfactory rating
4. Publication of results of GOCCs' Customer Satisfaction Surveys"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4B. Overall		✓	✓					✓						✓			✓		

Context and Objectives (Commitment Design)

The commitment aimed to standardize the methodology and process of the Third-Party Customer Satisfaction Survey that is part of the Governance Commission for Government Owned and Controlled Corporations (GCG) Performance Evaluation System, which all Government-Owned and Controlled Corporations (GOCCs) are required to undertake.

GOCCs are "any agency organized as a stock or nonstock corporation" that is owned by the government directly or through its autonomous agencies. GOCCs are "vested with functions relating to public needs whether governmental or proprietary in nature."[147] While functioning like any corporation, GOCCs receive subsidies from the Philippines government. In 2014, Php 77.04 billion pesos (approx. USD 1.6 billion) was spent on GOCCs by the national government, 3% of which was classified as subsidies, and 97% was classified as program funds.[148] With this significant amount of money being invested by the government, the GOCC Governance Act provides the observance of good governance in GOCCs to ensure high performance and prevent corruption.

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[147] Republic Act 10149; Government Owned and Controlled Corporations (GOCC) Governance Act of 2011. Available at: https://www.officialgazette.gov.ph/2011/06/06/republic-act-no-10149/.
[148] Governance Commission for Government Owned or Controlled Corporations. 2015. "GOCC 2014 Operating Subsidies and Program Funds." January 27. Available at: http://www.gcg.gov.ph/site/pressreleases/view/19

This is the mandate of GCG. This is especially crucial because some GOCCs have been criticized for being nonperforming and allegedly corrupt.[149]

The commitment is relevant to the value of access to information, as it includes a mechanism to release information that was in the hands of the government (GOCCs' performance according to satisfaction surveys by citizens).

If fully implemented as written, this commitment was expected to have minor potential impact. The commitment included activities to generate periodic data on the satisfaction level of GOCC clients and customers on GOCC operations and services, per results from the surveys. The commitment sought to open up GOCCs to public feedback, which was not yet common.[150] Public feedback could improve GOCC services and performance depending on how GOCCs responded to the feedback. However, the commitment's activities were primarily internal facing, focused on the standardization of the methodology for the survey. Whether the survey would work in improving GOCC performance depended on many prerequisites: participation of clients, the kind of clients that participate, the quality of data and feedback generated (design of the methodology as a factor in this), compliance of GOCCs, and the response of GOCCs to feedback and data. Overall, the commitment was a positive step, but its design only went as far as collecting and publishing data from the surveys – not using the data to effectively implement improvements.

Commitment Implementation

This commitment's implementation was complete at the end of the implementation period. Particularly relevant to OGP values was the publication of results of GOCCs' customer satisfaction surveys (milestone 4), available online.[151] The survey revealed a high level of satisfaction: 91.65% among the 27 GOCCs that are compliant with the new standard methodology for their customer satisfaction survey. However, 43 GOCCs are still not abiding to this new standard, mainly due to methodological issues.[152]

The commitment opened government marginally. Even though the publication of the survey results of the corporations that were compliant with the standard methodology was a positive improvement in access to information, the process of releasing information does not represent a major change of practice by the government. The released information centered on the positive advances of some GOCCs (a minority so far) rather than on the whole universe of state corporations. More detailed information (particularly about noncompliant GOCCs and why they faced problems to adopt the new methodology) was absent. Including that kind of information would have increased the scope of the commitment. Finally, it is not clear how this information has been used by GOCCs or citizens.

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[153]

This initiative has great potential to be developed further and address a key gap in government transparency, in a sector in which significant public funds are invested. Some elements that would increase the potential of this commitment in future action plans are:
- A future commitment should include a milestone providing data on GOCCs not compliant with the survey. It would be helpful to have a consolidated picture of results, such as an overall GOCC performance report based on the survey.

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[149] Palabrica, Raul. 2015. November 30. "Assessment of GOCC's Merits." Inquirer.net. Available at: https://business.inquirer.net/203414/assessment-of-goccs-merits.
[150] Notes. Focus Group Discussion with CSOs, 27 November 2018.
[151] https://gcg.gov.ph/files/n1GXJYIuR8r7jJfREvNV.pdf
[152] Among them: deviations from the standard methodology, failure to submit scores or even failures to conduct the surveys. Source: https://gcg.gov.ph/files/n1GXJYIuR8r7jJfREvNV.pdf
[153] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

- GCG may want to conduct consultation on the design of its survey and how to ensure clients take action on the results. Citizens' use of survey information may also be pushed by a future commitment.
- Create an environment for positive incentives or a framework that would enable enforcement of sanctions.

5. Passage of Legislation on Access to Information

Commitment text from action plan:

"Passage of a Freedom of Information Law"

Milestones:

1. "Through Philippine OGP, organize three (3) Roundtable Discussions/Workshops on the substantive provisions of the FOI Bill with pilot agencies and civil society.
2. Issuance of a policy on governance structure and interagency engagement (creation of Inter-Agency Committees, technical Working Groups, Steering Committees)
3. Creation of a new office for Access to Information within PCOO
4. Onboarding 100% of agencies under the Executive branch on the FOI portal (www.foi.gov.ph)
5. Conduct of 180 information, education, and communication (IEC) campaign activities for stakeholders to bridge supply and demand for information
6. Research and evaluation of FOI program implementation under the Executive branch
7. Passage of the FOI Bill
8. Transition of FOI implementation from PCOO to FOI Implementing agency as defined by the FOI law.
9. Establishment of a National Information Inventory on the eFOI portal
10. Passage of the FOI Bill"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall		✓	✓						✓				✓					✓	

Context and Objectives (Commitment Design)

The commitment aimed to pass a FoI Law to ensure that government efforts on transparency would become the norm and would institutionalize disclosure of government-held information. In addition to getting the bill passed, the commitment also sought to enhance the access to information institutional framework in the executive branch to improve implementation of the executive order for public access to information in the executive branch.

The 1987 Constitution guarantees the right of access to information by Filipino citizens. Beginning with the 8th Congress, a Freedom of Information (FoI) Bill has been filed several times over the past

32 years.[154] One of the OGP commitments of the previous administration of Benigno Aquino was to pass a FoI Law.[155] The administration's inability to secure the passage of this legislation was a serious blow to its good governance credentials.[156] On 23 July 2016, the Duterte administration signed Executive Order (EO) No. 02, s. 2016 providing guidelines for public access to information in the executive branch. Enforcement has mainly been the responsibility of the Presidential Communications Operations Office (PCOO).[157] The EO was accompanied by the launch of an online eFOI portal administered by PCOO, which initially included 15 government agencies.[158]

If fully implemented as written, this commitment was expected to have moderate potential impact. The passage of the law represents an important step in this policy area and serves to strengthen the access to information mandate in the Philippines. A law would ensure comprehensive application of FoI across government, addressing the EO's limitation to only the executive branch. However, while the commitment's main goal is to pass the FoI law, most of the activities center on improving the access to information institutional framework in the executive but does not have a clear strategy to actively seek legislative reform.

Commitment Implementation

This commitment's implementation was substantial at the end of the implementation period, but the main milestone for Congress to approve the FOI bill was still pending. According to the government's end-of-term self-assessment report,[159] a majority of milestones the executive branch had implemented were substantially completed.

Particularly relevant to the value of access of information was the onboarding of government agencies on to the eFOI portal (milestone 4), which included data from 447 national government agencies by 2019 (98% of all agencies), in addition to data from government-owned and -controlled corporations (GOCCs), state universities, and colleges, and—to a lesser extent—local water districts. This portal shows all data requests submitted by citizens, and the responses they received from each agency, which is an innovation in information accessibility.[160] The government also organized two workshops and regional dialogues related to FOI in the country (milestone 1),[161] campaign activities focused on CSOs (milestone 5), and many dissemination activities regarding FOI.

The commitment led to major changes in open government. The main change triggered by this commitment was the onboarding of government agencies onto the eFOI portal, which includes a public mechanism to respond to citizens' requests. From the time the EO was approved in June 2016, the number of government agencies on the portal increased from 15 to 447 at the end of the implementation period. The Presidential Communications Operations Office (PCOO) had required all executive agencies onboarded on the platform by November 2017.[162] According to PCOO, the onboarding of agencies on the portal and the concurrent outreach activities (milestone 5) resulted in an increase in the number of successful eFOI requests.[163] Starting from a baseline of 0% in 2016, the resolution rate increased from 41% to 47% (i.e., nearly 5 out of every 10 FoI requests were met by

[154] Azer Parrocha, "PCOO pushes for inclusion of FOI bill in priority legislation," Philippine News Agency, 19 July 2020, https://www.pna.gov.ph/articles/1109417.

[155] Commitment 1 of the 2015-2017 action plan. Available at: https://www.opengovpartnership.org/wp-content/uploads/2019/06/PHILIPPINE-OPEN-GOVERNMENT-PARTNERSHIP-NATIONAL-ACTION-PLAN-2015-2017.pdf

[156] See S. Custer, et al. (2016), Villamejor-Mendoza, et al. (2017) and Aceron (2017).

