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Open Government Scan of Lebanon

*Draft for fact-checking and comments.*

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Alessandro Bellantoni, [Alessandro.bellantoni@oecd.org](mailto:Alessandro.bellantoni@oecd.org)

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# Introduction and context

## The OECD framework on open government

Around the world, governments are faced with growing challenges and increased complexity – locally, nationally and globally. These include persistently low levels of public trust, rising economic and financial instability, and the social fragmentation into increasingly polarized groups. Meanwhile citizens are becoming more vocal, particularly thanks to the amplifying effect of digital technologies, and their expectations for a more transparent and accountable public sector and better public services are growing.

Open government represents a changed understanding of the role of the state in a modern society that aligns with this underlying shift in the context for policymaking. Indeed, the OECD defines it as “a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth” (OECD 2017). More and more countries have begun to introduce open government reforms as a catalyst for the attainment of broader policy goals such as improving democracy, fostering inclusive growth and increasing trust. However, beyond the intrinsic value of the principles of transparency, integrity, accountability and stakeholder participation the implementation of open government strategies and initiatives can also serve as an important means to improve processes and outcomes across the full spectrum of public policy.

A steady increase in the adoption of open government agendas and initiatives by multiple countries has served establish this field of policy and to create a collection of international experiences and best practices. Since 2011, the Open Government Partnership (OGP) has provided a growing number of countries with a framework to undertake gradually evolving commitments to open up their governments. The OGP is a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. It now counts over 90 members among countries and local administrations, which is symbolic of the rapid expansion and evolution of this area of policy.

Building on the collective experiences of its members and partners, the OECD has introduced the Recommendation of the Council on Open Government in 2017. This legal instrument serves to consolidate the learnings and best practices of decades of open government policies and sets out a path forward for this area of policy.

## Lebanon’s context and approach to open government reforms

Over recent years, successive Lebanese governments have taken steps contributing to more transparency, integrity, accountability and stakeholder participation in public policy, while recognizing the importance of establishing a more consolidated open government agenda. This progress has been set in a challenging context where political instability and sluggish economic growth have posed considerable obstacles. In addition, the Lebanese government has recently been witnessing a combination of internal and external pressures that have affected the pace of reforms and the policy priorities for the country.

In particular, Lebanon has been undergoing a complex period marked by large-scale demonstrations that erupted in October 2019, bringing about the resignation of the then-government, and by a severe financial crisis. While this context presents significant challenges for the new government led by Prime Minister Hassan Diab, it also provides an opportunity and strong incentive to restore public trust and build a closer relationship with citizens and stakeholders through open government reforms. Constructive engagement and participation will indeed be assets for designing and implementing better policies to navigate this difficult moment.

A focus on opening up the government is especially timely and in demand. The public discontent manifested during the recent demonstrations has been targeted significantly at the sectarian power-sharing agreement, which is accused of having facilitated a system of governance with low transparency and accountability. This has served to amplify the effects of political deadlocks and increase their frequency and has discouraged citizens from engaging through traditional means in policy debates. On the other hand, a context where stakeholders have multiple avenues to hold their government accountable, and where they have transparent information and opportunities to contribute to public decisions, tends to improve policies and services.

A legacy of governance issues and public mismanagement is similarly held as one of the causes for the deterioration of the economic situation that has escalated into the current crisis. International partners have made this connection explicit already in 2018, in the context of the terms of the economic package agreed at the « conférence économique pour le développement du Liban par les réformes et avec les entreprises (CEDRE) ». Having grappled with one of the world’s heaviest public debt burdens, exceeding 150% of GDP, Lebanon has since defaulted on bond repayments in March 2020, in line with widespread public demands that domestic needs are prioritised to ensure the continuity of essential services (Yee 2020). Looking ahead, repairing Lebanon’s credibility and restoring its access to global financial markets will be contingent on the successful implementation of governance reforms, in particular those addressing transparency and integrity.

Corruption is indeed an important area for policy intervention, as recognized in the new government’s Ministerial Statement of 2020. For the past six years, Lebanon has scored 28 out of 100 (where 100 indicates the lowest corruption) in the Corruption Perception Index, an international measure of public sector corruption, below the regional average of 39 for the Middle East and North Africa (MENA) region (Lebanese Transparency Association 2019). According to the World Bank’s Worldwide Governance Indicators (WGI), corruption in Lebanon has deteriorated from a score of 19.2 in 2015 to 12.0 in 2018, placing it in the bottom quartile. This is reflected in citizens’ perceptions, 99 percent of whom believed there was significant government corruption and 96 percent of whom attributed corrupt practices to political parties (Lebanese Center for Policy Studies 2019).

This data highlights the urgency of passing key anti-corruption policies. The former government had originally vowed to adopt the country’s first National Anti-Corruption Strategy as well as an action plan and laws relevant to its implementation. However, this process remains underway and a previous attempt at passing an anti-corruption law that would allow the formation of a related Commission was halted in July 2019, when the Lebanese President withdrew the draft law noting necessary amendments. The new government led by Prime Minister Hassan Diab has placed considerable emphasis on adopting the Strategy as a policy priority. The Office of the Minister for Administrative Reform (OMSAR), has played a prominent part in this area of policy. It chairs the anti-corruption Technical Committee and is represented in the Ministerial one, both of whom were established in 2011. It is also leading work to lay the foundations for implementing the future Strategy effectively in anticipation of its approval.

The Anti-Corruption Strategy would be a significant step forward to build on the existing framework and a set of international agreements, including the UN Convention Against Corruption (UNCAC). Lebanon also announced in 2017 its intention to join the Extractive Industries Transparency Initiative (EITI), which resulted in the enactment of Law no. 84/2018 on Enhancing Transparency in the Petroleum Sector.

Alongside steps to advance with anticorruption reforms, efforts to promote open, transparent, participatory and accountable institutions in Lebanon have recently renewed traction. In January 2017, Lebanon introduced its Access to Information Law, a landmark step towards enhancing the transparency of the public sector. Although several public entities have already begun to implement it, others claim that the absence of an implementing decree means the Law has not technically entered into force. As a consequence, passing the decree and implementing the law across the public sector remains a key priority.

In parallel, the country has been aiming progress against a set of 11 measures relating to good governance that it pledged to introduce within the framework of the CEDRE. These include notably initiatives aimed at modernizing the public sector through the Digital Transformation Strategy and a detailed mapping exercise by OMSAR of staff and resource allocation across the entire public sector, with the objective of creating efficiencies. Lebanon has also introduced better transparency in its public finance. For instance, for several years it has been publishing the Citizens’ Budget, a simplified version of the government’s annual budget prepared by the Institute of Finance.

Prior to the October 2019 revolution, Lebanon had expressed interest in formalizing its approach to open government by taking part in international legal and institutional frameworks governing this area of policy. Specifically, it indicated its intention for undertaking the reforms necessary to be able to adhere to the OECD Recommendation on Open Government and become eligible for joining the OGP.

As for all countries aspiring to become OGP members, Lebanon needs to obtain 12 points of the 16 outlined in the OGP Minimum Eligibility Criteria in order to qualify. Currently, Lebanon meets criteria for a total of 8 points. To obtain the additional 4 points necessary, the country needs to introduce reforms in any one area between Citizen Participation, Budget Transparency, and Disclosures Related to Elected or Senior Public Officials. Budget transparency presents an area in which Lebanon could make rapid gains. The country currently produces the Executive Budget Proposal and Audit Report, however the most recently published one dates to 2012. Lebanon could gain 4 missing points by publishing the Executive Budget Proposal and Audit Reports for the last years. On the other hand, disclosures related to elected or senior public officials are required but not made public – the country could gain 2 points if declarations become public. Another 2 points could be gained in the citizen participation category, if Lebanon improved its score on the Civil Liberty indicator of the EIU Democracy Index from 4.71/10 in 2019 to 7.5/10.

The political commitments above were originally expressed by the former Minister of State for Administrative Reform, Dr. May Chidiac, and are being upheld in practice by the new government’s policy agenda. In its 2020 Ministerial Statement, the government led by Prime Minister Diab expressed its willingness to honour such commitments in line with its goals for fostering a transparent government that engages with its citizens and accepts to be held accountable through parliamentary, judicial, administrative and popular oversight.

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| Box .1. The OECD Recommendation of the Council on Open Government   1. Develop and implement open government strategies and initiatives in collaboration with stakeholders and to foster commitment from politicians, members of parliament, senior public managers and public officials; 2. Ensure the existence and implementation of the necessary open government legal and regulatory framework while establishing adequate oversight mechanisms to ensure compliance; 3. Ensure the successful operationalisation and take-up of open government strategies and initiatives; 4. Co-ordinate, through the necessary institutional mechanisms, open government strategies and initiatives - horizontally and vertically - across all levels of government to ensure that they are aligned with and contribute to all relevant socio-economic objectives; 5. Develop and implement monitoring, evaluation and learning mechanisms for open government strategies and initiatives; 6. Actively communicate about open government strategies and initiatives, as well as about their outputs, outcomes and impacts; 7. Proactively make available clear, complete, timely, reliable and relevant public sector data and information that is: free of cost; available in an open and non-proprietary machine-readable format; easy to find, understand, use and reuse; and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders; 8. Grant all stakeholders equal and fair opportunities to be informed and consulted and actively engage them in all phases of the policy-cycle and service design and delivery. This should be done with adequate time and at minimal cost, while avoiding duplication to minimise consultation fatigue. Further, specific efforts should be dedicated to reaching out to the most relevant, vulnerable, underrepresented, or marginalised groups in society, while avoiding undue influence and policy capture; 9. Explore innovative ways to effectively engage with stakeholders to source ideas and co-create solutions and seize the opportunities provided by digital government tools; 10. Explore the potential of moving from the concept of open government toward that of open state, while recognising the roles, prerogatives, and overall independence of all concerned parties and according to their existing legal and institutional frameworks.   *Full text available at: OECD Recommendation of the Council on Open Government, OECD/LEGAL/0438* [*https://legalinstruments.oecd.org/OECD-LEGAL-0438*](https://legalinstruments.oecd.org/OECD-LEGAL-0438) |

## The OECD open government scan of Lebanon

This open government scan of Lebanon provides the big picture of the broad range of policies and initiatives relating to the four principles of transparency, integrity, accountability and stakeholder participation, as well as the fine print of the status of key measures in each related area. It serves as a tool to take a more strategic approach to improving the governance and effectiveness of the public administration across various dimensions through a number of tailored policy recommendations. Ultimately, this analysis can serve as the foundation to define and pursue a whole-of-government vision for open government in Lebanon.

