

Final report from the EDUin-OxYGen Foundation partnership in the Czech-Armenian Open Governance Partnership Knowledge Transfer

This report is the outcome of the “Knowledge Transfer for Enhanced Government’s Accountability and Citizens Participation in Armenia” project. The Project is implemented by OxYGen Foundation with the financial support of the International Visegrad Fund. Czech centre for education policy EDUin and the Armenian civic society NGO is a partner of the Project.

In the partnership, EDUin assembled information regarding the Open Governance Partnership (OGP) in the Czech Republic and organised two workshops. The first workshop was a panel discussion and the second was an experience-sharing session involving senior officers from both governments.

The report concludes with recommendations regarding the way public consultations in the Czech Republic are structured and who gets access to public policy decision-making. We suggest these reflections may inform the debate in Armenia about the Open Governance Partnership and other initiatives seeking to include the broader public in public matters.

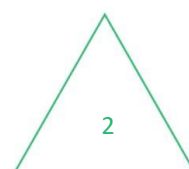
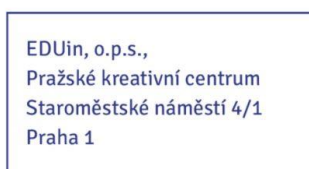
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Open Governance Partnership and the Czech Republic

The Open Government Partnership (OGP) is currently a dynamically growing voluntary initiative of the US administration to promote openness, transparency, the fight against corruption and increase civic engagement, which has gradually grown from 8 founding states to a total of 78 member countries. The Czech Republic acceded to this international initiative by Government Resolution No. 691 of 14 September 2011 with the aim of transforming state institutions into more open, efficient, and accountable ones.

Public involvement (civil society, citizens, and other stakeholders) is an essential element of open governance and an essential element of the national OGP cycle.

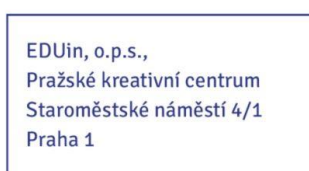
Prerequisites for public involvement are as follows.

- disseminate information - Provide the public with timely information on all aspects of the OGP process, as well as on feedback on how public comments have been incorporated.
- use spaces and platforms for dialogue and co-creation,
- joint ownership and decision-making - the government and the public should jointly own and develop the process.

One of the key requirements based on the Standards for Participation and Co-Creation of OGPs is that each member state must create a so-called multi-stakeholder forum that will coordinate the entire OGP process and oversee its implementation. Since 2018, the role of the so-called “multi-stakeholder forum” has been performed by the Working Commission of the Anti-Corruption, Open Governance and Transparency Committee President (hereinafter the “Working Commission”).

The task of the Working Committee is to monitor and discuss the process of creating national action plans, from their first versions to their final form, which is submitted to the Government of the Czech Republic for approval, monitor and discuss the process of implementing national action plans and discuss draft related self-assessment reports.

Currently, the Czech Republic is following the [fifth national action plan](#) for the year 2020 through 2022. It contains a total of five commitments that will be fulfilled in the following years, some of which are taken over from the previous action plan as they weren't carried out:



- Publication of decisions of lower courts - this is the online publication of anonymized judgments of high, regional and district courts so that they are better accessible and usable for both the lay and professional public.
- Raising awareness of the issue of whistle blowers - this is a set of activities (media campaign, conferences, seminars, etc.) to help improve the social perception of whistle blowers and at the same time to introduce the new legislation following the EU law to the professional and lay public.
- Open data on education and the education system - the aim is to create a modern information system that, in addition to usability within the public administration, will also enable the general public to monitor the quality of education in the Czech Republic.
- Elaboration of a methodology for the participation of civil society representatives in participatory processes - the aim is to create a methodology for ministries and other central administrative authorities with the potential to increase the effectiveness of their measures and at the same time reduce the risk of wasteful use of funds.
- Consultation on the possibility of creating a comprehensive publicly accessible open-data aggregated database of providers and recipients of public funds from grants - the aim is to consider how to create a useful uniformly structured database of providers and recipients of public funds (grants), which would include information from all levels of government. administration and self-government.

Discussion on open governance and participative policymaking

EDUin and organised a panel discussion on July 28, 2021, about open governance and participative policymaking in the Czech Republic for representatives from Armenian civil society and public administration. As Czechia embarks on the fifth Open Governance Partnership Action Plan, we sought to explore how civic organisations and NGOs influence public policy in a range of sectors including education, justice, or climate change.

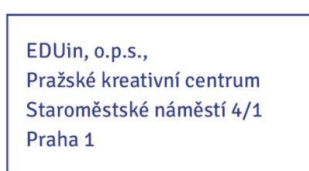
The guests responded to a variety of questions such as: What is your experience of lobbying for a good, effective change? How has it changed over the past years? And have you been able to fully engage with the group you seek to represent?

The panel discussion involved:

- Frank Bold – organisation of lawyers promoting transparency in policymaking through its State Reconstruction project and others
 - **Lukáš Kraus**, Policymaker Lobby Coordinator
- The Czech High School Students Union – one of the largest youth organisations recognised for its voice in the Czech education policy debate
 - **Martin Plášek**, Board member
- Association for International Affairs, Climate Policy Change project – a 3-year-long project aiming to improve the climate policies through analytical inputs and lobbying
 - **Václav Kříž**, Project manager,
- EDUin – information centre on good policymaking in education, seeking change in schooling through providing better data interpretation
 - **Karel Gargulák**, Analyst

The guests identified a range of ways how to promote a change. As ministries and public administration lack analytical capacities, providing succinct research results or summaries helps inform the policy. Often, officers with decision-making powers highly regard analytical papers from the civic society, e.g., when they combine a long-lasting priority such as climate change with a current policy theme like the New Green Deal. The effort can turn into capacity-building where appropriate.