[157] Memorandum Order No. 10 Designating PCOO as Lead Agency. https://www.foi.gov.ph/downloads/memorandum-order-no-10s-2017.pdf; Also see: https://www.philstar.com/headlines/2017/12/04/1765229/duterte-renews-call-congress-pass-foi-law

[158] Filane Mikee Cervantes, "PCOO eyes 80% success rate in eFOI requests by 2022," The Philippine News Agency, 12 February 2020, https://www.pna.gov.ph/articles/1093649.

[159] End-of-Term report, pp. 77-86.

[160] Check: www.foi.gov.ph

[161] Events took place on May 27th and June 7th. End-of-Term Report, p. 79.

[162] PCOO (2017) Memorandum Circular 03 2017. Available: https://www.foi.gov.ph/downloads/FOI_Memorandum_Circular_No_3_s_2017.pdf

[163] Parrocha, Azer. 2018. "PCOO Execs Expects Passage of FOI Law." Philippine News Agency. December 4. Available at: http://www.pna.gov.ph/articles/1055741?fbclid=IwAR2mXhvfEpGuad-OhsWjgMVkQBQsavhYW-InsGVGqZcAhe8LckoTQ8mzy3o.

state agencies) between 2017 and 2019.[164] This confirmed that operationalization of the eFOI portal constituted an improvement in the channels available to citizens for requesting information, and a PCOO representative described implementation of the EO on FoI as "thriving and strong."[165]

Despite this success, however, during the implementation period, certain civil society organizations such as the Philippine Center for Investigative Journalism (PCIJ) reported mixed results when filing requests through the online FoI portal (eFoI).[166] The nationwide coalition Right to Know, Right Now! (R2KRN) also reported only 12% positive results in using the EO on FoI.[167] This demonstrated the continuing challenge of guaranteeing access to information even with the executive order.[168]

In addition, the FoI Bill itself is also still pending approval, which further limits the extent to which this commitment opened government. Although passage of the bill alone would not have, at least immediately, led to changes in government practice, the bill would have provided a legal framework to improve access to information.

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[169]

In future action plans, the IRM researcher recommends that the government links the milestones of this commitment to the primary goal of passing a FoI law. It would be helpful to build evidence of the impact of eFoI implementation of milestones to support the passage of the law. The IRM researcher also recommends a more targeted approach to awareness raising and education, to audiences that have higher chances to use the eFoI, like researchers, media, civil society leaders, and professionals working in specific policy areas. This could also help increase use of eFoI.

The IRM also recommends a closer look at the appeals system because this is critical in ensuring that the public can seek redresses if it thinks its right to information is not met by the FoI program. It is recommended the government pursue a prioritization system to manage this challenge. For example, cases of denial of access to information on "high-profile" requests, in other words, those involving core policies affecting the most fundamental rights or with nationwide/ encompassing effect could be the first ones to be reviewed and resolutions could be made publicly available.

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[164] Filane Mikee Cervantes, "PCOO eyes 80% success rate in eFOI requests by 2022," The Philippine News Agency, 12 February 2020, https://www.pna.gov.ph/articles/1093649.

[165] Parrocha, Azer. 2018. "PCOO Execs Expects Passage of FOI Law." Philippine News Agency. December 4. Available at: http://www.pna.gov.ph/articles/1055741?fbclid=IwAR2mXhvfEpGuad-OhsWjgMVkQBQsavhYW-InsGVGqZcAhe8LckoTQ8mzy3o.

[166] Dagcutan, Aura. 2017. "503 Requests on E-FOI Portal: 183 Denied, 166 Granted, 154 Pending." Philippine Center for Investigative Journalism. March. Available at: http://pcij.org/stories/183-denied-166-granted-154-pending/. See also Joy Aceron (2017b) Independent Reporting Mechanism (IRM): The Philippines Progress Report 2015-2017; p. 29.

[167] The findings of the Right to Know, Right Now! (R2KRN) Coalition on the government's "FoI Practice" show that out of the 141 documents, 230 contacts, and 159 working days of waiting involving 20 agencies, "Only 17 documents (or 12%) were retrieved or with positive response, with around 88% with a negative response, consisting of 9% outright denied and 79% of documents still pending (way beyond the prescribed period in the EO, and hence should be considered as denied)." (Right to Know Right Statement, 11 December 2018).

[168] The IRM conducted a final stakeholder round of interviews in September 2020; however, no CSO representative was available to comment on this commitment.

[169] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

6. Provide e-Participation tools through the National Government Portal and promote its use to the whole of Government and its citizens.

Commitment text from action plan:

"E-Participation in the National Government Portal (www.gov.ph) is a set of online tools that is programmed to redefine the relationship between the government and its citizens. The tools provide access to government information, space for consultation, and a platform for collaboration. E-Participation has three components:
- 1. E-Information, which arms citizens with open data and public information, without demand;
- 2. E-Consultation, which engages citizens in contributions and deliberations to public policies and services;
- 3. E-Decision- Making, which empowers citizens to co-design policies and co-produce government service components"

Milestones

1. "Launch the www.gov.ph with at least five of the top ten priority services of the government
2. A policy for the e-Participation Tools will be written on an IRR for the www.gov.ph Executive Order to be signed and endorsed by the President
3. Launch a centralized e-consultation platform on www.gov.ph
4. Compliance of the portal with ISO 40500 Level A/WCAG 2.0 Accessibility Guidelines
5. Host the inventory of all publicly available government data and information
6. Upload all National Government Agencies' data and information on www.gov.ph. Government data and information will be onboarded through the FOI portal (www.foi.gov.ph) for government information, and the Open Data portal (data.gov.ph) for government data.
7. 30% of citizens availing of the top 5 priority services used www.gov.ph as the entry point to access the service"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall		✓	✓	✓		✓		✓				✓					✓		

Context and Objectives (Commitment Design)

This commitment aimed to enhance citizen participation in governance by providing online participation tools, specifically by making information available and by providing spaces or channels for citizen feedback and inputs to policies and government decisions in one consolidated platform.[170]

During previous action plans, low public uptake of participatory and open government mechanisms and tools the government provided has been one of the central findings of IRM reports.[171] While there have been mechanisms available for civic participation, there were also many barriers to using them, particularly for poverty-stricken communities with limited resources for engagement in and access to these mechanisms. Technology was deemed to have the potential to support and facilitate citizen engagement in governance, provided some important qualifiers were considered, such as how to respond to citizen need, context, and the capacity of government and civil society.[172]

If fully implemented as written, this commitment was expected to have minor potential impact. The commitment addressed how to increase citizen uptake of government participatory mechanisms and tools. While this is an initial step forward to create the space for citizens and governments to engage more directly, the commitment is focused on producing the data and creating interfaces, without actions geared to provide an incentive to use of the platforms. To succeed, technological solutions need to be coupled with actions to ensure effective use.

Commitment Implementation

This commitment's implementation was limited at the end of the implementation period. The main portal[173] was launched in 2017 (milestone 1). However, according to the government's end-of-term self-assessment report,[174] among the areas that this commitment's implementation fell short were the absence of a policy framework for the e-participation tools (milestone 2), delays in the launch of a centralized e-consultation platform that includes e-participation and e-consultations tools (milestone 3), and the lack of a policy that obliges institutions to release data for the data.gov.ph portal (milestone 6). In general, the absence of policy frameworks seems to have hindered the implementation of the three electronic government initiatives put forward by the commitment (*e-information*, *e-consultation,* and *e-decision-making*).

The commitment opened government marginally. Citizens can access the gov.ph portal and inform themselves about 195 services provided by the government.[175] The links to these services, however, are independently run by each state agency and manage information according to each agency's specific criteria. Main components of the commitment, such as the e-participation tools, had not been implemented by 2019.

Regarding access to information, this commitment had a marginal effect on the level of openness. According to government, at the end of the implementation period, there was still a need to "increase awareness on the use of gov.ph." Moreover, the government did not provide evidence that the objective included in milestone 7 ("30% of citizens availing of the top 5 priority services used www.gov.ph as the entry point to access the service") had been achieved.

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[170] Department of Information and Communication Technology (DICT). Response to IRM Questionnaire. 11 December 2018.

[171] Aceron, Joy. 2018b. Independent Reporting Mechanism (IRM): Philippines End-of-Term Report on 2015-2017. Washington, DC. See also Joy Aceron (2017); Independent Reporting Mechanism (IRM): The Philippines Progress Report 2015-2017; and Malou Mangahas, Malou (2015); Independent Reporting Mechanism (IRM): The Philippines Progress Report 2013-2015.

[172] Making All Voices Count. 2016. Transforming Governance: What Role for Technology? Brighton: Institute for Development Studies.

[173] Check: www.gov.ph

[174] End-of-Term report, pp. 86-90.

[175] https://www.gov.ph/services

Regarding civic participation, the commitment did not produce changes in government or citizen practices. The commitment was designed as an initial step forward to create a space for citizens and government to engage more directly. However, it fell short because of the absence of an articulating policy framework and its focus on internal administrative procedures and the production of data and interfaces rather than actions that would encourage the use of the platforms. At the end of the implementation period, the e-consultations and e-petitions solutions were not available on the website.[176]

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[177]

The IRM suggests that in future action plans this commitment not be carried forward as a standalone commitment. As shown in this report, its potential impact was minor, and its effect on government openness was marginal by the end of the implementation period. Instead, e-participation tools may be instrumental in other commitments with clear policy aims (see recommendation 2 of this report on suggested future topics that should be considered as part of OGP's action plans).