Developing a strategy or a defined long-term agenda is a core step towards achieving such a vision. The next chapter of the scan therefore looks at how Lebanon can bring independent initiatives under one roof, strengthen their coherence, and gain a stronger mandate. The third and fourth chapters look at framing this vision within a sound enabling environment. This is made up of a comprehensive regulatory and legal framework, as is provided by the protections of civil liberties enshrined in Lebanon’s constitution, and an institutional framework that supports the effective implementation of reforms and initiatives. In particular, this should include roles for stakeholders from civil society, the private sector, the media, academia, and citizens. While OMSAR has taken on a central role in a majority of Lebanon’s current open government initiatives, a dedicated unit or team with a mandate and resources to coordinate horizontally and vertically on these subjects is currently missing.

An open government agenda or strategy should not be thought of as a static document, but rather should be evaluated and revised for improvements. The fifth chapter discusses how Lebanese officials can ensure they are gathering the insights and evidence to measure the impact of its open government policies and initiatives and ensure their effectiveness.

Subsequent chapters address the ways that Lebanese citizens are informed, engaged and brought into the decision-making process. Public communication is a central function of an open government as it can increase the impact of transparency measures by putting information in the hands of the widest possible audience. If used to establish a two-way dialogue, communication is also a key tool for participation whereby citizens’ views and attitudes can be leveraged to inform policy. Presently, communication in Lebanon has a prevalently political character, whereas public communication by definition is intended to neutrally convey institutional messages. On the other hand, Lebanon has begun to integrate participatory mechanisms in some of its policy processes, notably the drafting of the National Anti-Corruption Strategy. Innovative approaches to citizen participation, including ones included in the Digital Transformation Strategy, can help draw on the valuable insights of the country’s strong civil society, as well as respond to the demands of demonstrators for a greater voice in public decisions.

The final chapters of the scan, besides outlining the necessary steps to attain eligibility to join the OGP, provide an outlook of how Lebanon can integrate the concept of an open state into its open government vision or strategy. Indeed, the scan at the level of the municipalities of Shweir and Byblos indicates that the country is already on a trajectory to decentralize the definition of open government away from the executive, and towards all public institutions and local administrations.

This scan is based on an Open Government Survey to which the Government of Lebanon, under the leadership of OMSAR, replied in September 2019. It further builds on a peer review mission conducted on 17-19 September 2019 with the cooperation and support of then-Minister of State for Administrative Reform, May Chidiac. It benefitted from the expertise of OECD peers from Canada and Italy, namely Sarah MacLeod, Analyst/Advisor on Open Government, Office of the Chief Information Officer, Treasury Board of Canada Secretariat, and Marco Marrazza, Head of Department Office, International Relations, Presidency of Council of Ministers, Department for Public Administration.

# Towards an open government strategy

Countries worldwide have been designing and implementing open government initiatives for many decades, for example in the field of urban planning, or through access to information initiatives, just to name a few. With the creation of the Open Government Partnership (OGP), countries started elaborating open government action plans that assemble a series of initiatives, include a calendar and milestones. While action plans have enabled governments to unite several actors around a same vision and create further awareness about ongoing initiatives, they do not offer a long-term vision, with strategic objectives and corresponding actions. The OECD Recommendation on Open Government (hereafter “the OECD Recommendation”) therefore recommends to “take measures, in all branches and at all levels of the government, to develop and implement open government strategies and initiatives in collaboration with stakeholders and to foster commitment from politicians, members of parliament, senior public managers and public officials, to ensure successful implementation and prevent or overcome obstacles related to resistance to change” (OECD 2017).

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| Box .1. Open government strategy and initiative  **An open government strategy or open government policy** is “a document that defines the open government agenda of the central government and/or of any of its sub-national levels, as well as that of a single public institution or thematic area, and that includes key open government initiatives, together with short, medium and long-term goals and indicators.  **Open government initiatives** are “actions undertaken by the government, or by a single public institution, to achieve specific objectives in the area of open government, ranging from the drafting of laws to the implementation of specific activities such as online consultations.  **Source:** (OECD 2017) |

In line with the principles of open government, such a strategy is ideally elaborated, implemented and evaluated in an inclusive process. Many countries have therefore set-up open government committees (see Chapter 4) and developed a variety of participation mechanisms, such as online consultations, co-creation workshops etc.

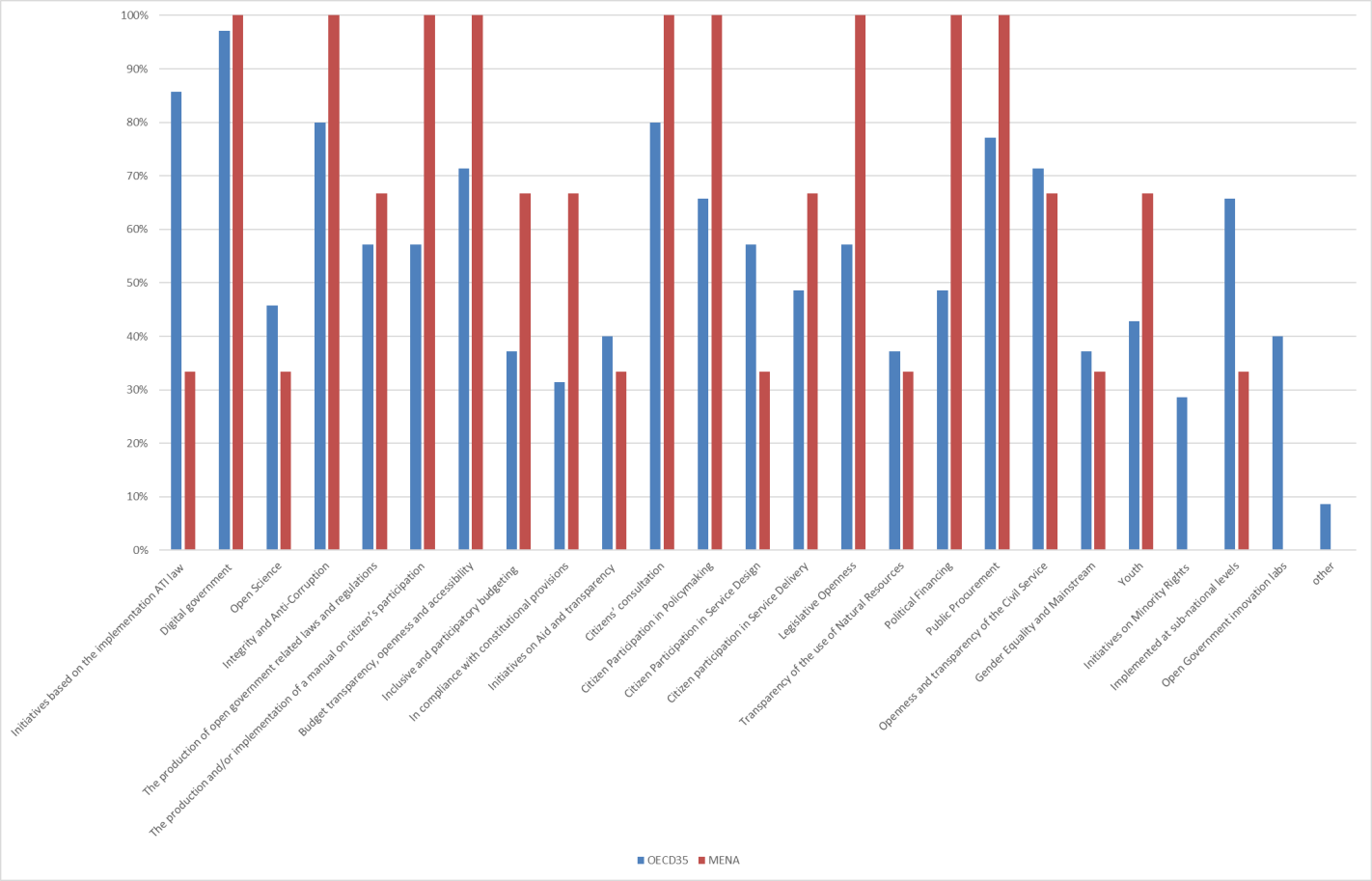
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| Box .2. A participatory approach to develop Argentina’s 3rd OGP Action Plan  Argentina joined the Open Government Partnership in 2012 enhancing its participatory approach with each new OGP Action Plan. The third plan (2017-2019) benefitted from a participatory and co-creation process including 28 government institutions, 54 civil society organisations and 11 provincial governments and 90 local civil society organisations. The process was led by a National Open Government Roundtable, created in 2017, and composed of four government institutions and four civil society organisations.  The elaboration of the action plan followed five stages: 1) idea suggestion phase through an online form and a series of meetings, coupled with an awareness raising exercise among government institutions 2) prioritising proposals which consisted of analysing the received ideas and categorising according to their admissibility for the plan 3) roundtables at national and provincial level with government and civil society to draft commitments based on the proposals 4) a review of the commitments by the National Open Government Roundtable and 5) a public consultation on an online portal for comments.  Source: (OECD 2019) and (OGP 2018) |

In addition, as a first step to create a common vision about open government, the OECD recommends adopting a definition which unites all actors around a joint understanding what open government aims to achieve. Such a definition can be based on the OECD Recommendation, on the definition of other international actors such as the OGP or be the country’s own creation. Some 49% of countries across the OECD have a single definition (OECD 2016). In line with this practice, Lebanon adopted its own open government definition which states that

*“Open government is the simple but powerful idea that governments and institutions work better for citizens when they are transparent, engaging, and accountable. Open government is the major building block for a more democratic, equal, and sustainable society.”*

This definition was stated by the previous Minister of State for Administrative Reform, Minister Chidiac, on 24 June 2019 and has been used as a working definition, for example in the Digital Transformation implementation plan. The definition is an important step to create a joint vision on open government in Lebanon. Accordingly, it would be advisable to widely disseminate the definition among the public administration and citizens. This is of even greater importance, as currently Lebanon does not have an open government strategy or action plan, but several rather independent initiatives.

Figure .1. Open government initiatives implemented by OECD and MENA countries



*Note*: MENA includes Morocco, Tunisia and Jordan.