Further, as governmental state-NGO collaboration strategy suggests, the respective ministries shall open communication channels based on public interests and needs. This has been highlighted by EDUin inasmuch as the new Czech Education Policy Strategy 2030+



create opportunities for public consultations and engagement. Based on that, EDUin prepares its yearly Audit where it picks problems and solutions proposed in the said strategy and scrutinises them independently. It is important to frame the collaboration as a partnership rather than a rivalry which has been achieved through nurturing good relations and being consistent in the NGO work. Then, networks between public servants and NGOs are established.

Being a critical voice for students, the youth representative stressed the need to speak up for groups traditionally deemed unable to present themselves.

In the first part of the debate, we focused on the rather negative perception of NGOs held by the members of the public. The guests mentioned that they try to publicise their work beyond the agenda of communication with ministries as they are mindful of the need to improve the reputation civil society has. It has been mentioned, nonetheless, that opinions targeting civil society are often politically charged, using the dog whistle strategies, and therefore leaves little space for defence. To overcome this, panellists mentioned the good practice of connecting their work to ordinary issues through storytelling on social media. Humour, close to the Czech culture, is also a weapon of choice.

To achieve their agenda of good, transparent and effective policies, the NGO representatives highlighted several features that pave the way for good collaboration with ministries or politicians:

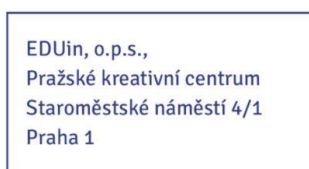
- Stability and consistency
- Evidence-based outcomes or even own research working papers that raise the awareness of key stakeholders
- Building a personal relationship with officers who work on a specific agenda and asking them what they would appreciate in terms of analyses or data
- Balancing good relationships with the public administration and the independent, critical voice that is foundational to the civil society

Advocating for specific, clearly defined ideas that are supported by evidence was underlined as the best approach when dealing with public policy. When politicians are involved, the task is to get them immersed in the topic and be open about the lobbying intentions. Furthermore, social media or targeted emailing campaigns are useful. The key to the change is to build coalitions through building common ground supported by data, the Frank Bold representative argued. Then, even governmental parties can work with the opposition ones. A case in point was the bill concerning state companies that was initially

weak but thanks to Frank Bold's amendment and coalition-building efforts, a better version was eventually legislated.

Should the political aim be clearly against the interests of a group that is being represented by an NGO, the usual channels for consultation are often closed. That was the case of the students' union as they protested against changes concerning the high school leaving exam. Unable to schedule any meetings with politicians or Ministry of Education representatives, they encouraged students to write to politicians and took to the streets. For both efforts, the union provided easy-to-follow instructions in a bid to mobilise young people who felt decisions are being made without their consideration. While the policy has been scrapped due to other reasons, the youth representative was confident their effort helped put the issue in the limelight and encouraged young people to speak up.

The second part of the debate opened to questions and ideas from the Armenian audience.



Workshop with the Czech Ministry of Justice on the OGP processes and the action plan priority about civil society consultations

The second part of the project consisted of an experience-sharing online meeting on the OGP and Participatory Policymaking on August 23, 2021. It brought together senior officers from the Czech and Armenian Ministry of Justice (MoJ). The closed-door meeting, facilitated by the hosting organisations, welcomed:

- Mr František Kučera, Ministry of Justice of the Czech Republic
- Ms Lilya Afrikyan, Prime Minister's Office of Republic of Armenia, OGP-Armenia POC/Coordinator

The workshop followed topics suggested by the Armenian party:

1. Which department in the Ministry of Justice is responsible for the coordination of OGP processes in Czechia, or it is donor financed unite?
2. How focus group involves the CSOs for the Ad Hoc NAP? Is there any guideline for the regulation of State and NGO representatives' cooperation?
3. How to make the right communication among legislative and local levels?
4. Does the Czech Government seek any national Strategy or document for the co-creation and prioritization of the new NAP?
5. What is the main challenge for the further OGP processes in Czechia?

Conclusion and recommendations

Overall, the discussions were thought-provoking and showed how Czech NGOs work to achieve a change in public policy. Whereas the first discussion panellists represented each a different sector, they often converged on strategies they employ to influence policymaking. It appears that Czech public administration, where the abovementioned conditions are met, holds expert as well as representation-based NGOs in high regard for collaboration. On a more critical note, it seems that many working relations are reliant on specific officers within the individual ministries. To improve transparency in engagement with civil society, especially when preferential treatment is afforded, processes of stakeholder inclusion should be published and available to anyone under fixed rules.

While NGOs may provide ongoing capacity building, individual policies shall have their public consultation structured so that the process is inclusive and allows all individuals as well as organisations to join. Moreover, as examples from Western European countries show, the responses are then to be analysed using a methodology and published along with the takeaways which the public body identifies. To serve the public interest, a range of perspectives needs to be reflected, so open surveys to complete by anyone are recommended as well as targeted consultations where NGOs can play their part. For instance, if children and young people are impinged on, the ministry should make use of the existing NGO capacities to reach out and thereby also demonstrate it doesn't intend to cherry-pick conformist voices. On balance, the Czech public policymaking is taking the right choice in following expert guidance from the civil society, but more transparency and professionalism is needed for public consultations.