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[176] End-of-Term report, p. 88.
[177] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

7. Increase public integrity and more effectively manage public resources through budget reforms

Commitment text from action plan:

"This commitment aims to reform the budget process by enforcing greater accountability in public financial management, strengthening Congress' power of the purse, instituting an integrated PFM system, and increasing budget transparency and participation. This will be done through the improvement of the Philippines' performance in the Open Budget Survey and the passage of the Budget Reform Bill. The Budget reform bill aims to strengthen Congress' power of the purse by enforcing the Constitutional policy that all expenditures must be approved by Congress; and to enable Congress to review and approve proposed appropriations against clearly defined performance information and actual reported performance. The bill also secures the irreversibility of PFM reforms so far established by COA, DBM, DOF, NEDA."

Milestones:

1. "Increase OBI score from 64 to 67 by 2019 leading to the target OBI score of 71 by 2022 - Timely publication of 7 essential budget documents
2. Create an interagency Fiscal Openness Working Group
3. Submission of the Budget Reform Bill to HoR and Senate
4. Passage of the Budget Reform Bill both from the House of Representatives and the Senate
5. Conduct 2 stakeholder consultations for the drafting of the IRR, especially on the citizen engagement provisions of the Act, and Transition Plan
6. Budget Reform Bill IRR and Transition Plan drafted
7. Conduct of two (2) public consultations among CSOs in relation to various provisions of the bill especially on section 74 and 77"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Overall		✓	✓	✓						✓			✓				✓		

Context and Objectives (Commitment Design)

The aim of this commitment was to strengthen transparency and accountability in the budget process. Specifically, the commitment aimed to achieve this by improving the country's standing in

the Open Budget Survey (OBS), through timely releases of key budget documents[178] and by passing a Budget Reform bill that would strengthen congressional "power of the purse."

While there have been numerous budget reforms in recent years,[179] several problems persist. These include ensuring that reforms are sustainable over time and concerns around low budget credibility, reliability, accounting, and reporting.[180] Budget reforms are the key to sustaining growth and ensuring a responsive government. Another core challenge is the weak legislature in comparison with the executive.[181] Congress's power of the purse is sometimes overridden by the executive through the latter's control over the release of the budget.[182]

The budget reform envisioned by this commitment would have ensured that all expenditures are "approved by Congress…" and sought "to enable Congress to review and approve proposed appropriations against clearly defined performance information and actual reported performance."

The milestones have some specific measures that would allow verification. For instance, to improve the country's OBS' standing, the commitment specifically targeted timely releases of eight budget documents assessed by the OBS.[183] For the goal of passing the Budget Reform bill, the commitment identified milestones in the crucial stages in the law-making process, including public consultations on specific provisions (Sections 74 and 77), making this commitment relevant to access to information and civic participation.

If fully implemented as written, this commitment was expected to have a transformative potential impact on increasing public access to information and civic participation. It could change business as usual on the transparency of the budget process with the potential to improve accountability and prevent abuse of the executive over the budget. If passed and successfully implemented, the Budget Reform bill's mandate to strengthen the power of the purse of Congress was expected to enhance the legislature's oversight to approve appropriations, enforce a public finance management system, and hold the government to account for results committed in the budget. According to the Open Budget Survey, while the legislature enforces adequate oversight during the planning stage of the budget cycle, the legislature is limited during budget implementation.

Commitment Implementation

The commitment had two major components: a) to improve Philippines' position in the Open Budget Survey (for which an important amount of new information would be released to the public) and b) to approve the Budget Reform bill in Philippines Congress after participatory consultations.

This commitment's implementation was substantial at the end of the implementation period. In terms of milestone 1, Philippines exceeded its transparency target score in the Open Budget Survey (OBS), rising from 67/100 in 2017 to 76/100 in 2019. Among the improvements, all main public documents assessed by the OBS were made available to the public. The OBS recognized Philippines' advances, particularly "publishing the Mid-Year Review online in a timely manner" and "increasing

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[178] Spearheaded by the International Budget Partnership (IBP), the Open Budget Survey (OBS) started in 2006 and is described as "the world's only independent, comparative assessment of the 3 pillars of public budget accountability: transparency, oversight, and public participation." The OBS report is "produced by independent budget experts around the world, using internationally accepted criteria developed by multilateral organizations." For further details, go to: https://www.internationalbudget.org/open-budget-survey/methodology/.

[179] Villamejor-Mendoza, Maria Fe, Minerva Baylon, Jocelyn Cuaresma, Maria Fatima Diola, Ebinezer Florano and Allan Sobrepeña. 2017. The Performance of the Aquino Administration (2010-2016). Quezon City: National College of Public Administration and Governance-University of the Philippines.

[180] Diokno, Benjamin. 2018. "Speech on Public Sector Reforms of the Duterte Government: Challenges and its Future." Department of Budget and Management. May 10. Available at: https://www.dbm.gov.ph/index.php/secretary-s-corner/speeches/list-of-speeches/970-speech-on-public-sector-reforms-of-the-duterte-government-challenges-and-its-future.

[181] Miranda, Felipe and Temario Rivera (eds.). Chasing the Wind: Assessing Philippine Democracy (Second Edition). Quezon City: Commission on Human Rights, Philippines.

[182] Diokno, Benjamin (2018).

[183] These are the pre-budget statement, executive's proposed budget, enacted budget, citizen's budget, in-year reports, mid-year report, year-end report, and the audit report. DBM is in charge of the publication of all reports except for the audit report that is under the mandate of the Commission on Audit.

the information provided in the Enacted Budget and adding an executive summary to the Audit Report."[184]

However, the proposed Budget Reform bill had not been approved by Congress by the end of the implementation period. Though consultations were held with key CSO groups and HOR passed the bill, it did not pass the Senate.[185] This bill was blocked due to some legislators' opposition to shifting from the obligation-based budgeting system to a new cash-based budgeting system.[186] Through a 2019 executive order, the government commenced a transition period to a cash-based system despite the absence of the bill.[187] In regard to civic participation, the government points out that "76 consultations have been conducted from 2017 to November 2018 on the new budgeting and disbursement procedures to input in the IRR (Implementing Rules and Regulations)."[188] However, the government did not provide details about the nature or scope of these consultations, which makes it difficult for the IRM to assess the quality of CSO involvement throughout the process. Additionally, in regard to milestone 7, the two public consultations among CSOs in relation to the bill were not held.

This commitment marginally improved access to budget information. Philippines' improved position in the OBS ranking to a score of 76 out of 100 reflects a positive change in the area of budget transparency. This improved score primarily reflects greater comprehensiveness of essential budget documents. Additionally, all budget documents were published on time. Consequently, the Philippines moved from the 19th to the 10th most fiscally transparent country out of the 117 countries OBS surveyed.[189] However, the ranking is consistent with previous performance and an overall trajectory of improvement since 2012.[190] Under this particular commitment, the Philippines published all main documents related to budget approval and implementation. This reform would have resulted in major open government changes had it extended beyond the foundational step of publishing budget documents in a timely manner, for example, through the introduction of an open budget portal with easily accessible information for the general public. Regarding civic participation, the government did not provide any evidence on how CSOs or citizens helped shape the Budget Reform bill proposal, beyond formal participation in the consultations rounds for the IRR—implying that civic participation also advanced marginally.

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[191]

The IRM recommends that future action plans consider moving forward with commitments in this policy area. Future commitments can include actions to follow up on recommendations from the Open Budget Survey to increase oversight by formal independent agencies. For example, future commitments may consider strengthening the role of independent fiscal institutions (IFIs),[192] known in the Philippines as the Congressional Policy and Budget Research Department (CPBRD), whose independence is not set in the law. Commitments can also bring in the legislative branch by

[184] https://www.internationalbudget.org/open-budget-survey/country-results/2019/philippines
[185] Information provided by the Department of Budget and Management to the IRM during the prepublication review period of this report.
[186] Bernadette D. Nicolas, "PHL journey to reforming budget process slow, but remains on track," Business Mirror, 2 January 2020, https://businessmirror.com.ph/2020/01/02/phl-journey-to-reforming-budget-process-slow-but-remains-on-track/.
[187] Information provided by the Department of Budget and Management to the IRM during the prepublication review period of this report.
[188] End-of-Term report, p. 94.
[189] https://www.internationalbudget.org/open-budget-survey/country-results/2019/philippines
[190] For the 2012 OBS, check: https://www.internationalbudget.org/wp-content/uploads/OBI2012-PhilippinesCS-English.pdf
[191] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.
[192] Lisa von Trapp, Ian Lienert and Joachim Wehner. "Principles for independent fiscal institutions and case studies." 2016. OECD Journal on Budgeting. https://www.oecd-ilibrary.org/governance/principles-for-independent-fiscal-institutions-and-case-studies_budget-15-5jm2795tv625

encouraging reports on in-year implementation of the budget and making reports or hearings publicly available.[193]

[193] Open Budget Survey. Philippines. 2017. Accessible at: https://www.internationalbudget.org/wp-content/uploads/philippines-open-budget-survey-2017-summary.pdf

8. Improved transparency and increased accountability in the extractive industries

Commitment text from action plan:

"Specifically, the five (5) objectives of EITI Implementation in the Philippines are:
1. Show direct and indirect contribution of extractives to the economy (through the EITI process).
2. Improve public understanding of the management of natural resources and availability of data.
3. Strengthen national resource management / strengthen government systems.
4. Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders.
5. Pursue and strengthen the extractive sector's contribution to sustainable development."

