



# Good Practices and Lessons Learned

on the role of Civil Society  
Networks in OGP



Alianza Regional por la Libre Expresión e Información



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## **ABSTRACT**

The purpose of this note is to document the experience of civil society in Latin American regarding the Open Government Partnership (OGP), focusing on the concrete activities of two regional civil society networks – Transparency International and Alianza Regional por la Libre Expresión e Información (*Regional Alianza for Freedom of Expression and Information*).

Based on reflections and concrete examples of the work of these two networks, it will be possible to identify the challenges faced, the lessons learned, and good practices that could also be useful in other contexts.

To analyze this experience, interviews were held with Karina Banfi (Executive Secretary of Alianza Regional until August 2013), Zoë Reiter (Regional Program Manager for the Americas Department of Transparency International), Moisés Sánchez (Executive Director of Fundación Pro Acceso, Chile) and Emilene Martínez Morales (Civil Society Coordinator for Open Government Partnership in Latin America).

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## INTRODUCTION

"Good practices and lessons learned on the role of civil society networks in OGP", authored by *Alianza Regional por la Libre Expresión e Información*, examines the processes and activities that international networks carried out in the context of the global initiative Open Government Partnership (OGP).

The case analyzed by Daniela Urribarri and Mariana Gené for Alianza Regional refers to the various activities that took place at the Regional Summit on Santiago de Chile during last January. The report includes proposals to systematize the experience regarding coordination, objectives and conclusions that surfaced as the network interacted with the structure of OGP, the Chilean administration and with Latin American civil society organizations.

The result of the interaction between multiple actors on the background of this global initiative allowed a degree of participation and commitment for governments and civil society - with the explicit goal of advancing the quality of agreements in drafting the action plans in some of the Latin American countries that participated.

This work briefly summarizes the main tools that civil society possess through international networks, which are able to channel their demands and activities. This in turn strengthens the presence of civil society in the public agenda.

The report also includes a summary of the challenges, good practices and the lessons learned in bolstering the participation of civil society in the public agenda and specifically in the context of the Open Government Partnership. An important element of this document is its reflexive perspective and identification of necessary prerequisites to accomplish the objectives, this provides insight on the dynamics of international networks and their local and global advocacy.

Alianza Regional por la Libre Expresión e Información is a civil society network that comprehends 24 leading organizations in the promotion and advocacy for freedom of expression and access to public information, with members in 19 different Latin American countries. The network pursues an agenda that places the defense of democracy and the value of human rights - understood in the terms of international Human Rights treaties - and all the norms and standards associated with them as their main priorities - reaffirming the conviction that freedom of expression and information are essential to democratic societies.

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The purpose of this report is to document the Latin American civil society experience regarding OGP – specifically, analyzing the concrete activities of two regional networks: Transparency International (henceforth, **TI**) and Alianza Regional por la Libre Expresión e Información (henceforth, **Alianza Regional**). Based on reflections and concrete examples of the work of these two networks, it will be possible to identify the challenges faced, the lessons learned, and the good practices that could also be useful in other contexts.

In the context of a worldwide initiative with the extensive reach that OGP has, with such different actors (mainly States and civil society organizations), the challenges to each of its participants are substantial. In first place, to understand this context it is required: to know what is at stake and which would be the possible ramifications for each region; to identify the relevant actors and decide which position to take in relation to them; to set an agenda and establish concrete strategies to reach it; and to be aware of the potential and limitations of this initiative. The joint work experience between TI and Alianza Regional in relation to OGP has shown that these networks, because of their magnitude and capacity to represent their members, are actors with a great potential for advocacy in this context. This is due to the amount of voices that they are able to unite and represent, allowing them to engage States on their involvement with OGP. At the same time, the efficacy of dialogue with States is increased, and the potential for collective advocacy on the context of access to information and open government policies is amplified. Of course, the possibility of obtaining this kind of impact by the networks demands of them the capacity for coordination, the construction of a common identity that gives cohesion to whom they represent, and the pooling of resources and ideas of different kinds. For these reasons, the challenges for networks are very specific – and so are the advantages they bring to their member organizations in the framework of OGP.