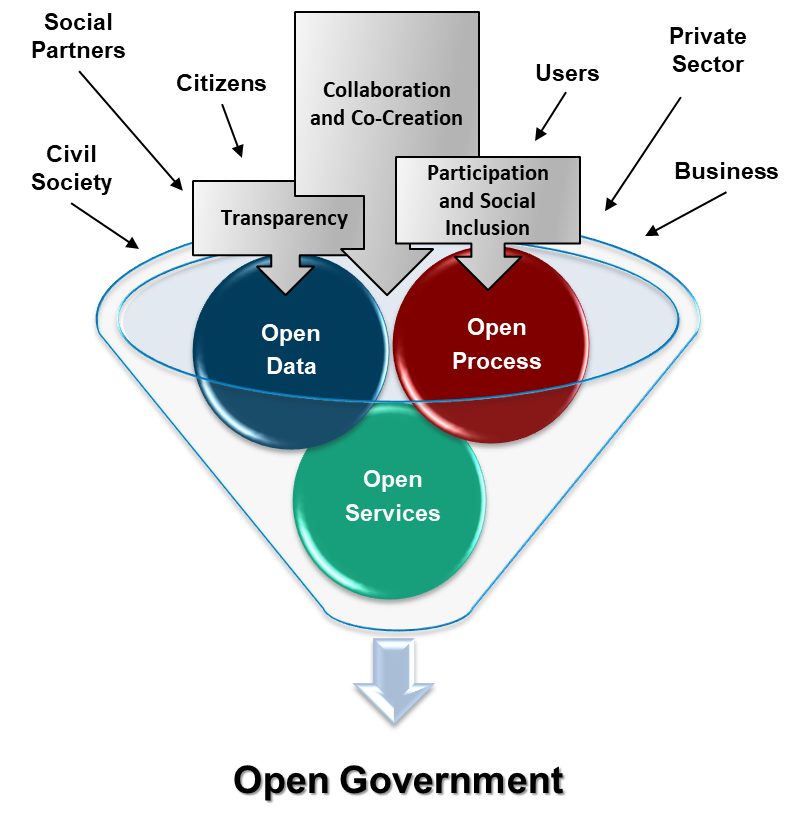
*Source*: (OECD 2016)

Similarly as in many OECD countries and MENA countries (see Figure .1.), before the existence of a dedicated open government strategy or action plan, open government initiatives are already being implemented in Lebanon in the framework of other strategies. Most notably and important are the draft National Anti-Corruption Strategy and Action Plan 2020-2025 and the Digital Transformation Strategy and Implementation Plan 2020-2030. Both strategies and action plans make reference to open government and promote the implementation of specific open government principles.

## Digital Transformation Strategy

The 2019 Digital Transformation Strategy aims to transform the Lebanese public administration into one that harnesses digital technologies for innovation and an easier interaction with citizens. It considers a digital transformation at the heart of public service reform and provides a roadmap how to achieve this transformation. The Strategy includes as one of its focus areas open government, which is based on transparency, collaboration and participation. The Figure .3. illustrates Lebanon’s understanding of open government. It strives to strengthen transparency and open data, by making information accessible, among others through the platform [www.gov.lb](http://www.gov.lb), to publish data in open data format and therefore develop the platform [data.gov.lb](http://www.data.gov.lb) and to make processes open, which refers to providing information on how processes work. Secondly, it aims to create digital-by-default open services and be responsive to citizen feedback. Thirdly, this focus area includes enhancing participation by opening up the processes and services for co-creation. In addition to this focus area, other focus areas also support the implementation of open government principles. These include among others the ones on information, common standards, digital skills and collaboration. At the time of writing, the strategy has been transformed into a draft implementation plan 2020-2030.

Figure .3. Lebanon’s open government approach



*Source*: (Government of Lebanon 2019)

The implementation plan equally considers open government as a foundation for the digital transformation. It is built on the pillars people, innovation, processes, civic engagement and legal framework (see Figure .4).

Figure .4. Digital Transformation Pillars

A screenshot of a cell phone

Description automatically generated

*Source*: (Government of Lebanon 2019)

Based on this framework, the implementation plan includes eight program pillars with several foreseen actions. A number of these actions contribute directly to enhancing the principles of open government, as they aim to facilitate access to information, create awareness about open government among the public administration and citizens, and propose means for participation. The success in implementing the digital transformation will be measured through six key performance areas and their various sub-areas, of which several can measure improvements with respect to open government reform implementation (see Box ‎2.3). Finally, the plan specifically mentions joining the OGP as a key performance indicator.

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| Box ‎2.3. Lebanon Digital Transformation Implementation Plan 2020-2030  The digital transformation implementation plan’s vision is “to improve the quality of life of our people and businesses by transforming Lebanon into one of the most advanced digital countries in the Arab world, ensuring a transparent open government, and implementing citizen-centric digital services so that public civil servants can better serve citizens, residents, foreign visitors, entrepreneurs, and wider society” by 2030. It provides for several actions that directly support the enhancement of open government principles. The most important are the following actions, however several other foreseen actions will also support open government principles more indirectly, such as digitalisation of services.  **An overview of some of the most important “open government” actions:**   * Permanent Consultation Platform for Citizens and Civil Society * Implement the DATA.GOV.LB Open Government and Public Administration Performance Portal * Establish a Virtual Digital Academy * Open Government Public Sector Training * Open Government Information eXchange (OGIX) Project * Review and Reform of Legal Framework, Regulations, and Laws * Standardize the Website and Mobile Applications * Document the "As is" Public Sector Organizational Structure and Job Descriptions and define the "To Be" Organizational Structure * Digital Transformation Public Awareness Campaigns * Open Government Public Awareness Campaigns   **The most important Key Performance Sub-Areas which relate to open government:**   * Citizen Experience with Government Services * Citizen Participation and Engagement * Citizen Access to Information * Transparency and Accountability * Business Participation and Engagement * Business Access to Information * Open Government Data Policy * Public Communications, Visibility, and Media   Source: (Government of Lebanon 2019) |

## National Anti-Corruption Strategy

The National Anti-Corruption Strategy 2020-2025 equally includes an important focus on open government initiatives. OMSAR established a committee in 2016 to draft the strategy and conduct consultations for its elaboration (see Chapter 7). The strategy which is currently awaiting adoption by the Anti-Corruption Ministerial Committee includes “establishing transparency” and “enhancing accountability” as objectives. These are two of the open government principles as defined by the OECD. Its vision furthermore highlights the principles of integrity in calling to “build a decent society governed by law and based on the values of integrity and ethics, within a democratic, fair and transparent state managing the affairs of the country and using its national wealth by means of a well-balanced administrative system, capable of meeting the requirements of development, quality and modernity”. Open government is considered as an implementation mechanism, and refers to the implementation of the access to information law, proactive disclosure of information, and the involvement of citizens in decision-making processes. Furthermore, the strategy recognises the importance of enhancing the democratic system and the respect of citizen’s rights, as well as the involvement of the private sector, civil society and the media in anti-corruption efforts as components of success. The implementation framework includes seven outcomes with several outputs and areas of work which directly contribute to open government initiatives (see Box .4).

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| Box .4. Extract from the Draft implementation framework for the National Anti-Corruption Strategy  The implementation framework includes a set of outputs that support open government initiatives, the most important are:   1. Completing and activating specialized anti-corruption legislations (including the access to information law).    * The National anti-corruption authority created and operationalized    * An effective system for financial disclosure and anti-illicit enrichment established    * Anticorruption whistle-blowers encouraged and protected    * Effective system established for managing conflict of interests    * Compliance with the law on the right of access to information promoted 2. Protecting the integrity of human resources management for the public sector.    * comprehensive system to promote ethical conduct in public administration put in place 3. Enhancing the integrity of the public procurement system. 4. Supporting the role of the judicial system in combating corruption.    * Transparency in court administration and related departments strengthened 5. Supporting the role of oversight and inspection bodies in combating corruption.    * Implementation of the law on the Ombudsman of the Republic supported 6. Promoting community’s participation in disseminating a culture of integrity.    * Citizen awareness on the impact of corruption and their role in rejecting it raised    * Investment in future generations through education and teaching    * Nongovernmental organizations empowered to play a constructive role in promoting a culture of integrity    * Capacities of journalists to work on revealing instances of corruption and providing coverage of related reform efforts enhanced 7. Integrating preventive measures against corruption at the sectoral level.    * Transparency in the interface between public administration and users of public services enhanced    * Selected measures to enhance transparency and accountability in prioritized sectors implemented |

## Developing an open government action plan

While these two strategies and their respective action plans are the most important strategic documents linked to open government, several other ongoing public sector reforms include open government initiatives. Notably, the national action plan for the implementation of the access to information law (discussed in Chapter 3), the ongoing reforms with regards to human resources (see Chapter 4), the efforts to strengthen public sector procurement transparency and accountability as well as OMSAR’s cooperation with the Central Inspection Board regarding the development of key performance indicators for the public sector, of which some aim to measure the implementation of open government principles.

Thus, even though there is no national open government strategy, Lebanon is already implementing a variety of open government initiatives and has included several more in its different strategic documents. In order to build awareness among the public administration and create a common vision of open government, but also to inform citizens about the ongoing initiatives, Lebanon could consider elaborating an open government action plan. This plan would build upon the above-mentioned definition of open government and regroup all ongoing and planned open government related initiatives. The plan could be made public and be widely disseminated to all public administrations. It could be used to report regularly about implementation progress to all concerned stakeholders. While this approach does not call for the elaboration of more ambitious reforms, it could be a first step to build an open government community and awareness within and outside the public administration. This action plan could be updated through an inclusive process after a certain period (for example one year) to include new and more ambitious actions. It could be managed by OMSAR’s open government team, receive strategic direction from the sub-Committee on open government and could be elaborated through a process involving the recommended open government forum (see Chapter 4).

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| Box .5. The structure of the Open Government Strategy of the Province of Alberta (Canada)  The Open Government Strategy of the Province of Alberta in Canada is structured as follows:   * **Vision**: the main objective of the strategy. * **Mission statement**: an explanation of the identified vision and the province’s definition of open government. * **Drivers**: five key elements that motivated the province to design the strategy, including “A wealth of new digital opportunities transforming everyday life for many citizens and companies”. * **Goals**: four key objectives and related sub-objectives, including “the public service working together with citizens to make government more responsive to meeting the evolving needs of Albertans.” * **Outcomes**: five main intended results, including “increased transparency” and related measures of success such as “decreased freedom of information requests”. * **Principles**: three principles that guide the implementation of the strategy, including “open by design”. * **Activity streams**: three “streams” of effort identified by the government including concrete commitments and ministry accountabilities. Activity streams link commitments to drivers and outcomes.   Source: Province of Alberta (n.d.), Open Government Strategy, <https://open.alberta.ca/dataset/3beca82e-c14a41d0-b6a3-33dd20b80256/resource/b4661609-03a2-4917-84f8-41d0fe4d7834/download/open-governmentstrategy.pdf> as in (OECD 2019) |

## Recommendation:

* **Lebanon could consider elaborating an open government action plan**. This plan would regroup all ongoing and planned open government related initiatives with the aim of creating an open government culture and community among all concerned stakeholders inside and outside the public administration.
* **The government could widely disseminate the open government action plan and the open government definition** to the public and the public administration and inform them regularly about the implementation progress.
* **As a second step, Lebanon could update the open government action plan with more ambitious actions through an inclusive process and eventually transform it into an open government strategy.**

# Legal framework

A robust legal framework, which guarantees rights regarding accessing information and civic space, enables possibilities for participation and accountability is a pre-condition for designing and implementing open government initiatives. Thus, this legal and regulatory framework determines the rules, rights and obligations of all stakeholders involved and provides a common framework. Ideally it is elaborated through an inclusive process and it should be transparent, widely communicated and accessible. Accordingly, the OECD Recommendation recommends “ensuring the existence and implementation of the necessary open government legal and regulatory framework, including through the provision of supporting documents such as guidelines and manuals, while establishing adequate oversight mechanisms to ensure compliance” (Provision 2).