Milestones[194]

1. "Timely publication of 4th EITI Report
2. Timely publication of 5th EITI Report
3. Timely publication of 6th EITI Report
4. Philippines to undergo a validation process to be declared an EITI Compliant Country
5. Development of an online reporting system/tool for companies
6. Roll-out of the online reporting tool
7. Enhancement of PH-EITI contracts portal to include maps and EITI data
8. Scoping study on beneficial ownership disclosure
9. Attendance of CSO representatives in the following EITI activities: MSG Meetings, LGU Roadshows and PH-EITI Report Launch
10. Host at least 1 strategic planning session for CSO and IP MSG representatives every year
11. Produce at least 1 CSO assessment of the PH-EITI Report
12. Produce at least 3 research papers on resource governance every year
13. Conduct at least 20 learning sessions (orientation/presentation and capacity building) on transparency and accountability initiatives on resource extraction
14. Facilitate the development/advocate for governance mechanisms/platforms for meaningful engagement of CSOs and IPs in resource management to broaden civic space and empower the marginalized
15. Institutionalization of EITI by law"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall		✓	✓	✓		✓			✓				✓				✓		

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[194] Please check the action plan for the full list of milestones.

Context and Objectives (Commitment Design)

Despite being rich with natural resources capitalized on by corporations, the extractives industry only contributed to 0.85% of the total gross domestic product of the Philippines and USD 722 million to government revenue in 2017.[195] This reality, according to the Philippine Extractive Industries Transparency Initiative (PH-EITI), supports a view that the Philippines suffers from "the 'resource curse' or the paradox that countries with abundant natural resources tend to have less economic growth and development outcomes."[196] By introducing transparency measures, EITI aims to ensure the country's natural resources yield appropriate benefits for the country and its people. EITI calls for the disclosure and publication of information regarding the extractives industries. It also focuses on deploying a multistakeholder approach, bringing government, the mining industry, communities, and civil society into a common problem-solving space.

The Philippines has included commitments related to EITI since its second national action plan. The PH-EITI commitment in this cycle was geared toward sustaining and enhancing PH-EITI's previous gains.[197] It sought to sustain the regular reporting of the Philippines to EITI-International and aimed to institutionalize this reporting through a law, facilitate reporting and databasing through the use of digital technologies, build on knowledge and evidence through research and learning exchanges, and take up new themes, for instance, beneficial ownership and indigenous people's empowerment.[198]

The commitment included a long list of activities and outputs, all of which were verifiable: PH-EITI reports and validation, online tools/ platforms, research studies and learning exchanges, and CSO activities in the PH-EITI and legislation.

If fully implemented as written, this commitment was expected to have moderate potential impact on increasing public access to information and improving opportunities for citizens (particularly indigenous people) to participate in the EITI process. Although the commitment pertained largely to continuing usual reporting activities of PH-EITI, it began to tap into new areas of critical importance for extractive sector transparency, such as beneficial ownership and inclusion of indigenous people.

Though the approach toward beneficial ownership was nascent, the promising element of this commitment lay in formalizing participation of indigenous communities in the EITI national multistakeholder group (MSG) and creating coalitions of civil society and indigenous communities at the local level. However, the scope of these activities was still limited. Milestones only referred to a scoping study on beneficial ownership disclosure (milestone 8) and the creation of Indigenous People's coalitions in Mindanao and Luzon.

Commitment Implementation

This commitment's implementation was substantial at the end of the implementation period. EITI's 4th and 5th reports were published (milestones 1 and 2)[199] along with research papers (milestone 10). In addition, information tools available to citizens were put online (milestones 5, 6, and 7), and many events to engage civil society and train citizens were carried out (milestones 9 and 13). Of particular relevance to OGP values, the commitment included the publication of a CSO assessment of EITI's annual reports for the years 2017 and 2018.[200] Regarding technology use and innovation, the

[195] Philippine Extractive Industries Transparency Website, with data of the latest report (2017). Available at: https://eiti.org/philippines

[196] Philippine Open Government Partnership. 2017a. Philippine Open Government Partnership (PH-OGP) National Action Plan 2017-2019: Co-Creating Governance Outcomes with the Filipino People. Manila. Other relevant materials provided by PH-EITI which they said guided their designing of this commitment are the following: https://resourcegovernance.org/sites/default/files/nrgi_Resource-Curse.pdf; https://www.rappler.com/business/special-report/whymining/whymining-latest-stories/11983-fast-facts-mining-philippines; http://nap.psa.gov.ph/peenra/results/mineral/default.asp.

[197] PH-EITI. Response to IRM Questionnaire. 11 December 2018.

[198] PH-EITI. Response to IRM Questionnaire. 11 December 2018.

[199] Available at: http://ph-eiti.dof.gov.ph/

[200] Bantaykita. 2018. CSO Assessment Report. http://www.bantaykita.ph/uploads/2/9/9/2/29922649/cso_assessment_report_2018.pdf

government elaborated the "Online Reporting System" pilot tool, which makes "reporting of companies and national government agencies more efficient and cost-effective."[201] However, the institutionalization of EITI by law (milestone 15) is pending in Congress.

This commitment led to marginal changes in open government. Many of the activities the government carried out were relevant to access to information and civic participation. Particular advancement was made in regard to transparency of the nation's extractive industries. Bantay Kita's, a coalition of civil society organizations, publication of a CSO assessment of PH-EITI (milestone 11) demonstrates how information published by the government could now be leveraged by civil society. The CSO assessment was user-friendly and displayed information relevant to citizens in the territories where mining, oil, and gas extraction took place.

In regard to civic participation, PH-EITI activities included Indigenous Peoples' participation in extractives governance through IP representation in the multistakeholder group and within the Bantay Kita CSO coalition. IP communities' members were also invited to LGU Roadshows to hear the latest EITI report findings and raise resource governance concerns.[202] However, Congress also did not approve the EITI bill that would have formalized and enhanced implementation of the initiative. Therefore, the commitment mainly served to sustain and marginally improve Philippines' progress under the EITI. EITI is an already consolidated initiative of the Philippines' government, with the country being an active member since 2013 and the EITI consistently assessing the country as making satisfactory progress.[203]

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[204]

This commitment has been in the PH-OGP national action plan for several cycles. Rather than the long list of milestones included in this commitment, the IRM suggests tightening future commitments by consolidating activities and outputs into milestones and outcomes.

In addition, future commitments could aim to take advantage of the opportunity the OGP platform provides to focus on new frontier themes for PH-EITI like beneficial ownership, coalition building at the local level, and empowerment of indigenous communities. The IRM recommends not including milestones related to the EITI reporting process, which will happen in any case with support of the EITI multistakeholder group.

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[201] "Innovations." Check: https://eiti.org/philippines
[202] Information provided to the IRM during the report's prepublication comment period.
[203] Extractive Industry Transparency Initiative. Philippines. https://eiti.org/philippines
[204] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

9. Improve Institutional Mechanisms for Immediate and Effective Disaster Response

Commitment text from action plan:

"The need for accurate and up-to-date data and information to support disaster risk reduction and management operations has long been recognized by DSWD. Ensuring the availability, quality and accessibility of disaster related data and information for all stakeholders before, during and after a disaster is critical in the improvement of mechanisms for effective and efficient disaster response. With this in mind, the Department of Social Welfare and Development, through the Disaster Response Assistance and Management Bureau (DReAMB), has actualized the critical step towards continual improvement of disaster response mechanisms by establishing its Emergency Operations Center for disaster response and has developed its online version, the DROMIC Virtual Operations Center microsite accessible via the internet.

In support to the call for freedom of information embodied in Executive Order No. 2 Series of 2016, the DSWD is committed to improve its institutional mechanisms by the establishment and implementation of the DROMIC Virtual OpCen (Disaster Response Operations Monitoring and Information Center-Virtual Operations Center), to provide the general public with access to a comprehensive collection of data and information on the agency's disaster preparedness and response efforts through information and communication technologies that facilitate transparency, accountability, citizen engagement, and good governance."