## **I. The principal challenges to networks and the necessary conditions for their functioning**

Civil society networks offer various benefits to the organizations they represent, among which their ability to unify the voice of disparate actors and obtain more strength to leverage their concerns and manifest their stance. In this sense, they become a more significant interlocutor to the relevant actors, they are more effective and far reaching to carry out their advocacy strategies. Furthermore, networks able to develop internal cohesion and consensual decisions and are able to guarantee active participation from their members can benefit from other substantive advantages – disseminating information and knowledge among their members; finding mutual support thorough horizontal cooperation to increase the impact of local strategies; capitalizing the diverse lessons of their partners (when one of them communicates a successful initiative and shares the mechanisms to replicate it, for example); and enabling each member to increase the range of their work.

Of course, this requires an intense effort before participating in concrete areas and scenarios, and that effort needs to be sustained over time. In fact, networks not only offer benefits and aggregated value to their members – they also come with regular challenges that must be faced. There might be reservations about sharing information with other organizations; there might be a large amount of information that is not relevant to members and saturates their daily operations and generates disinterest; or there can be high levels of bureaucratization and heavy workload for network members. Worse yet for a civil society network would be to generate competition among its members instead of cooperation and to lack any substantive

content, being just a label with little joint work behind it. Finally, an even bigger challenge for networks – just as it is for their member organizations – is to secure their funding.

In both the case of TI and Alianza Regional, the networks constantly make efforts to improve synergy among its members, and to establish and maintain a clear set of rules for their internal functioning. **Transparency International** was founded in 1983, and has a roster of over 100 chapters all over the world (23 on the Americas). Its structure is well known by each of its members: to join TI, each local chapter must fulfill certain prerequisites and subscribe to the rules and standards of the network, besides having to undergo a process of reaccreditation every 3 years to guarantee adherence to that criteria. The thematic areas TI works with are governmental transparency and accountability, which include access-to-information. **Alianza Regional** was established in 2005 and it currently encompasses 24 leading organizations of the Americas. In 2011, its institutional policies were formalized – all the members agreed on the official processes for internal governance, administration, internal communication, decision-making, funding and admission. The thematic areas Alianza Regional is engaged in are advocacy for freedom of expression and access to information over the region and its constituent countries.

While the lessons these networks have internalized across time are numerous, four general dimensions can be distinguished: 1) generating trust, commitment and action among members; 2) pursue win-win strategies; 3) ensure transparency in decision-making; 4) have a coordinator oversee the advancement of network projects.

- 1) **Generating trust, commitment and action among members:** Unlike the circumstantial unions that bind two or more nonprofit organizations with the aim of performing a particular project, the creation of a network implies the constitution of a new actor – a collective actor with its own identity, with capacity for action and stability over time. Functioning like a collective actor requires building trust among members and commitment within the network. Additionally, it requires providing actual content to these dynamic. This is not an endeavor that can be performed immediately – this effort needs *time* and *face-to-face* interaction, as well as *fluid communication* through the appropriate channels. In the case of TI, member organizations gather twice a year in their “regional summits”, and in the case of Alianza Regional, every member assists to the annual plenary session. This allows the members to actively assume this space as their own, and it also allows for them to meet their partners more intimately. This is complemented in both cases with fluid and continual e-mail and telephone communication. To allow networks to have an effective lifespan, it is essential to continually generate action and to have clear advocacy objectives. In the case of Alianza Regional, these are defined every year on the organization’s “work plan” to later translate it to action. In the case of TI, the “Strategies 2015” document was elaborated with the objective of guiding the actions of each Chapter – the organization is currently developing a work plan specific for the Americas region.
- 2) **Pursue win-win strategies:** One of the evident goals of any network must be making membership and participation result in collective benefits for the network and direct individual benefits for each member. Otherwise, if there’s no perceivable gain for members for taking part in the network, they are likely to cease their membership in the medium term. Therefore, bolstering the collective implies strengthening each member. This is