Lebanon’s legal framework builds on the Constitution, which states that “Lebanon is a parliamentary democratic republic based on respect for public liberties, especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination” (preamble). More specifically, Article 13 guarantees core civil liberties, such as the freedoms of expression, of press, of association and assembly.

In recent years, the country has adopted several legislations to further define the legal framework relevant to open government. This includes the Right of Access to Information Law (No. 28 dated 10 February 2017), the Illicit Enrichment Law (No. 154 dated 27 December 1999), the Whistle Blower Protection Law (No. 83 of 10 October 2018), the Electronic Transactions and Personal Data Protection Law No. 81/2018 and Law 84/2018 on Strengthening Transparency in the Oil and Gas Sector. In addition, an anti-corruption law is currently in Parliament for final adoption. .

## Access to information:

The adoption of the Right of Access to Information Law in 2017 following a long process, which started in 2004 spearheaded by a National Network for the Right of Access to Information, was an important milestone towards greater transparency and open government. In fact, such laws are considered to be a key pillar of democratic governance and open government and are a common practice in OECD countries, of which all but one have such a law. Access to information enables stakeholders to scrutinise government, hold it accountable and participate in policy-making processes in a more informed manner. Moreover, it can increase citizens’ trust in government and is a tool to prevent and fight corruption (OECD 2019). Accessing information mainly occurs through two means: the proactive disclosure and publication of information by public institutions and the provision of information upon an access to information request. Lebanon’s law provides for both means of accessing information. Article 1 states that “every person, natural or legal” has the right to access information while Article 7 enumerates the documents that have to be published proactively, which include “decisions, instructions, circulars, and memoranda that include an interpretation of laws and regulations or that are of a regulatory nature” as well as “all transactions involving payment of more than LBP 5,000,000 of public funds”. In addition, all public institutions are obliged to produce and publish an annual report about their activities. The Lebanese law enshrines further obligations on the administration namely explaining non-regulatory administrative decisions (Article 11) and to publish the rationale of laws. The law allows for the use and reuse of the information, except for commercial purposes. The law covers a wide range of public institutions thereby creating a solid basis for accessing information. At the same time, it includes exceptions without putting them under a “harm” or “public interest” test, as is common practice in OECD countries. Implementation practice as well as the current draft implementation decree should therefore ensure that these exceptions would not hinder effective access to information.

While the access to information law could be further aligned with international standards, the implementation of the current law is the most important step to further a transparency culture in Lebanon and enhance thereby the implementation of open government principles. Despite the law stating that it comes into force directly upon publication in the official gazette, some public institutions are reluctant to implement the law without an implementation decree. According to interviews, a recent statement from the Prime Minister’s Office refused access to information citing the inexistence of an implementation decree as a reason. The Ministry of Justice has launched a process to elaborate an implementation decree. Following several versions and comments received by various stakeholders, the implementation decree is at the time of writing awaiting discussion and approval by the Council of Minister. Its adoption would enable providing further clarity about the implementation of the law. In parallel, some members of parliament are currently working on a new access to information draft law to introduce some amendments. They aim to ascertain that the law does not need an implementation decree to be implemented. The amendments will specify that an implementation decree is only needed for Article 5 to explain the exceptions in more detail.

Recent studies from civil society organisations show that despite the existence of the law since two years, the implementation requires still more efforts. A first study conducted by Gherbal Initiative in 2018 showed that only 26% of the institution they made an access to information request to answered this request. A 2019 study in which the same organisation requested the 2017 financial statements of 140 institutions also showed that the public administration is not fully complying with the law yet. 120 institutions received the request, of which 52 refused to provide the information, 29 gave incomplete answers, 6 said they do not have a budget and only 33 provided the full information (Gherbal Initiative 2019). Accordingly, OMSAR in cooperation with the OECD and UNDP has launched a process to elaborate and adopt a national action plan for the implementation of the access to information law. The plan was elaborated by a Technical Access to Information Committee and will be adopted by the Anti-Corruption Ministerial Committee and the Council of Ministers. It benefitted from a wide range of consultations with civil society members, media, local government, public officials, parliamentarians, the justice sector and private sector. The 10 implementation areas provide for a comprehensive approach for the implementation of the law, and once adopted and implemented could greatly advance transparency in Lebanon (see Box .1). Thus, OMSAR is currently elaborating key performance indicators to monitor the implementation of the plan. These monitoring results should be made available publicly, while the involvement of various stakeholders in the monitoring process would also further strengthen the adoption of open government principles. In addition to these efforts, Expertise France is working with the Ministry of Environment to implement pilot projects on accessing information according to the OECD Survey. In September 2019, together with the OECD and UNDP, OMSAR has organized a workshop on the role of information officers in enforcing the access to information law. Approximately, 100 public officials attended the workshop and the ministry is currently following up with government entities to check whether these public officials have been appointed as information officers, in an effort to create a network of information officers.

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| Box .1. National Action Plan for the implementation of the Access to Information Law  The OECD is currently supporting OMSAR in elaborating a National Action Plan for the implementation of the ATI law, under a project funded by the U.S.-Middle East Partnership Initiative (MEPI).  A national stakeholder workshop was jointly organized with OMSAR and UNDP in June 2019 to discuss the draft national action plan. The workshop brought together representatives of the public administration, parliamentarians, civil society organizations, media and the private sector to consult on the draft national action plan and discuss its different activities. The plan will be adopted by the Ministerial Anti-Corruption Committee.  Summary of the activities foreseen by the action plan   1. Develop a Comprehensive List of the Obligated Administrations by the ATI Law 2. Appoint ATI Officers (ATIO) within all Obligated Administrations 3. Provide Information about ATI Rights and Procedures 4. Provide Training and Support 5. Develop Electronic Tools to Implement the ATI Law 6. Appoint the National Anti-Corruption Institution (NACI) 7. Develop Oversight Mechanisms to Ensure the Compliance of the Obligated Administrations with their Obligations 8. Implement Mechanisms for Receiving and Handling Complaints Related to ATI Implementation 9. Issue Implementation Decrees in Areas of Necessity 10. Develop Open and Effective Filing and Archiving Systems |

As is the case in several OECD countries, the access to information law foresees the establishment of a body to oversee the implementation of the law, provide education about it and to receive and treat complaints regarding its implementation. In Lebanon, this body will be the National Anti-Corruption Commission. Its establishment depends however on the adoption of the draft law to Combat Corruption in the Public Sector and to establish the National Anti-Corruption Commission. The Commission is expected to be an independent body that ensures the adequate implementation of the law. The law was adopted by Parliament in June 2019 but then refused by the President who provided several comments and sent it back to Parliament. At the time of writing Parliament has not yet discussed the law again. The absence of the Anti-Corruption Commission means that currently complaints can only be addressed to the courts namely the Council of State, which often present long and costly procedures.

In addition, Lebanon has also passed a law regarding accessing information in a specific sector, namely Law 84/2018 Strengthening Transparency in the Oil and Gas Sector[[1]](#footnote-2). The law aims to combat corruption by establishing transparency mechanisms in the petroleum sector. Article 4 of the law calls for the proactive disclosure of information on a quarterly basis of all petroleum activities. Article 19 of the law assigns to the Anti-Corruption Commission the responsibility to ensure the effective implementation of the law. According to this provision, the Commission has the duty to monitor the appropriateness, credibility and quality of information relevant to the petroleum industry. In addition, this Article calls on the Commission to publish annual reports highlighting significant difficulties witnessed by people in accessing information on the petroleum industry, which would be submitted to the Council of Ministers and the parliament.

## Anti-corruption and integrity legislation

Integrity is one of the principles of open government and therefore the adoption of a variety of legislation in the field of anti-corruption and integrity is a common practice to support an open government culture and a solid open government legal framework. Lebanon has committed to make efforts in this field and ratified the United Nations Convention against Corruption (UNCAC) on April 22, 2009. The Illicit Enrichment Law[[2]](#footnote-3) is one corner stone of Lebanon’s anti-corruption legislative framework: adopted in 2009, Article 2 of the law specifies the categories of public officials that should disclose their assets when they take office. Meanwhile, Article 5 identifies the parties entrusted with receiving the financial declarations according to the rank of the public official as disclosures are not made public in the country, unlike what is common practice in several OECD countries which would make asset disclosure a more effective tool to prevent and fight corruption as citizens, civil society and the media can scrutinize these disclosures. Moreover, Article 10 outlines the procedures for prosecution in cases of illicit enrichment. The current elaboration of a new law would therefore be an opportunity to provide for public disclosure of assets and interests. In line with UNCAC and in order to establish a more comprehensive integrity framework, Lebanon passed a law to protect whistleblower (Law No. 83 of 2018 on Protecting Whistleblowers). This framework will be further strengthened with the adoption of the Anti-Corruption Law (as discussed above). In addition, a code of ethics for public procurement officials provides for some integrity principles to be respected. A wide dissemination of the code would further enshrine the respect of these principles within the public administration.

## Digital government legislation

In line with provision 9 of the OECD Recommendation, digital government tools provide opportunities to source ideas and co-create solutions. To enable digital tools to play this role the appropriate legislative framework is needed. Law No. 81 relating to Electronic Transactions and Personal Data presents a first step in this direction as the law sets the foundation for e-services and e-engagement portals. In fact, the law states, “the information technology is at the service of the people” (Article 2). The Government of Lebanon should in this sense proceed the efforts underway to keep its legal and regulatory updated in critical areas such as digital rights of citizens and businesses. At the same time, enhancing the digital transformation of the public sector is not a static process as the fast pace of digital technological development requires governments to be able to permanently adapt to new contexts, drivers and expectations from citizens and businesses. Lebanon should in this sense prioritise the development of an agile, collaborative and experimental culture across the administration that can go beyond legalistic approaches.