Milestones:

1. "Enhancement of the DROMIC Virtual OpCen through the integration of the e-Reklamo CMS Platform
2. Partnership building with two (2) regional and international space agencies for immediate access to satellite imagery for damage assessments (MOU with Inmarsat and Sentinel Asia)
3. Issuance of policy/ies and guidelines to establish the National and Regional Disaster Response Surge Corps (DRSC)
4. Establishment of Multi-Stakeholder Framework that will organize and support the DRSC at the subnational levels/LGUs
5. At least three (3) Civil Society Organizations/Multi-Stakeholder Partners engaged to support the DRSC -membership to the disaster response volunteers network"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall		✓	✓	✓		✓			✓				✓				✓		

Context and Objectives (Commitment Design)

The Philippines is prone to hazards such as cyclones, floods, earthquakes, and landslides. The 2012 World Risk report ranked the Philippines third out of 173 countries in terms of disaster risk.[205] It is therefore critical to provide timely, accurate, and useful information about disasters to stakeholders, especially citizens, and provide a citizen-friendly online platform for coordination and government-citizen engagement to support disaster preparedness and resiliency.[206]

The commitment aimed to incorporate platforms for citizen feedback in the "virtual version" of the Department and Social Welfare and Development (DSWD)'s Emergency Operations Center for disaster response, the "DROMIC Virtual OpCen," accessible at http://dromic.dswd.gov.ph.[207] The website provides downloadable information pertinent to disaster preparedness.[208] DSWD intended to enhance this by adding the e-Reklamo Complaints Management Ticket System that receives and tracks complaints and grievances pertaining to government response to disaster and the Quick Response Team Responder Registry that allows citizens to volunteer for DSWD's disaster response. The commitment was aligned with OGP values on civic participation, access to information, and use of technology.[209] Although the commitment would provide a public-facing mechanism to register and track complaints, it did not specify any requirement for government response and was thus not relevant to public accountability as defined by OGP Values.

The commitment's milestones were generally verifiable. The milestones were comprehensive in terms of the aspects needed to ensure the DROMIC Virtual OpCen platform worked, but some milestones lacked specificity. The scope of the first milestone around the enhancement of the DROMIC Virtual OpCen, for example, was difficult to assess, as it was unclear how to measure "enhancement."

If fully implemented as written, this commitment was expected to have moderate potential impact on increasing public access to information on disasters and improving opportunities for citizens to participate in related processes. The commitment involved engagement with civil society for uptake of the participatory platforms, provision of up-to-date and useful information and partnership with other core international, national, and local stakeholders on this issue. It sought to address real gaps in this area of governance, including citizens' lack of access to up-to-date and accurate information on disaster preparedness, the lack of mechanisms to register grievances on disaster response, and insufficient opportunities to meet quick response needs with volunteers.

However, the commitment was limited in its scope, as it did not include measures to ensure that the information provided was easily usable and satisfied citizen needs. While the milestones included activities to ensure uptake (engagement with CSOs, engagement with stakeholders from different levels, and a multisectoral forum), there was a need to ensure scale—in other words, that these activities could reach a broad group of citizens. It was unclear whether these mechanisms (e.g., multisectoral forum mentioned in milestone 4) would serve as venues to generate response to grievances or to address grievances, particularly at the subnational level where they are supposed to support DRSC.

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[205] Bundnis Entwicklung Hilft. 2017. World Risk Report: Analysis and Prospects 2017. Berlin.

[206] Tugawin, Rechie and Joy Aceron. 2018. Filling a Gap in Governance: The Case of Balangay as a Useful Application of Digital Technology. Quezon City: Government Watch.

[207] The IRM researcher accessed this on December 28. This website is active and up-to-date.

[208] The following are the information provided in DSWD's DROMIC Virtual OpCen: Hazards through the National Disaster Risk Reduction Management Council (NDRRMC); Exposure Datasets from the Philippine Statistics Authority and the DSWD Listahanan; Datasets of evacuation centers; Situational reports on DSWD response to disasters, including the amount of assistance provided; Status of relief resources and standby funds available for disaster response; and Predictive analytics and maps for situational awareness and visualization.

[209] In the interview with DSWD, the respondents from DSWD shared that they only recently learned about OGP and participated in its activity since they were not part of those who proposed the commitment. The proponents are no longer in DSWD. Notes, Interview with Marc Leo Butac, DROMIC Focal Person, Disaster Response Management Bureau (DRMB) and Monica Dianne L. Martin, Project Development Officer III (GIS Specialist), Risk Resiliency Program – Climate Change Adaptation and Mitigation, Disaster Response Management Bureau (DRMB) of the Department of Social Welfare and Development, 22 December 2018.

Commitment Implementation

This commitment's implementation was substantial at the end of the implementation period. According to the government's end-of-term self-assessment report, citizens could access new data released by the Disaster Response Operations Monitoring and Information Center (DROMIC), including reports about specific disaster events in the country, links to updated information in DROMIC's Twitter account, and weather information, among other indicators.[210] Citizens could also access the Disaster Response Assistance and Management Bureau (DReAMB) *e-Reklamo* platform, which allows citizens to make complaints to the government around six topics: relief assistance, cash for work, food for work, emergency cash assistance, core shelter assistance, and DROMIC reports (milestone 1).[211] Milestones related to civic participation and engagement of CSOs showed less progress: milestone 3 ("Establishment of Multi-Stakeholder Framework that will organize and support the DRSC at the subnational levels/LGUs") was not started, and only two CSOs (RETT Philippines and REACT Philippines) were engaged to support the DRSC (milestone 5).

This commitment produced a positive change for government practices in the disaster prevention field, particularly the implementation of the e-Reklamo platform. Although outside the implementation period of this action plan cycle, government figures suggest that 108 inquiries[212] or complaints were received between June 2020 and 25 September 2020, of which 76.8% were "resolved" whereas the rest were "acted upon in close coordination" with state agencies (including local government units).[213]

While the implementation of the commitment led to increased access to new information and new platforms for civic participation, there was limited citizen engagement in shaping these efforts. There was also scant evidence that the commitment promoted a significant increase in citizen or civil society engagement and participation in disaster-related processes.[214] Apart from the formal participation of two CSOs to support the DRSC, it is unclear whether the commitment promoted engagement with civil society to increase use of the participatory platforms, or raise educational awareness, about disaster preparedness among communities in the Philippines. According to a recent assessment by the Development Academy of the Philippines, "since the Virtual OpCen remains a relatively new project, the Disaster Response Operations Monitoring and Information Center (DROMIC) that manages this platform is still in the process of improving features, content, and reporting mechanisms for disaster response."[215] This may explain the lack of more substantial results. The resolution of cases of the E-Reklamo platform, on the other hand, is not released to the public; rather, it is shared exclusively with the complainant and the concerned state agencies.[216]

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[217]

The IRM recommends that, if continued in future action plans, the milestones should be more detailed and include a component to make information citizen-friendly and responsive to data/information needs of citizens and civil society. This component could include a more specific

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[210] https://dromic.dswd.gov.ph/

[211] https://ereklamo.dswd.gov.ph/open.php

[212] According to government's figures, most of the complaints are actually just inquiries by the public (75.9%). Memorandum from the Disaster Response Management Bureau (September 29th 2020, email communication with IRM researcher).

[213] Memorandum from the Disaster Response Management Bureau (29 September 2020).

[214] The IRM conducted a final stakeholder round of interviews in September 2020; however, no CSO representative could be reached for comment on this commitment. The IRM also requested figures about the use of the E-Reklamo platform from DWSD but received no response.

[215] https://www.dap.edu.ph/coe-psp/innov_initiatives/dromic-virtual-opcen/

[216] Memorandum from the Disaster Response Management Bureau (Offline, 29 September 2020).

[217] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

link between the information and database already existing in the website and the available participatory platforms.

In addition, the e-Reklamo platform can be enhanced by generating reports and data to measure response times, user satisfaction with case resolution, the percentage of cases properly resolved and the cases unresolved, the volume of cases submitted in a period of time, and what areas account for most of the complaints (cases open), to mention some examples of metrics. The DSWD can make this information publicly available, and in this way, it would be sharing how effectively it is managing the cases the public has placed.

10. Improve delivery of public services by capacitating Informal Settler Families and Resettled Families through Community Organizing and Community Development (CO-CD) Approach

Commitment text from action plan:

"PCUP in coordination with the national government agencies (NHA, SHFC and the DILG) shall implement Community Organizing and Community Development programs for the following:
- 18 Resettlement Sites established 2013-2016 under "Oplan Likas"
- 12 Resettlement Sites established 2016-present under "Oplan Likas"
- 29 Old Resettlement Sites established 1994-2012
- 25 Pre-Resettlement People's Organizations in the NCR established 2013-present."

Milestones:[218]

1. "Conduct CO-CD activities in 59 relocation sites
2. CO-CD in 25 People's Plan under the Social Housing and Finance Corporation's High Density Housing Program by December 2018
3. Conduct CO-CD activities in 59 relocation sites
4. CO-CD in 25 People's Plan under the Social Housing and Finance Corporation's High Density Housing Program by December 2019"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
10. Overall		✓		✓					✓			✓				✓			

Context and Objectives (Commitment Design)

This commitment aimed to help improve the condition of resettlement areas through the conduct of "people-centered, rights-based and community-led" Community Organizing and Community Development (CO-CD). CO-CD, implemented by the Presidential Commission for the Urban Poor (PCUP) and other key agencies, would ensure that relocatees are involved in the planning, resource management, and implementation of shelter and housing projects.[219] To achieve this, the

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[218] Please check the action plan for the full list of milestones.
[219] Philippine Open Government Partnership. 2017a. Philippine Open Government Partnership (PH-OGP) National Action Plan 2017-2019: Co-Creating Governance Outcomes with the Filipino People. Manila.

commitment aimed to support the strengthening of "People's Plans," which organized communities in the country formulated.[220]

The Housing Industry Roadmap of the Philippines pegged the housing backlog at 3.9 million housing units as of 2012, with an estimated 832,000 homeless families.[221] The housing backlog is expected to increase to 10.1 million in 2030, according to this roadmap.[222] The Medium-Term Development Plan (MTPDP) 2011–2016, meanwhile, pegged the housing backlog at 5.6 million in 2016. The number of families in slum areas in city centers where services and jobs are more accessible is also growing exponentially. The urban housing problem is characterized by informal housing arrangements, substandard structures, congestion and overcrowded spaces, lack of access to social services, rising criminality, land use conflicts, and supply shortages.[223] Meanwhile, resettlement areas are inadequate in ensuring the well-being of resettled families. Relocation sites have incomplete facilities, insufficient supply of light and power, and limited access to livelihood, school, and other social services.[224]

The 1987 Philippine Constitution guarantees that "that the State will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas," and the Philippines has two main laws designed to address the housing problem – the Urban Development and Housing Act (UDHA) of 1992 and the Comprehensive Shelter Finance Act (CISFA) of 1994.[225] Nevertheless, the inadequate housing conditions persist.