achieved when are able to access forums that would otherwise be unavailable to reach individually, when they are granted additional leverage to negotiate with local actors, when their visibility increases, and when they have the possibility to engage in a different level of dialogue with donors, regional bodies and networks outside the region, etc. Promoting strategies with value added, where every part wins as the network grows, is one of the fundamental lessons learned by both networks.

- 3) **Ensuring transparency in decision-making:** The experience of TI and Alianza Regional suggests that networks stand to benefit from *clear and explicit rules*. Likewise, there is a variety of ways to manage networks. The importance of selecting a form of government that is both participative and executive can be gathered from the experiences of TI and Alianza Regional. But, above all, it is vital to establish concrete and transparent mechanisms for decision-making, conflict resolution, define participants in network activities and account for these activities. Rules allow a network to be predictable and trustworthy for its members and its numerous interlocutors (donors, policy decision-makers, external actors of various kinds). Establishing these clearly and following them rigorously makes the operations of the network more transparent and enables coordinated action.
- 4) **Have a coordinator oversee the advancement of network projects:** Finally, a decisive cornerstone of civil society networks is their articulation and coordination. No network functions from sheer inertia, and because each organization has its own trajectory and work load, their respective executive directors have agendas that cannot go unattended. Both in the case of TI and Alianza Regional, the responsibility of articulating the collective does not befall on a member organization but on an external coordinator, heading the Executive Secretariat. The role of the Executive Secretariat is diverse and at the same time critical – it is tasked with generating consensus and dialogue among organizations, with the goal of reaching final resolutions to the conflicts, that will inevitably arise, in a manner that is satisfactory to each of the involved parts. The coordinator represents the network to the outside and must negotiate with its interlocutors – the coordinator is the institutional representation of the network. The coordinator needs to understand the network dynamic, guide initiatives towards completion and identify new areas of opportunity.

## II. Coordination between networks and the relationship with States

### Joint work between TI and Alianza Regional in OGP

Acknowledging the opportunity that the OGP initiative represents, TI and Alianza Regional decided to work together to advance their agendas. The collaborative relationship between both networks was possible because they share a vision (in one way or another both lead incidence initiatives to expand access-to-information), but above all, because of the mutual relationship between members and network coordinators. Effectively, these two networks already had joint work agreements and had interacted together several times in their shared history.

The fact that the networks united around a common goal – making the voice of civil society heard in OGP and advocate for clear rules for this initiative – represented a great advantage. It amplified their strength to demand recognition for the inclusion of both networks and for each of their local organizations. The challenge in this regard

was to achieve the goal of joint work with the consensus of every member organization. The opportunity to find a win-win framework and betting on shared efforts was made possible by the double membership of some of the organizations (4 of them are members of both TI and Alianza Regional); by their previous linkages; and by the mechanisms of decision making of each network that allow for strategic resolutions to be formulated. In this context, the role of the Secretariats of each network was particularly relevant in articulating and enabling joint work between each organization, and also stimulating the internal reach of the agreements on concrete objectives. For this task, it was key for the networks to be able to read and understand the context, the actors, the stages and the expectations generated by OGP, as well as their capacity to observe the situation and react accordingly.

### General observations on OGP

Both networks arrived to a common diagnosis on OGP during its initial stage. It was considered a healthy initiative that could signify a marked improvement on access to information worldwide – but it could also become void of content or used by governments as a prop, without any participation by civil society and without conveying any impact or benefits to it. In this regard, the networks demanded the general guidelines of the OGP to be respected: the “development of national plans of action, through processes that involved multiple actors and with the active contribution of civil society and citizenry”. Due to this, one of the pillars of collaboration was built around the demand to enable the effective contribution of civil society in the discussion and approval of local action plans for each country.