## Stakeholder engagement legislation

As most OECD countries, Lebanon does not have any legislation providing for stakeholder engagement beyond the principles enshrined in the Constitution. However, OECD countries are moving towards greater stakeholder engagement and are elaborating at least guidelines to support public institutions in doing so. The purpose of these guidelines is to create a common framework among public officials and stakeholders, defining common rules, rights and obligations. This can take the form of guidelines, such as the United Kingdom’s Guide “Ensuring Effective Stakeholder Engagement” or of a citizen participation charter as was developed by the municipality of Paris in a co-creation and inclusive process (see Box .2.).

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| Box .2. Stakeholder engagement guidelines  “Ensuring Effective Stakeholder Engagement” is a guide to help run, manage and evaluate stakeholder campaigns developed by the Department for Business, Innovation and Skills of the United Kingdom. It includes the following sections:   * Introduction : explaining what stakeholder engagement is * Getting started * Identification: Which stakeholders are critical to your success? * Putting together an engagement plan: How are you going to engage with them? * Implementation: Evaluation — did you achieve your objectives?   The Government of Canada with respect to its engagement on open government issues has Rules of Engagement for online engagement. They highlight how the government reacts to comments and interacts with citizens, when they would remove comments and the terms of replying. In addition, the Public engagement principles highlight the principles that the government is committed to respect when engaging with citizens. They include: transparency, relevance, inclusiveness, accountability and adaptability.  The Paris Charter for Citizen Participation was adopted in 2017 following an inclusive process for its development. It is based on a previous Charter which was improved to take into account the experiences of the first version. It includes the following sections:   * What participation means * Open and inclusive participation * Participation known by all * More understandable participation * Transparency and a participation contract * Renewing citizens institutions * Strengthening the citizens role in municipality affairs * Fostering Agoras and public sector innovation * Create a long term participatory culture * Promote the Charter   Source: (Department for Business n.d.) and (Ville de Paris 2017) and (Government of Canada n.d.) and (Government of Canada n.d.) |

Lebanon initiated some steps towards this direction with its work on Regulatory Impact Assessment (RIA) and a circulaire on consultation. In 2015 OMSAR requested the Prime Minister to send a circulaire to all public administration asking them to conduct consultations. Following upon this work, OMSAR developed guidelines for conducting RIA which include guidelines for citizen engagement in this process, in particular consultation. They highlight the different steps to undertake which include: planning early consultations, identification of stakeholders, and preparation of necessary documents and implementation of consultation methods specific to each stakeholder. The guidelines are still in draft version and should be presented to the Council of Ministers. The Economic and Social Council (ECOSOC), which works as an advisory body to the Council of Ministers, is expected to play an important role in the RIA process as it acts as main platform for dialogue between public and private actors.

Some countries are taking a step further and are enshrining participatory rights in their legislative framework. Argentina’s Constitution for example recognises in Article 14 the “right to petition the authorities” (OECD 2019) while Tunisia’s Code for Local Authorities includes a whole chapter dedicated to open government and participatory democracy at the local level (OECD 2019).

Building upon this work and best practices from OECD countries, Lebanon could consider elaborating guidelines on stakeholder participation beyond regulatory consultation. They would provide a common framework to all public officials and stakeholders interested in participating. They could be disseminated widely and be coupled with offline and online training courses, for example using OMSAR’s existing e-learning portal.

## Civic space

In order to promote stakeholder participation, the space in which these interactions take place and in which citizens participate and express themselves needs to be protected and promoted. Lebanon can count on a vibrant civil society, with more than 8000 organisations registered as of 2014 in addition to youth and sports clubs (Lebanon: Voluntary National Review on Sustainable Development Goals 2018). CSOs have been very vocal and engaged to promote policy reforms, this was for example visible during the “You Stink” Movement in 2015 in response to the garbage crisis but also in the field of public governance with well-established organisations such as the Lebanese Chapter of Transparency International. CSOs and citizens have the right to protest and assemble and do so. Yet, while the Constitution guarantees freedom of association and the 1909 Law on Associations is considered enabling, organisations still face some challenges, such as delays in receiving their documents for registration. A 2006 Ministerial Circular therefore requires that a receipt must be given within 30 days. Despite the Circulaire, CSOs continue to face delays (ICNL 2019). Accordingly, Civicus judges Lebanon’s civic space as “obstructed” which refers to civic space being “heavily contested by power holders, who impose a combination of legal and practical constraints on the full enjoyment of fundamental rights” (Civicus 2019). Similarly, the V-Democracy Values give Lebanon 2.72/4 in the category CSO entry and exit, 2.6/4 in participatory environment and 2.5/4 in CSO repression (Varieties of Democracy 2018). Even though Lebanon passes the OGP’s values-check, improvements in the civic space environment would encourage further dialogue between government and civil society and enhance effective stakeholder participation. In this sense, the programme *Afkar* should be mentioned. It is financed by the European Union and managed by OMSAR. It aims to further strengthen civil society in Lebanon. *Afkar II* had a budget of €3.000.000 focusing on rule of law and national dialogue. Civil society can apply to grants for projects in the main focus areas (<http://afkar.omsar.gov.lb>). According to public officials, currently *Afkar III* (10 million €) is being implemented focusing on economic and social development and enhancing performance of the government.

Freedom of the press is equally guaranteed by the Constitution and Lebanon can count on a diverse media sector, despite it being politicized (RSF 2019). However, the penal code and the audio-visual media law criminalise defamation against public officials, the president and the Lebanese flag and have been used against journalists and activists (AbiYaghi, Yammine & Jagarnathsingh 2019).

## Recommendations:

* **Clarify publicly, preferably at highest level possible, that the access to information law is applicable** without an implementation decree while promoting the rapid adoption of the implementation decree to clarify any possible doubts about implementation without limiting the rights guaranteed in the law. In the long term, update the current access to information law to align it further with international standards, such as including a harm and public interest test.
* **Adopt the national action plan for the implementation of the access to information law**, make it publicly available and diffuse it widely among all concerned public institutions. Monitor its implementation through an inclusive process and make the results publicly available to strengthen the implementation of open government principles.
* **Adopt the law to Combat Corruption in the Public Sector and to Establish the National Anti-Corruption Commission** and establish the foreseen Commission to further strengthen access to information
* **Align the draft illicit enrichment law with international standards**, such as making asset and interest disclosures public and adopt the law
* **Continue the efforts underway to establish and update effective legal and regulatory frameworks for the digital transformation of the public sector**, while being able to support an agile, collaborative and experimental culture across the administration that can go beyond legalistic approaches.
* Building on the circulaire and the RIA work, **OMSAR could elaborate stakeholder engagement guidelines**, which provide step-by-step guidance and an overview about different engagement tools, and disseminate them widely to the public administration, and provide training courses about their application for example through the existing e-learning portal.

# Institutional framework

Open government is a culture of governance that aims to transform how the whole public administration works and interacts with its citizens. The transversal nature of open government strategies and initiatives thus requires an effective governance structure with appropriate co-ordination mechanisms at horizontal and vertical level. Therefore, the OECD Recommendations recommends countries to “co-ordinate, through the necessary institutional mechanisms, open government strategies and initiatives – horizontally and vertically – across all levels of government to ensure that they are aligned with and contribute to all relevant socio-economic objectives” (Provision 3). Ideally, such a governance structure includes the following two aspects:

* “an Open Government Steering Committee that co-ordinates the national open government agenda and involves all relevant stakeholders from government, civil society, academia and the private sector
* a central government institution that has a clear mandate and the capacity to steer and lead the national open government agenda” (OECD 2019)

Data from OECD countries shows that establishing a coordination unit within a central government institution is a common practice, as 77% of OECD countries have a dedicated office responsible for horizontal co-ordination of open government initiatives. In the majority of cases (62%), this office is located in the Office of the Head of Government or in the Cabinet Office/Chancellery/Council of Ministers. This ensures high-level support and steering of open government initiatives. Ministries of Finance, Interior or Public Administration are also other common offices that take on the open government co-ordination function. The responsibilities of such an office vary (see Figure .1.), but generally include the co-ordination function, the responsibility to develop an open government strategy, monitoring implementation, communicating reforms and in some cases assigning financial resources and evaluation of impact.

Figure .1. Responsibilities of the co-ordinating office

*Source:* (OECD 2016)

34% of OECD countries have also set-up a multi-stakeholder forum or often called an open government steering committee – which is equally a recommendation of the OGP – to ensure regular engagement with a variety of stakeholders. This engagement can take the form of regular communication, consultation and in some cases even co-creation, co-implementation and co-evaluation of open government initiatives. In most cases, the forum includes civil society organisations working in related fields, but local government representatives, media, private sector, trade unions or other branches of power can also be found as members of such a committee (OECD 2016).

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| Box .1. Composition of mixed Open Government Forums  The establishment of a multi-stakeholder forum, following the practice in several countries, has become a mandatory feature for OGP participating countries. The OGP defines it as “a mandatory, standing consultative body that assists in this process, and is a cornerstone of each participating government’s successful participation in the OGP process. It should meet every three months in order to comply with basic guidance.”  Several countries have such a forum. A common feature is equal representation between government institutions and civil society, whereas civil society representatives were either chosen through an open competitive process (i.e. Morocco) or a self-selection process led by civil society often including predefined criteria (i.e. Tunisia and Canada).  These forums have several tasks while they accompany the OGP process or open government programme of a specific government. In Tunisia, the Committee meets every months, leads the consultation process of the OGP action plan and co-implements some commitments. In Paraguay the forum promotes its work and the open government agenda, and also opens its meetings to the public (among others vial live streaming). In Canada the forum is governed by Terms of Reference which outline its mission, its meeting frequency (every two months and extraordinary meetings), its processes to follow to avoid conflict of interest and thereby ensure the integrity of the forum. The forum is involved in all steps of the OGP process (action plan drafting, implementation, self-assessment and IRM).  Source: (OECD 2016), (OGP 2019) and (OGP 2018) and (Government of Canada n.d.) |

Lebanon’s open government governance structure is still in its development. OMSAR as the Ministry responsible for developing administrative reform and the institutional capacities of the public administration, and in particular ex-Minister Chidiac, has taken the lead role in promoting and co-coordinating open government initiatives. The Minister has for example publicly announced Lebanon’s intention to join the OGP; the Office has elaborated Lebanon’s definition of open government and is co-ordinating the work with international institutions in this field. To support this work, OMSAR set-up a technical internal open government team with 6 public officials uniting a variety of policy areas such as digital government and ICT, anti-corruption, human resources, legal advisors and public procurement specialists according to the OECD survey. This is a laudable step and could be reinforced by defining the responsibilities and tasks of the team.