The commitment contained a long list of CO-CD activities in a target number of relocation sites. Despite having some verifiable activities, it was challenging to determine which among the many relocation sites in the country were supposed to be covered by this commitment and how different this commitment was from ongoing CO-CD work of the PCUP and other housing agencies.

If fully implemented as written, this commitment was expected to have minor potential impact. The commitment stood to empower a number of citizens who were affected by the housing crisis by facilitating their participation in decision-making processes. Although the government is already investing resources to address the housing deficit, the participation of citizens, and the potential beneficiaries in particular, would help ensure that resources are allocated more efficiently in response to beneficiary needs.

While such participation was anticipated as a positive development in service delivery in this area, the commitment was limited in scope. Specifically, efforts to sustainably address the needs and concerns of relocatees would also need to consider other important factors such as sustaining government support and investment and sustaining steady sources of livelihood. The IRM also found that the CO-CD approach was a common feature of other resettlement processes prior to this commitment, and it was thus unclear how the commitment would represent or lead to a significant improvement from the status quo.[226]

Commitment Implementation
This commitment's implementation was limited at the end of the implementation period. According to the government's end-of-term self-assessment report, the limited completion of the key milestones 2 and 4, which cover CO-CD implementation in 50 total People's Plans under the Social Housing and Finance Corporation's High Density Housing Program, is particularly notable.

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[220] On the term, please check: Amon, J. "Build a People's Plan." Medium, 25/11/14. Available: https://medium.com/@accountability/in-the-philippines-build-a-peoples-plan-812146dc146
[221] Subdivision and Housing Developer's Association. Housing Industry Roadmap. boi.gov.ph/wp-content/[]. Uploaded: March 2018.
[222] Subdivision and Housing Developer's Association. Housing Industry Roadmap. boi.gov.ph/wp-content/[]. Uploaded: March 2018.
[223] Monsod, Toby. 2010. "Is Government Really Solving the Housing Problem?" Lecture delivered at the 11th AC-UPSE Economic Forum. University of the Philippines, Quezon City. November 17.
[224] Philippine Commission on Urban Poor (PCUP). Response to IRM Questionnaire. 5 December 2018.
[225] Ballesteros, Marife. 2009. "Housing Policy for the Poor: Revisiting UDHA and CISFA," in Policy Notes. No. 2009-04, November.
[226] Notes, FGD with CSOs, 27 November 2018.

This commitment did not result in a change in government practices in regard to citizen participation in public service delivery. As noted above, this commitment aimed to ensure the conduct of "people-centered, rights-based and community-led" activities that would ensure that the relocatees were involved in the planning, resource management, and implementation of shelter and housing projects. The government provided evidence of many capacity-building and dissemination activities across the country in 2018 and 2019. However, there is no evidence that these activities led to widespread citizen engagement in key moments of the delivery of public services, such as planning and resource management in resettlement efforts. As there is limited mention of citizens being consulted about specific problems facing their settlement locations,[227] these activities do not, as envisioned, ensure citizens are "active partners of the National and Local Governments in the planning and implementation of truly responsive shelter and housing initiatives/solutions."[228]

Next steps

The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[229]

- Given that the CD-CO approach is ongoing and there are numerous resettlement areas in the country with varying levels of urgency/ seriousness of needs, the IRM researcher recommends this commitment be carried forward in future action plans. As a design improvement, the government could consider targeting and giving priority to those communities with fewer CD-CO capacities.
- Future commitments can also be enhanced by exploring whether or how to add components that will make use of access to information and enhanced accountability to contribute to relocatees' improved well-being.

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[227] Activities carried out are listed in the End-of-Term Report, p. 123-125.
[228] End-of-Term Report, p. 120
[229] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

11. Institutionalize Open Local Legislative Processes (Open Legislation Platform through Social Media and Website)

Commitment text from action plan:

"The commitment aims to create more spaces for engagement to further improve the local legislative process, specifically creation of an online platform."

Milestones:[230]

1. "Draft and pass a resolution authorizing the Office of the Secretary to the Sanggunian to explore mechanisms for open legislation subject to guidelines to be approved by the Sanggunian and the local chief executive.
2. Launch of the official Facebook account of the Sanggunian as the platform for open legislation (provide a link of the Sanggunian official website in the Facebook account)
3. Identify and engage the CSO counterpart to verify the citizens who engage in the online legislative process.
4. Posting of proposed and draft ordinances for information and comments. Enabling the poll and comment features
5. Designate a committee to review the feedback provided by the citizens. If necessary or if there is clamor from the public, the information gathered may be used as discussion points for the legislation to be passed.
6. Publish report on the review and assessment of the applicability of social media platform for Open Legislation"

Editorial Note: For the complete text of this commitment, please see Philippines' action plan at https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_-Action-Plan_2017-2019_updated.pdf

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall		✓	✓	✓		✓		✓					✓				✓		

Context and Objectives (Commitment Design)

The commitment aimed to improve the local legislative process by creating spaces for engagement of citizens, primarily through the social media platform Facebook. The effective use of this space was expected to trigger citizen participation in local legislative processes—including through the use of polls and comments functionalities—which in turn would make policies more responsive to the needs of citizens.

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[230] There milestones correspond to those of the provincial governments of Albay and Surigao del Norte. Please check the action plan for the full list of milestones for each subnational government.

This process was expected to be particularly crucial for citizens who resided in rural areas, where local government centers are not easy to access.[231] Six local government units signed up to participate in the implementation of this commitment: these include the provinces of Bohol, Surigao del Norte and Albay, and the municipalities of Trinidad, Alicia, and Tubigon in Bohol. All these localities have already used digital technologies to open up their legislation mainly through social media and websites. The commitment was relevant to the OGP values of access to information, civic participation, and the use of technology to promote transparency.

The legislature, including at the local level, is viewed as the cornerstone of a democratic system, as it houses the representatives of the people who act collectively to develop laws that are binding to all and are the key to the functioning of a political order. In the Philippines, however, the legislature, both at the national and local levels, is widely perceived as weak, and law-making does not always embody the will of the people but rather reflects the interests of a few.[232] While several civil society groups have engaged the legislature on proposed laws and policies, this advocacy is concentrated at the national level, and participation of ordinary citizens in lawmaking is almost nonexistent. Given this situation, bringing lawmaking closer to the people by making pertinent information available, and facilitating citizen participation in related processes, stood to be a progressive agenda that would strengthen lawmaking and support democratic processes.

The commitment included a long list of activities and outputs that were generally specific enough to be verified. However, the precise nature of information to be made available online could have been more specific. If fully implemented as written, this commitment was expected to have minor potential impact. The commitment aimed to address a central gap in access to information on proposed local policies and on the development of local legislation and reinforced online channels for citizen engagement.

As noted above, preceding this action plan, transparency and participation in the development of legislation was rare, despite some local governments having made similar efforts and a national directive to make local government information more accessible.[233] Although this commitment represented a positive change from this status quo, it remained limited in terms of specificity and scope. The commitment's design seemed to assume that enabling online space for citizen feedback and publishing information would on its own generate more engagement and did not include an awareness-raising strategy or activities to promote citizen engagement. In addition, highlighting the limited scope, only three of the Philippines' 81 provinces would be affected by the commitment, thus excluding most local governments.

Commitment Implementation
This commitment's implementation was substantial at the end of the implementation period. According to government's end-of-term self-assessment report,[234] all of the targeted provincial governments (Albay, Bohol, and Surigao del Norte) and the three municipalities (Alicia, Tubigon, and Trinidad) completed most milestones, except the milestone on "publishing reports on the review and assessment of the applicability of social media platform for Open Legislation." Most milestones are related to the creation of a legal and regulatory framework or the passing of internal administrative decisions that would support open legislation in the provinces and municipalities concerned.

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[231] Surigao del Norte Province. Response to IRM Questionnaire. 11 December 2018.

[232] Miranda, Felipe and Temario Rivera (eds.). 2016. Chasing the Wind: Assessing Philippine Democracy (Second Edition). Quezon City: Commission on Human Rights, Philippines.

[233] For examples, see LGUs with best ICT projects feted in 2017 eGov Awards, Newsbytes Philippines, 29 November 2017.
http://newsbytes.ph/2017/11/29/lgus-with-best-ict-projects-feted-in-2017-egov-awards/

[234] End-of-Term report, pp. 127-132.