Given that oftentimes at regional events in the context of this kind of international initiatives it is unclear the debates that will emerge, or the course of action to take, the networks analyzed the discussions and the advancements in each one at the end. Then they informed their members and allow them to evaluate and decide their participation in this space. It was in this way that while in the OGP summit in Brasilia in 2012, the main goal was obtaining acknowledgement of the right to information as such, while preventing it from becoming subsumed by the idea of open government, during the Regional Outreach event in Chile in January 2013 the objective was aiming for clear and equal rules for every participant.

OGP has grown considerably and rapidly since then, but the standards to which members must abide or the rules to work in the context this initiative are still blurry. To exemplify, there are countries with disparate levels of development in terms of open government that take part of OGP: in Latin America, countries with a access to information legislation currently in-force have the same standing as countries that do not; so are countries that work on every one of the four axes of OGP and countries that are engaged with just one of them. Since there are no explicit criteria, it is difficult to pinpoint if any of the standards is being breached.

In relation to the collaboration between States and civil society to develop action plans, there are, also, very diverse behaviors. It can be said that, in general terms, States that had a level of familiarity with their civil society have moved towards embracing participation in their plans; whereas States that are more reluctant to this kind of interaction have begun to elaborate their plans individually and only introduce them to civil society as a finished product (if they even do so.) The most pressing challenge is achieving collaboration with States that will, ideally, lead to the joint development of meaningful rules for collaboration. Governments prefer to share them once they are redacted rather than reach compromise, but institutional mechanisms for cooperation and agreement must be developed. Otherwise, the participation of civil society in this initiative becomes nothing more than fiction. In this context, the

challenge is opening spaces for civil society, generate a joint work dynamic, and set clear rules for participation.

Finally, it is also important to define precisely what is encompassed by OGP and what is not. The experience in the Latin American region shows that many dissimilar elements can be included under the concept of open government – from a commitment to ensure effective implementation of access to information legislation to ecological initiatives like beach sanitation. TI and Alianza Regional took a decisive stance on the topic: open government is a tool to contribute to transparency and accountability, but it does not substitute the right to information in any shape or form; open data serves as an instrument to those rights. The networks coined the following formula together – **Open Government Partnership = Access to information as a right + Transparency and accountability as a public policy + Open data as an instrument.**

#### Regional OGP summit in Chile (January, 2013)

The Chilean government organized the Regional OGP outreach event held in that country in January 2013. Initially, the government only invited States from the region and Chilean civil society (particularly, the members of *Consortio por la Transparencia*) to participate. When this situation was evident, a Chilean member of Alianza Regional contacted the Secretariat, which in turn got in touch with the regional coordination of TI.

The networks decided to work together to propose a different level of participation for civil society. Since OGP is an initiative that invites States and civil society organizations to engage in collaboration, it seemed opposite to its spirit to have the former meet without the latter. Since then, the networks began an intense labor to, first, negotiate with the Chilean Government to expand civil society participation in the whole region, and, then, gather funding to finance the presence of the organizations in the summits. Both network coordinators were in charge of communicating with donors and to ensure the attendance of member organizations with a national counterpart represented in that event.

This experience proved that the response to this kind of demand can be highly favorable. One of the lessons learned from this process is that if networks intend to claim a leading role, they require various resources, including – 1) knowing how to read a situation and how to interpret what is at stake; 2) being able to take decisions swiftly and set shared strategies; 3) gaining access to political decision-makers; and 4) having access to donors. In this respect, the presence of an international civil society counterpart to States in the Chile event was ensured.