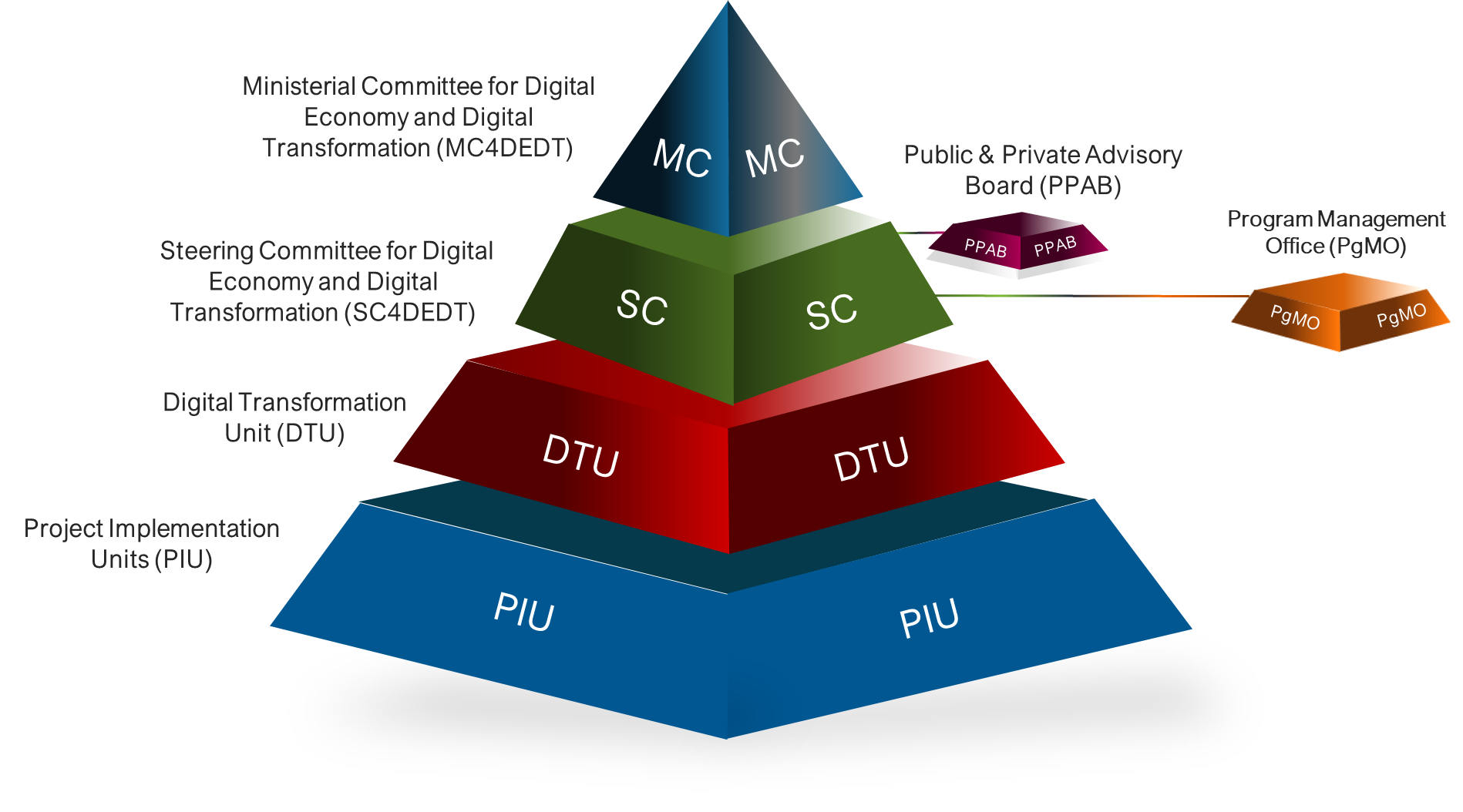
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| Box .. Coordination of Open Government reforms in Canada  In Canada, the Open Government Co-ordination Unit is attached to the Office of the Chief Information Officer, which is part of the Treasury Board of Canada Secretariat (TBS). In this role, it advices the Treasury Board Committee of Ministers which manages the government’s expenses on programmes and services. The work of the Unit covers all stages of the policy cycle. Each of its Divisions has clear responsibilities for different aspects of an effective horizontal and vertical coordination of open government initiatives:  The Strategic Policy and Planning Division plans, implements, and reports on Canada’s open government initiatives. In this respect, it aligns ongoing initiatives to increase coherence across government and complements them with additional measures in response to newly emerging challenges. The main output is Canada’s National OGP Action Plan (NAP), which includes specific commitments by the Canadian Government. Furthermore, the Division monitors the progress of implementation of the NAP and assesses the current state of open government in Canada. The information it collects is then shared via an online tool, the quarterly updated “Progress Tracker”.  The Program Implementation and International Relations Division has two focuses: One the one hand, it aims to increase effectiveness by improving collaboration in the framework of the Open Government Partnership, with the OECD and other international partners. This finds expression in, among others, being the main support for the official Open Government Point of Contact. On the other hand, it supports domestic structures in their work by providing secretariat functions as well as strategic guidance. For example, the Division leads the coordination of reporting on the NAP commitments.  Lastly, the Outreach and Engagement Division is the focal point of communication between the Government of Canada’s open government work and both external stakeholders and other governmental agencies and civil servants. To develop an encompassing education for civil servants, a cooperation with the Canada School of Public Service has led to projects like the Digital Academy and the corresponding ‘Busrides’ podcasts which provide concise supplementary information. Considering communication with external stakeholders, one work stream covers the creation of informative content for social media, websites, presentations etc. to increase visibility of open government. Besides, one important aspect is their engagement in developing and disseminating a suitable narrative behind open government in order to motivate stakeholders’ participation. In that respect, the Outreach and Engagement Division aims to serve as an example for other government agencies by the way it manages the consultation with civil society on the 2020-2022 National Action Plan.  Source: Treasury Board of Canada Secretariat (n.d.), Open Government Team: Work packages, unpublished draft; Government of Canada (n.d.): Open Government, <https://open.canada.ca/en>; Canada School of Public Service (n.d.): Busrides, <https://busrides-trajetsenbus.ca/en/ep-3-en/>; Kathryn May (2018): Feds launch ‘digital academy’ for public service, iPolitics online, Oct 18, 2018, <https://ipolitics.ca/2018/10/18/feds-launch-new-digital-academy-for-ps-to-help-drive-technology-makeover/> |
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Currently, no mechanism to co-ordinate open government horizontally and vertically has been set-up. However, Lebanon and in particular OMSAR could build on several existing co-ordination frameworks in related policy fields which could be an inspiration or provide a structure for an open government co-ordination mechanism.

The Prime Minister’s Decision No. 156/2011 set up an Anti-Corruption Ministerial Committee of which the Minister of State for Administrative Reform is the vice president and the Prime Minister the President. Furthermore, it includes the Minister of Justice, Minister of Interior and Municipalities and the Minister of Finance. The Committee is supported by a Technical Committee (established by Prime Minister’s Decision No. 156/2011) presided by OMSAR. It is responsible for the elaboration and adoption of Lebanon’s policies in the field of anti-corruption and integrity, in particular the adoption of the national anti-corruption strategy (see Chapter 2). In order to enhance the implementation of the access to information law, and given the fact that access to information is also a key pillar for anti-corruption, the Prime Minister formed a Committee to develop the national action plan for the implementation of the access to information law (see Chapter 3). The Committee which is composed of the Ministry of Justice, Council of State, Central Inspection Board, and OMSAR acts as a sub-Committee of the Anti-Corruption Ministerial Committee and its policies and action plans have to be adopted by that Committee. Lebanon could consider establishing a sub-Committee on open government, which reports to the Anti-Corruption Ministerial Committee and also includes the members of the access to information committee or co-ordinates closely with them.

In parallel, the Lebanese Council of Ministers also established a Ministerial Committee for Digital Economy and Digital Transformation, chaired by the Prime Minister and formed by a decision of the Decision No. 53 of February 28, 2019 and Decision No. 4 of May 24, 2019. As Figure .1 shows, the Committee has various sub-structures for the implementation of policies and is also aiming to set-up an Advisory Board to engage with different public and private actors.

Figure .1. Digital Transformation Structure



*Source*: (Government of Lebanon 2019).

According to the OECD Recommendation on Open Government, digital tools are a lever and opportunity to design and implement open government strategies and initiatives. Equally, the OECD Recommendation on Digital Government Strategies promotes “capturing the value of digital technologies for more open, participatory and innovative governments” (OECD 2019). In line with these Recommendations, Lebanon’s digital transformation strategy lists open government as a founding principle. Hence, a close co-ordination between a co-ordination mechanism on open government and the Ministerial Committee for Digital Economy and Digital Transformation as well as its sub-bodies would be recommendable. Lebanon could for example consider including a high-level representative of the entity responsible for leading and coordinating the digital government policy (e.g. OMSAR or eventually the future Lebanese Digital Agency) in the open government committee, while having its decision also presented to or even approved by the Ministerial Committee.

The so far discussed Committees include however only various government stakeholders at central government level. As outlined above, it is also recommendable to set-up a co-ordination mechanism to engage other state actors, as Parliament and local administration, as well as actors from society, such as academia, civil society, media and the private sector. OMSAR has gained first experiences in engaging stakeholders in policy elaboration, having conducted an inclusive process for the elaboration of the national anti-corruption strategy (see Chapter 7) and for the elaboration of the access to information action plan. The relationship established with different actors, in particularly civil society, and the trust built could serve as an enabler to set-up a regular co-ordination mechanism with civil society actors. Furthermore, OMSAR can build on the Higher Education Committee assembling the most important Lebanese universities, which was set-up to provide input into the digital transformation policies and action plan, to involve academia in the open government agenda. In parallel, two other initiatives are underway to engage stakeholders in policy-making. These include the above-mentioned Public and Private Advisory Board to be created in relation to the digital transformation and a multi-stakeholder group to be created in the framework of Lebanon’s intention to join EITI. This platform is an EITI requirement and must include representatives from government, extractive companies and civil society. It will support Lebanon in meeting the standards and oversee the implementation of EITI commitments (Extractive Industries Transparency Initiative 2017). At the time of writing, civil society is electing its members for the group, in an independent manner and according to its own rules. To do so, several civil society organisations elaborated a Code of conduct, which sets the criteria for the election process (Lebanese Coalition for Good Governance in Extractive Industries 2018).