The government's end-of-term report does not provide specific links or evidence of the actual level of information released through the proposed activities. The first activity of the commitment,[235] the creation of Facebook accounts for each of the Sangguniang (legislative bodies) involved,[236] purposely aimed to bolster access to information and citizen engagement in provincial and local policy making. A review of those Facebook accounts shows information being released, but this did not constitute a significant improvement in the quality of information or amount of information disclosed. For instance, the account of Sangguniang Panlalawigan ng Albay - 13th publishes information about the passing of legislation but does not include key functionalities like surveys and comments,[237] as originally proposed under the commitment. The BOHOL - Sangguniang Panlalawigan (Open Legislation) Facebook group is a private group of around 900 people, restricted to Bohol residents.[238] This evidence also suggests that while a channel was created to engage citizens, its limited scope and barriers to entry meant that it did not contribute to more significant changes to government practice toward civic participation.

Other outreach techniques have also been used, such as radio programs (Surigao del Norte) and civil society committees (Municipality of Tubigon, Bohol province), which contribute positive changes in government practices. Beyond establishing the channels and creating opportunities, how these efforts have been used concretely to improve legislative decision-making at the local level is yet to be seen.

Next steps
The IRM shared the following recommendations with stakeholders during the prepublication review period for the design section of this report. They are included below for public record.[239]

The IRM researcher suggests that future efforts in this policy area reexamine the assumption that making any information accessible online will automatically lead to citizen awareness and participation and then to improved policies. Strategies to ensure citizen uptake, citizen engagement, and government response need to be added in the design.
- Future commitments in this area could also include a process by which successful practices (if any) can be identified and shared to other local governments or aim to expand their adoption nationwide, if deemed successful. It is also advisable to establish the baseline to track improvements on opening up the local legislature. A successful model at the local level can also aim to inspire the national legislature.
- The IRM recommends designing future commitments' milestones in a way that they are outcome-oriented.

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[235] According to the Action Plan, "Having an online platform, specifically through social media, the citizen's interest on legislation will improve and in effect improving the citizen's participation. Social media, such as Facebook, is a more accessible medium for the citizens, as most citizens have active Facebook accounts." Action Plan, p. 58.
[236] According to milestones, among the local governments who offered to launch Facebook accounts were Municipality of Alicia and Trinidad, Provincial Government of Surigao Del Norte and Provincial Government of Albay.
[237] https://www.facebook.com/pg/Sangguniang-Panlalawigan-ng-Albay-13th-1981580328581500/posts/?ref=page_internal
[238] https://www.facebook.com/groups/936008923204542/
[239] See the Philippines 2019-2021 IRM Design Report for the most recent commitment analysis and recommendations.

V. General Recommendations

This section aims to inform the development of the next action plan. It is divided into two sections: 1) IRM key recommendations to improve the OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations. The IRM shared and discussed its assessment of the design of this action plan with the government and the PH-OGP Steering Committee during prepublication review of Sections II, III (3.1 and 3.2), IV and V of this report. This was to ensure that stakeholders received IRM recommendations and analysis while the Philippines' fifth OGP action plan for 2019–2021 was being developed.

The following recommendations are included below solely for public record. They do not reflect the most current status of open government reforms or most recent IRM recommendations for the Philippines. For the most recent IRM recommendations, please refer to the IRM's Design Report for the Philippines' 2019–2021 Action Plan.

5.1 IRM Recommendations Shared to Inform the Development of the 2019-2021 Action Plan

Design commitments to clearly articulate a theory of change

While securing funding is critical for implementation success, the commitment design period can look at how available government programs contribute to solving the policy problems or priority issues identified through the co-creation process. Ongoing initiatives, tools, or programs can become means to an end rather than the end in itself.

Once broader consultations have taken place, the PH-OGP would need to conduct a narrower exercise to discuss commitments, not just as activities but rather as actions with an articulated theory of change.

A clear theory of change in a commitment would articulate the following elements:

- The policy problem the commitment responds to;
- The commitment's contribution to solving that policy problem or dimension of the identified policy problem;
- The actions that would achieve the objective;
- The changes that are expected from the commitment's implementation; and
- Clear alignment between what the commitment will do and what the commitment wants to achieve.

Increase the ambition of commitments, particularly by enhancing public accountability elements in recurring commitments and by exploring new areas

Certain commitments (ease of doing business, citizen participatory audits, access to information law, EITI, among others) resurface from action plan to action plan. While future action plans may continue to advance the same policy areas to ensure reform momentum, the introduction of new focus areas within a commitment will enhance ambition and raise the commitment's potential impact. For example, future commitments in the area of extractives transparency could be enhanced and invigorated by seeking to tackle new issues of beneficial ownership and the empowerment of Indigenous communities.

Another area that can be elevated is budget transparency. Focusing new commitments on the oversight process and participatory approach to budgets can increase ambition of commitments in this area.

Gleaning from this report's discussion on the context of open government in the Philippines, strengthening of accountability institutions is an important issue. Some of the vital accountability institutions in the country are the Ombudsman, Commission on Human Rights, COA, the judiciary, and legislative oversight.

Existing commitments can be enhanced in their public accountability focus, such as Hotline 8888, DSWD Virtual OpCen, and GCG Scorecard (commitments that receive complaints/ feedback from the public). This can be done by sharpening the part of the initiative that generates response from agencies or duty bearers or enable/strengthen sanction for noncompliance/ non-response or direct violations. Adding milestones that strengthen and/or operationalize investigative or advocacy elements would be a specific example.

Another opportunity for more ambition is Citizen Participatory Audit (CPA). Although it is aimed at enhancing public accountability, its milestones have been focused more on institutionalization. It needs to do more on how to generate or how to ensure effective government response to CPA findings. CPA can also open new venues for potentially ambitious commitments, particularly if accountability mechanisms are used as tools for sectors such as health and education.

Strengthen the protection of civic space by establishing independent investigation mechanisms, withdrawing restrictive legislation and building trust among civil society

Civic space in the Philippines narrowed significantly over the course of this action plan. This action plan did not include commitments to widen civic space, representing an important gap. At present, CIVICUS defines the Philippines civic space as obstructed and recently placed the Philippines on a watch list. Protecting civic space is an important policy area for future action plans. In future commitments, the IRM recommends that the government:

- Address violations of civic freedoms and extrajudicial killings, in collaboration with CSOs, by developing an independent investigation mechanism with enforcement authority and a system for compiling and publishing disaggregated data on reports of violations.
- Respond to civil society's calls to withdraw Executive Order No. 68, Executive Order No. 70, DSSP Kapayapaan, and proposed revisions to the 2007 Human Security Act.
- Take confidence-building measures to foster trust with CSOs and media organizations, minimize online and offline targeting of these organizations, and facilitate their engagement with state institutions mandated to respond to human rights concerns, without reprisal.

Lobby for greater legislative support by raising awareness and advocating open government principles among members of the Congress

While the inclusion of representatives of the legislature in various aspects of the OGP process is commendable, none of the bills promised in the action plan - such as the CPA bill, the FOI bill, the Budget Reform bill or the institutionalization of EITI by law – were ultimately passed by Congress. The IRM recognizes that legislative approval process usually takes longer than a two-year action plan cycle, and commitments that propose to pass laws through the legislature face challenges related to the different timelines. However, the IRM recommends that civil society, supported by government, continue to raise awareness and lobby for the adoption of open government values and initiatives among a wider spectrum of

member of congress to guarantee political support to some of the important reforms tackled by OGP action plans.

For instance, efforts to further advocate for the passage of the FoI law could benefit by having a concrete engagement plan with the legislature. This may include mapping out actors and steps that need to take place for the law to be approved. Commitments regarding this matter could include actions and steps the government can take to build the momentum for the legislative process to occur.

Strengthen the monitoring of commitments to facilitate effective implementation

According to the government, engagement in monitoring activities by the Steering Committee was minimal during implementation period.[240] The IRM recommends working on improving the follow-up mechanism, particularly in the context of implications surrounding the COVID-19 pandemic, which poses challenges to the original schedule of implementation of commitments.

Monitoring by representatives of governments and civil society could help foresee and tackle problems during implementation (both internal problems and also produced by the COVID-19 context). The IRM also suggests a more proactive use of the repository during monitoring activities, keeping in mind the public as the main beneficiary of the released information, but that could also inform the assessment of OGP's Independent Reporting Mechanism (which faced challenges due to the lack of documentation of some activities).

Table 5.1: Five Key Recommendations

1	Design commitments to clearly articulate a theory of change.
2	Increase the ambition of commitments, particularly by enhancing public accountability elements in recurring commitments and by exploring new areas.
3	Strengthen the protection of civic space by establishing independent investigation mechanisms, withdrawing restrictive legislation and building trust among civil society.
4	Lobby for greater legislative support by raising awareness and advocating open government principles among members of the Congress.
5	Strengthen the monitoring of commitments to facilitate effective implementation.

5.2 Response to Previous IRM Key Recommendations

Governments are required to respond to IRM key recommendations. This section provides an overview of how stakeholders addressed IRM recommendations and how the recommendations were incorporated in the succeeding action plan process or content.