The first objective, linked to extending the invitation to every social organization from a country whose administration would attend the Chile encounter, was followed by a second fundamental challenge that this strategic network alliance decided on engaging: asserting that OGP is *an initiative with equal representation between States and civil society, to ensure spaces of horizontal interaction*. The achievements in this regard were also notable:

- While initially there were 4 workshops with civil society participation, the number was increased to 10;
- While the original arrangement was to hold presentation panels for states to display their plans and civil society representatives to listen to them, the dynamic and distribution of these spaces were reformulated to place each representative on round tables where every actor could actively participate;



- While the opening panel was scheduled to be attended solely by members of States, the Secretariats of both regional networks were allowed to be present in it as well.

Once the meetings took place, the effect was positive. This space for interaction surprised many of the government representatives – in some cases, they were not informed they would have to collaborate with civil society to develop their action plans, and they were willing to do so. After the Chile meeting, for example, a new dynamic for joint work was achieved in some cases, like Costa Rica, Paraguay, Colombia and Peru. Mexico and Chile also show collaborative relationships with civil society.

A particular lesson of this experience was that, at least on international or regional meetings, civil society must be proactive. If it does not assert its prerogative to truly participate in these processes, they will develop in a way that excludes or marginalizes them. But it is possible to discuss the relevant parameters, or to demand that their significance as actors is recognized and that a new role is assigned to them.

### **III. Good practices and lessons learned on the role of networks in OGP**

- To achieve a unified voice and the capacity for incidence, it is necessary to have a strong leadership within the network, one that is able to articulate the interests and expectations of the members.
- It is inherently difficult to conduct joint activities among civil society organizations: while the State is not a monolithic actor, it is unified by its self-organized structure (headed by the chief of state). Meanwhile, civil society is heterogeneous and diverse as an actor, with some internally shared goals and some internally opposing ones. Each of its members can opt for different strategies on their own. All this emerges as an intrinsic weakness, but it can be ameliorated with continuous effort and work, and networks are a decisive actor to do so, as they play a key role in articulating interests and agendas.
- Civil society must be wary of not being willing to participate in the spaces where its presence is requested without evaluating the associated benefits and trade-offs. In the specific case of OGP, the efforts made in Chile to make real participation available prevented the legitimation of a dynamic in which civil society is invited – but not consulted – to give legitimacy to larger processes. Networks contribute to the search for mechanisms to favor their members, working toward providing them with content and transparent procedures that carry real impact – and avoid being just a seal.
- OGP, in broad terms, is still a forum or space for collaboration in construction, and the extent and impact of civil society's role is still being defined. This topic has not been effectively decided yet, and it is up to organizations and networks to enable their participation.
- Both taking part in OGP and demanding transparency and clarity in its rules and structure are tasks that demand additional effort from civil society, since the funding required to accomplish these tasks had not been foreseen. If it is considered a strategic initiative, organizations and networks have to place this topic in the agenda through their own means, or they must find funding

specifically for this endeavor.

- This is what makes strategic alliances with collective actors so important – it allows them to amplify their voice and their capacity for representation; it makes their opinion present without actual physical attendance from each of its members – and the costs associated with it; it allows them to demand spaces with more clout over political actors and decision-makers of all kinds.
- An important lesson extracted from the regional Chile summit was the green light for networks to obtain international resources and obtain greater capacity to negotiate with states in the local stage. The Chilean government would not have incurred the same cost in denying civilian participation to a local organization than denying it to two regional networks that represent 47 organizations.
- Within the internal institutional structure of OGP the same thing happens – on the Civil Society Steering Committee, network action allows easier and clearer positioning in regards to the demands for rules and spaces for participation. It is not legitimate for civil society to be represented without consultation, and networks have intrinsic power to put forward this issue.
- It is possible – and necessary – to establish a clear position to face such a wide and vertiginous initiative as OGP. Alianza Regional and TI decided on the OGP formula on the Brasilia 2012 summit, and since then they have attended each forum in which they participate. The important thing is not to participate for the sake of it, but to ensure that this space of political debate and construction helps to make the respect and exercise of fundamental rights something real.