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| Box .3. Code of Conduct of Civil Society Organisations involved in EITI  Civil society has become a stakeholder in implementing the EITI since Lebanon announced its intention to join the EITI in January 2017.  Civil society actors have therefore devised a Code of Conduct to help regulate the participation of civil society, define nomination procedures and criteria for the selection of representatives by mutual consent.  It has been formulated in line with the requirements of the EITI Standards, which stipulates that “each council from the council of stakeholders shall have the right to appoint its representatives, taking into account the desirability of multiple representation and diversity.”  It includes the following sections:  1. Definition of terms, scope and basic principles  2. Rights, Duties and Obligations of the Representative  3. Elections of the members of the stakeholder council  4. Communication practices  Source: (Lebanese Coalition for Good Governance in Extractive Industries 2018) |

As done in other countries such as Costa Rica (OECD, 2016), Lebanese civil society could consider creating a network of civil society organisations focused on open government and its principles. The network could bring together stakeholders involved in the promotion of different elements of Lebanon’s open government agenda, including those advocating for EITI and OGP membership, as well as civil society organisations working in the fields of access to information, open data and anti-corruption. Such a network can allow for a more structured approach to open government and ensure inclusiveness and representativeness of civil society’s voices. The network could also play a key role in promoting open government principles and practices at the local level.

## Open government literacy and resources

An institutional framework conducive to open government initiatives does not only rely on appropriate coordination structures, but equally on adequate human resources with the necessary skills. In fact, an open government culture is transforming how civil servants work and the skills they require. Engaging in two-way communication, listening to citizens and co-creating public services require skills such as empathy, negotiation and animation. OECD countries are only in the beginning of their efforts to include these new skills in their public workforce. The OECD Report shows that 57% include open government principles in values frameworks and only 23% include them in the competency frameworks, performance agreements and/or accountability frameworks (OECD 2016). Accordingly, the OECD Recommendation calls for “promoting open government literacy in the administration” and “providing public officials with… adequate human, financial, and technical resources, while promoting a supportive organisational culture”. As these new interactions with citizens should not be outsourced to contract providers, as meaningful insights come only from the interaction between decision makers and citizens (OECD 2017), the OECD Recommendation on Public Service Leadership and Capability provides a framework to provide the public service with the capabilities needed (see Box .3).

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| Box .3. OECD Recommendation on Public Service Leadership and Capability  Adopted in 2019, the 14 principles in the Recommendation aim to identify what makes a public service fit for purpose and responsive today. They include:   1. Defining the values of the public service and promoting values-based decision-making 2. Building leadership capability in the public service 3. Ensuring an inclusive and safe public service that reflects the diversity of the society it represents 4. Building a proactive and innovative public service that takes a long-term perspective in the design and implementation of policy and services 5. Continuously identifying skills and competencies needed to transform political vision into services which deliver value to society 6. Attracting and retaining employees with the skills and competencies required from the labour market 7. Recruiting, selecting and promoting candidates through transparent, open and merit-based processes, to guarantee fair and equal treatment 8. Developing the necessary skills and competencies by creating a learning culture and environment in the public service 9. Assessing, rewarding and recognising performance, talent and initiative 10. Clarifying institutional responsibilities for people management to strengthen the effectiveness of the public employment system 11. Developing a long-term, strategic and systematic approach to people management based on evidence and inclusive planning 12. Setting the necessary conditions for internal and external workforce mobility and adaptability to match skills with demand 13. Determining and offering transparent employment terms and conditions (e.g. compensation, term length, job security, rights and obligations) that appropriately match the functions of the position, taking into account external and internal labour markets 14. Ensuring that employees have opportunities to contribute to the improvement of public service delivery and are engaged as partners in public service management issues   Source: (OECD 2019) |

Furthermore, the OECD Report provides a framework of skills needed for service delivery and citizen engagement (OECD 2017), which are:

* **Professional:** Traditional building blocks of service and engagement skills include professionals with expertise in public relations, communications, marketing, consultation, facilitation, service delivery, conflict resolution, community development, outreach etc.
* **Strategic:** Using engagement skills to achieve specific outcomes to inform, for example, better targeted interventions, or nudging public behaviour towards desirable outcomes, such as healthier eating habits or smoking reduction.
* **Innovative:** Innovation skills applied to engagement to expand and redesign the tools themselves through, for example, co-creation, prototyping, social media, crowdsourcing, challenge prizes, ethnography, opinion research and data, branding, behavioural insights/nudging, digital service environments and user data analytics

It is a timely moment to introduce skills required for open government in Lebanon, as the Civil Service Board (CSB) and OMSAR are – at the time of writing – conducting a project about Lebanon’s public service documenting and defining job positions and responsibilities. It is part of a call for restructuring the public sector echoed in the ministerial statement of the 2019 government (Lebanese Forces 2019). One of the objectives under this restructuring target is to carry out a comprehensive mapping of all government institutions, including staff vacancies and surplus, in order to determine the functional needs of each department. This could be the occasion to introduce responsibilities as well as skills related to open government in certain job positions/descriptions. OMSAR is already working on defining the job description and tasks of the official responsible for access to information, a commitment of the national action plan for the implementation of the access to information law, which could serve as a good practice to build on.

Introducing these skills in the job description and considering them in future hiring processes is however only one possible approach. Training public officials and thereby enabling them to acquire the required skills is another approach. This is of particular importance in the current situation, where the 2017 hiring freeze as foreseen by Law #46 dated 21/8/2017 does not allow for the recruitment of further public officials (Lebanon: Voluntary National Review on Sustainable Development Goals 2018). The existing e-Learning portal currently run by OMSAR, and which is envisioned to be transformed into a hub for a national digital academy portal, and currently including courses such as on relations with citizens, strategic planning, public employment, management and change management, projects management in the digital age and conflict management, could be further developed to include a course on open government principles and their application in the public administration. To develop the course OMSAR could partner with international organisations, universities and training institutes such as the Institut des Finances Basil Fuleihan.

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| Box .4. Education in Open Government: a comprehensive and multilevel pedagogical tool by the Spanish Government  Education in Open Government is the result of a commitment in the third OGP Spanish National Action Plan 2017 – 2019. This ongoing initiative has two pedagogical objectives: train students in the development of social and civic competences, specifically, the principles of open government and train teachers for the evaluation of social and civic competences. A third objective goes beyond education and aims at building a civic capacity in youth to fully exercise their democratic rights, demand transparency and accountability to public authorities and build an active citizenship by giving students the skills and knowledge to be able to interact and participate in the public sphere. In one sentence, Education in Open Government aims at accelerating the open government cultural change, by transmitting the principles to those citizens who will be making decisions in the future.  The project started in 2018 led by the Directorate-General of Public Governance but with cross-government coordination and is composed of three levels of action:  1) Training via a massive online open course (MOOC) based on fundamental knowledge about Open Government and its pillars, as well as the main trends on implementation and outcomes on diverse policy areas. The training targets teachers and the whole education community, as well as any other person interested in open government.  2) The inclusion of open government related content in pedagogical curriculums across Spain.  3) The Guides of Education in Open Government are pedagogical material for Primary, Secondary and High School Education with theoretical and practical knowledge on open government. The guides have been translated into all the official languages of Spain as well as into English and French.  This project is the first comprehensive educational project specific to open government, taking into account all educational stages, with clear objectives and evaluation mechanisms. This initiative can be replicated for students at University or for civil servants capacity building and in other countries. In fact, a pilot experience in Latin America and the Caribbean was led by the Spanish Agency for International Development Cooperation.  Sources: (**Unsupported source type (InternetSite) for source OPS18.**); (**Unsupported source type (InternetSite) for source Govnd.**); (Government of Spain 2017) |

## Financing open government initiatives

Lastly, the implementation framework requires a budget to implement open government initiatives. Even though in less than 20% of OECD countries funds for open government initiatives are allocated by the central institution in charge of open government, countries ensure funding through the institutions implementing each project. In some cases, funds are also provided by the EU or donors and multilateral organisations (OECD 2016). Lebanon is currently in a tight fiscal situation with an immense public debt, which has led to the CEDRE conference. While the international community has pledged financial support and some projects such as with the OECD, UNDP and the World Bank exist to financially support specific reform efforts, the government is called upon to develop cost-effective and innovative open government initiatives. Partnerships with civil society, academia and the use of digital tools could therefore be advisable.

## Recommendations:

* **OMSAR could consider defining the responsibilities and tasks of the open government team** to provide further clarity on their role. This could be linked to the proposed open government reforms such as developing an action plan, elaborating guidelines for stakeholder participation, etc.
* **Lebanon could consider establishing a sub-Committee on open government**, which reports to the Anti-Corruption Ministerial Committee and also includes the members of the access to information committee or co-ordinates closely with them and ensures co-ordination with the Ministerial Committee for Digital Economy and Digital Transformation.
* **Civil society stakeholders could consider creating a network of civil society organisations focused on open government and its principles**. The network could bring together stakeholders involved in the promotion of difference elements of Lebanon’s open government agenda, including those advocating for EITI and OGP membership, as well as civil society organisations working in the fields of access to information, open data and anti-corruption.
* **Lebanon could** **introduce responsibilities as well as skills related to open government in certain job positions/descriptions** **and develop training courses** on open government principles and initiatives taking advantage of the existing e-learning platform.

# Monitoring and evaluation framework

Designing and implementing open government initiatives requires resources and changes in the public administration. While these initiatives are intended to improve the relationship between government and its citizens, enhance transparency and accountability, this can only be ensured and confirmed, and therefore the use of funds and efforts justified, through effective monitoring and evaluation systems (M&E). A solid M&E system is necessary to assess if intended goals are achieved, to identify challenges and obstacles and rectify initiatives accordingly.

Monitoring refers to “a continuing function that uses systematic collection of data on specified indicators to provide management and the main stakeholders of an ongoing […] intervention with indications of the extent of progress and achievement of objectives and progress in the use of allocated funds” (OECD 2009). Therefore, it aims to ensure that the initiative is on track and that it is achieving the intended results, enabling to modify and adapt the initiative if necessary.