PH-OGP responded to all the five IRM recommendations put forward in the PH-OGP Fourth National Action Plan and has reported in its mid-term report to have integrated all the recommendations in the fourth national action plan.[241] However, the IRM researcher considers two of the ways PH-OGP claims to have incorporated the IRM recommendation as being insufficient and has therefore marked these as "x" or not integrated in the current action plan. These are the first recommendation on coming up with a coherent OGP strategy and the last on strengthening the commitments on accountability.

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[240] End-of-Term report, p. 27.
[241] See Annex E or pp. 102-103 of PH-OGP Fourth National Action Plan and pp. 13-15 of the PH-OGP Mid-Term Self Assessment Report.

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Responded to?	Integrated into Current Action Plan?
1	Come up with a coherent strategy that will tie up and consolidate all the commitments, actions, and actors into a direction that will bring forth a clear change PH-OGP wants to see after a given period of time.	✔	
2	Explore as a Strategic Theme "Bringing OGP Closer to the Citizens"	✔	✔
3	Engage Advocacy/Cause-Oriented Groups and Communities	✔	✔
4	Lobby for the FOI Law, while Maximizing Open Data and FOI EO	✔	✔
5	Strengthen commitments on accountability, particularly engagement of ex-post facto accountability efforts	✔	

PH-OGP claimed to have responded to the first IRM recommendation to come up with a coherent strategy for the overall PH-OGP action plan by accounting for the action plan development processes of the fourth national action plan. PH-OGP reported that the process is more "strategic, systematic, and effective compared to previous years' processes" and recalled activities in support of this claim. While the efforts to improve the planning process are commendable, the IRM recommendation is meant for an improvement in the design of the action plan itself and not the process.

PH-OGP accounts that it addressed IRM recommendation 5 to explore adding commitments on enhancing public accountability by including the following commitments that PH-OGP considers aiming to strengthen accountability: 888 Citizen Complaints Center, the Satisfaction Rating on GOCCs, CPA and the Budget Reform/Modernization Bill. However, the IRM researcher only labels CPA as the commitments in the fourth national action as mainly or directly enhancing public accountability.

Meanwhile, the fourth national action plan has strongly and clearly responded to the IRM recommendation of bringing the OGP closer to the citizens by focusing on enhancing civic participation and by tackling substantive issues affecting ordinary citizens: housing and disaster. The substantive issues were products of engagement with advocacy/cause-oriented groups advancing these agenda, although there are more advocacy/cause-oriented groups that PH-OGP still needs to contact. The fourth national action plan has reenrolled advocacy for the passage of the FoI law, which includes activities that maximize the Executive Order on Freedom of Information.

VI. Methodology and Sources

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Philippine's OGP repository (https://drive.google.com/drive/folders/0B1NmJgG50sHTQXN4bEQwc0NhWk0), website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach. The IRM carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.[242]

Interviews and stakeholder input

For the Design Report aspects of this report, the IRM researcher circulated a questionnaire to commitment holders. The questionnaire sought the materials and reference documents used by commitment holders to design commitments. Commitment holders provided responses for 9 out of the 11 commitments. The IRM researcher also conducted interviews to supplement written information on action plan development. These included:

- PH-OGP government secretariat, Point of Contact Marianne Fabian and Assistant Secretary Rolando Toledo of the Department of Budget and Management on 19 October 2018
- Former point person of PH-OGP NGO Secretariat, Nino Versoza on 20 November 2018
- Department of Social Welfare and Development, Marc Leo Butac, DROMIC Focal Person, Disaster Response Management Bureau and Monica Dianne L. Martin, Project Development Officer III (GIS Specialist), Risk Resiliency Program – Climate Change Adaptation and Mitigation, Disaster Response Management Bureau (DRMB) on 22 December 2018

The IRM researcher also observed the PH-OGP NGO Steering Committee Meeting on 19O October 2018, where she was able to ask questions during discussion and conducted side interviews with some members of the NGO Steering Committee after the meeting.

A focus group discussion with CSOs was conducted on 27 November 2018 attended by representatives from Damayan ng Maralitang Pilipinong Api (DAMPA), Government Watch (G-Watch), University of the Philippines-Diliman, De La Salle University and Accountability Community, a writer from CNN-Philippines and an independent researcher working with various CSOs. A quick briefer of OGP and the IRM as the PH-OGP fourth national action

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242 IRM Procedures Manual, V.3 : https://www.opengovpartnership.org/documents/irm-procedures-manual

plan was provided before the participants were asked to give feedback on two main questions: (1) What were the key issues relevant to open government that hit the headlines from June 2017 to present? Does the PH-OGP fourth national action plan cover these issues? (2) Do you think the commitments address valid problems/gaps, and what do you think their potential is in addressing the problems?

For the implementation assessment, the IRM provided a preliminary desk research verification of evidence to the government and this was shared with commitment holders for feedback and additional inputs. An IRM researcher consulted the End-of-Term report elaborated by the Philippines' government and delivered to OGP in early 2020, the country's repository and the evidence collected during the elaboration of the research plan for the design report. Desk research helped corroborate the completion of activities during the implementation period. The IRM conducted a final round of online and email-based interviews in the fall of 2020. One civil society organization (Life Inc.) and two state agencies (ARTA and the Disaster Response Management Bureau) offered their views on relevant aspects of the implementation process.

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a crucial means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is composed of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is composed of the following:

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with IRM researchers and consultants. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org.

Annex I. Overview of Philippines performance throughout action plan development and implementation

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Multi-stakeholder Forum	During Development	During Implementation
1a. Forum established: The PH-OGP Steering Committee is the main decision-making body for PH-OGP activities and processes.	Green	Green
1b. Regularity: Since June 2016, eight Steering Committee meetings were convened during the development of the action plan.	Green	Green
1c. Collaborative mandate development: Government and CSO members jointly crafted Terms of Reference that outline the Steering Committee's mandate, the regularity of meetings, and standard processes.	Green	Green
1d. Mandate public: The Terms of Reference are publicly available on Google Drive.	Green	Green
2a. Multi-stakeholder: The forum includes and is co-chaired by both government and civil society representatives.	Green	Green
2b. Parity: The PH-OGP Steering Committee comprised eight government members and eight non-government members.	Green	Green
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.	Green	Green
2d. High-level government representation: OGP leadership within the government remained with the Department of Budget and Management Secretary, who attended national and international OGP activities.	Green	Green
3d. Openness: Six consultation activities were held with targeted nongovernmental organizations and government agencies.	Green	Green
3e. Remote participation: The draft action plan was posted on the PH-OGP website, social media, and email blast for public comment for 20 days. Five recommendations from public input were adopted with modifications.	Green	Green
3f. Minutes: Progress updates, including event notes, draft commitments, etc. were stored in the PH-OGP Google Drive, but not in the PH-OGP	Yellow	Yellow

website. General information about PH-OGP activities and progress were posted on social media.		

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Action Plan Development	
4a. Process transparency: The initial PH-OGP website was deactivated in 2017 and a new website launched in 2019. Documents and updates were made available in the interim through Google Drive and Facebook.	Green
4b. Documentation in advance: PH-OGP shared materials about OGP and the proposed timeline and process for action plan development with the Steering Committee and public prior to co-creation consultations.	Green
4c. Awareness-raising: Consultations provided CSOs with information on OGP and government activities.	Green
4d. Communication channels: The Steering Committee solicited input from specific civil society organizations, government agencies, and the public.	Green
4e. Reasoned response: Stakeholder comments and the government's response is available in Annexes A and B of the action plan.	Green
5a. Repository: The PH-OGP repository is accessible at: http://ogp.dbm.gov.ph/index.php/repository	Green

Editorial note: If a country "meets" the six standards in bold IRM will recognize the country's process as a Starred Process.

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Action Plan Implementation	
4a. The government publishes via the national OGP website/webpage regular updates (i.e. at least every six months) on the progress of commitments, including progress against milestones, reasons for any delays, next steps. This is in addition to publishing self-assessment report.	Yellow
4b. The website/webpage has a feature to allow the public to comment on progress updates.	Green
4c. The government holds at least two open meetings with civil society (one per year) on the implementation of the NAP.	Green

4d. The government shares the link to the IRM report with other government institutions and stakeholders to encourage input during the public comment phase.	N/A
4.e The multi-stakeholder forum monitors and deliberates on how to improve the implementation of the NAP.	Green
4.f The government submits its self-assessment report to the national multi-stakeholder forum for comments and feedback on the content of the report.	Green
4.g. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g., links to databases, evidence of meetings, publications).	Green

Annex II. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[243] A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
  - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
  - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
  - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
  - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the potential impact of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
  - Identify the social, economic, political, or environmental problem;
  - Establish the status quo at the outset of the action plan; and
  - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle.

Results oriented commitments?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "Doubling

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[243] "IRM Procedures Manual," OGP, https://www.opengovpartnership.org/documents/irm-procedures-manual

response rates to information requests" is a stronger goal than "publishing a protocol for response.")?

Starred commitments

One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. To receive a star, a commitment must meet several criteria:

- The commitment's design should be **Verifiable**, **Relevant** to OGP values, and have **Transformative** potential impact.
- The commitment's implementation must be assessed by the IRM as **Substantial** or **Complete** at the end of the action plan cycle.

This variable is assessed at the end of the action plan cycle.