Evaluation refers to “the systematic and objective assessment of an ongoing or completed project, programme or policy, its design, implementation and results. The aim is to determine the relevance and fulfilment of objectives, […] efficiency, effectiveness, impact and sustainability” (OECD 2009). Thus, it enables to measure the cost-effectiveness of an initiative, provides information to the policy-implementer but also the larger public if the initiative is achieving its intended impact and allows enhancing future initiatives. Evaluation can refer to evaluating the process, the output, the outcome and the impact.

M&E systems can therefore enhance implementation of open government initiatives, increase their visibility and impact. This requires however closing the feedback loop and using the M&E results in order to improve ongoing and future initiatives. In line with open government principles, M&E results should also be made available to the public, to enhance accountability and enable them to scrutinise government action. Similarly, the public should be involved in M&E systems, especially as most open government initiatives intend to affect citizens directly and their perception of government.

In OECD countries, a large majority (86%) monitor open government initiatives, yet only 59% evaluate them. Almost all who do evaluate initiatives communicate the results. Most countries have however not put in place specific M&E systems regarding open government (except those required by the OGP), but are building upon the existing M&E frameworks of their public administration (OECD 2016). The OECD Recommendation therefore suggest to:

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

1. Identifying institutional actors to be in charge of collecting and disseminating up to-date and reliable information and data in an open format
2. Developing comparable indicators to measure processes, outputs, outcomes, and impact in collaboration with stakeholders
3. Fostering a culture of monitoring, evaluation and learning among public officials by increasing their capacity to regularly conduct exercises for these purposes in collaboration with relevant stakeholders” (OECD 2017)

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| Box .1. Monitoring and Evaluation of open government initiatives in OECD Member and Partner Countries  For the time being, one of the great challenges OECD Member and Partner Countries face in the area of open government is to move the focus from processes to outcomes and impact (OECD, 2019a). The implementation of open government strategies usually involves initiatives in a variety of areas and requires the involvement of multiple stakeholders. Given this multidimensional and cross-cutting nature, open government initiatives are difficult to monitor and evaluate. However, solid monitoring and evaluation (M&E) mechanisms can help to ensure that policies are achieving the intended goals, contribute to the identification of policy design and implementation barriers, and orient policy choices by building on past experiences (Ibid.). M&E is also instrumental to initiating changes and communicating policy results in a timely and accessible manner. Examples from OECD Member and Partner Countries include:  **Spain** established a dashboard for monitoring its third open government action plan. The progress made is updated every three months in all the available categories, including axis, commitment and category. Also, stakeholders can provide comments through a questionnaire available for each commitment. The dashboard provides detailed information on the progress, including briefing notes, outcomes, dates for each activity, and the state of implementation of each activity, among other. A general summary is provided with the progress made on the overall plan. This dashboard provides valuable data to monitor the implementation of the plan.  **Mexico’s** Open Government Metrics were developed by the Centre for Economic Research and Teaching (CIDE) and were based on an initiative of the National Institute for Transparency, Access to Information and Personal Data Protection (INAI). The metrics are designed as a baseline to measure the current state of the National System of Transparency, Access to Information and Protection of Personal Data (SNT) and its open government and transparency policies. Aiming to be an “x-ray of the starting point of the open government policy of the Mexican State” at the national and subnational level, its focus goes beyond measuring the compliance with regulations, and aims to capture performance information on the outcomes of open government and transparency policies from the perspective of both government and citizens. The metrics start with an operational definition of open government structured around two dimensions: transparency and public participation. Each dimension is approached from two perspectives: government and citizens. The Metrics survey included a sample of 908 governmental bodies at the national and subnational level; 754 portals were reviewed and 3 635 requests for information were sent. The resulting Open Government Index of Mexico was 0.39 (on a scale of 0 to 1). The index showed that the transparency dimension has a much higher value (0.50) than the participation dimension (0.28).  **Argentina** has integrated the monitoring and evaluation of its open government initiatives into the wider framework provided by the State Modernisation Plan (adopted in 2016). Under the leadership of the Office of the Chief of Cabinet of Ministers, the Government Secretariat of Modernisation has developed an integral system to standardise planning, monitoring and evaluation in cooperation with all line ministries. This system contains several dashboards to monitor the progress on open government initiatives, namely the Results Management Dashboard (Tablero de Gestión por Resultados), the Integral Management Dashboard (Tablero de Gestión Integral) and the Strategic Monthly Report (Informe Mensual Estratégico). With these tools, the public can track the development and implementation on key open government initiatives, such as the follow-up of the third OGP Action Plan. In addition, to offer citizens the possibility to assess efforts in implementing priority projects, a Citizen’s Dashboard was launched in 2018. The five key areas that the dashboard covers are open government, public employment, digital government, digital inclusion and connectivity. It includes information on 20 different projects, informing about their content, impact and progress with process and output indicators.  Sources: OECD (2019a), *Open Government in Argentina*, OECD Public Governance Reviews, OECD Publishing, Paris, https://doi.org/10.1787/1988ccef-en. ; OECD (2019b), *Open Government in Biscay*, OECD Public Governance Reviews, OECD Publishing, Paris, <https://doi.org/10.1787/e4e1a40c-en>; Open Data Initiative of the Government of Spain (n.d.), <https://datos.gob.es/en> |

Lebanon has put in place an M&E system in the public administration, which builds on internal monitoring and M&E conducted by an external institution, namely the Central Inspection Board (CIB).

The internal monitoring system is based on key performance indicators (KPIs) and Sub-KPIs, as is for example used for the digital transformation strategy and the action plan for the implementation of the access to information law. Some of these KPIs refer to open government indicators such as “inclusive citizen/customer-oriented policy making” according to the OECD Survey. Table .1. shows the KPIs prepared for Citizens Centricity in the framework of the Digital Transformation Strategy.

Table .1. Extract from the draft Key performance areas and sub-areas of the Digital Transformation Strategy

Key performance area: Citizens Centricity

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| Citizen Experience with Government Services | Measure and monitor the level of citizen satisfaction with their experience using the government services. | | | |
| Online Availability of Citizen Services | Assess the availability of citizen digital services online 24x365 | | | |
| Tell Us Once, Not Often | Citizens should provide information only once and must not be requested to enter the same information time and time again. | | | |
| Citizen Participation and Engagement | Measure and monitor the level of citizen participation and engagement in digital transformation projects and services. | | | |
| Quality of Citizen Online Interactions | Assess and monitor the quality of citizen interactions with the offered government digital services. | | | |
| Citizen Channel Shift to Digital Services | Monitor the volume of citizen transactions shifted from traditional channels to digital service channels. | | | |
| Citizen Access to Information | Assure easy unhindered access for citizens to needed information. | | | |
| Data Governance and Classification | Data must be classified properly so that they can be protected. Access is governed based on pre-established classification criteria. | | | |
| Transparency and Accountability | Citizens must have access to government digital services in a transparent and predictable manner. | | | |
| Consistency in Obtaining Citizen Services | Monitor the consistency in obtaining citizen services to ensure transparency and fairness. | | | |

*Source*: (Government of Lebanon 2019)

OMSAR is supporting the public administration in applying these KPIs, in building capacities of public officials and inspectors, and is currently automating the methodology through the development of a Web-based solution, which should facilitate the reporting to the CIB. OMSAR also intends to create sectoral and organisational Performance Planning and Monitoring Units in all institutions. However to date, the public administration still faces challenges in monitoring its activities due to insufficient expertise and resources in the field. There is equally a lack of reliable data, publication of results could become a more common feature and engaging citizens in the process is rare. OMSAR itself has however conducted citizen satisfaction surveys on e-government services in 2013 and surveys to prioritize digital transformation projects in 2019 according to the OECD Survey. This is a practice other institution could build on and whose results should be made publicly available. Given OMSAR’s role with regards to open government and supporting the public administration on M&E, OMSAR could work with those ministries to be involved in the open government sub-committee on building an M&E culture, expertise and indicators for the open government initiatives included in the open government action plan. The existing e-learning platform (see Chapter 4) could be complemented with a course on M&E focusing in particular on M&E of open government initiatives and stakeholder engagement in M&E.

As per decree number 11/99999, all ministries and government entities should submit annual reports to the CIB, which then assesses the results of the institutions. OMSAR, together with the Board, is currently enforcing this with 6 pilot ministries. One of the key performance indicators (KPI) that should be included in these reports relates to open government according to the OECD Survey. In order to strengthen M&E of open government initiatives, OMSAR and the CIB could enhance their expertise in this field, develop specific indicators, building upon the existing KPIs, that evaluate the process, output, outcome and impact of open government initiatives. Such a pilot project could focus on the open government initiatives to be included in the open government action plan.

The Figure .1 provides for an example how such an evaluation system could look like and what the associated indicators would be.

Figure .1. Examples of indicators associated with an open government initiative



*Source:* (OECD 2019)

However, according to interviews with the CIB and other actors, the CIB as well as other control bodies are lacking capacities to effectively control the public administration. While it is important to reinforce their capacities, involving stakeholders in M&E could also support a more effective monitoring and evaluation of open government initiatives. In fact, in several OECD countries, civil society organisations are members of the open government steering committee, which enables them to monitor the implementation of initiatives. Box .2 shows the example of Spain who is enabling citizens to contribute to monitoring.

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| Box .2. Spain’s involvement of stakeholders in monitoring of open government initiatives  Spain established a dashboard for monitoring its third open government action plan. The progress made is updated every three months in all the available categories, including axis, commitment and category. Also, stakeholders can provide comments through a questionnaire available for each commitment. The dashboard provides detailed information on the progress, including briefing notes, outcomes, dates for each activities, and the state of implementation of each activity, among other. A general summary is provided with the progress made on the overall plan. This dashboard provides valuable data to monitor the implementation of the plan.  Source: Transparency Portal of Spain “Compromisos del III Plan de Gobierno Abierto” as in (OECD 2019) |

## Recommendations:

* **Continue the efforts to strengthen Lebanon’s M&E system** by automating the process and providing capacity building to the public administration.
* **Apply open government principles to the M&E system,** by systematically publishing the results of M&E, including the results of the different institutions and that of the CIB and by engaging stakeholders in M&E.
* **Build an M&E culture and system about open government initiatives,** by developing indicators for the open government initiatives included in the future open government action plan and in working with the public administrations involved in the future open government sub-committee and the CIB. This could be complemented by an M&E learning course with a focus on open government and stakeholder engagement to be included in the e-learning platform hosted by OMSAR.

# Communication and information

## Public communication as an essential part of open government initiatives

Public communication is a means for government to not only inform citizens but also to interact with them. It enables the latter to be informed about policies and reforms that affect their lives and become engaged in policy making processes. “When delivered strategically public communication can support better policy making and service delivery, as it raises awareness about reforms and helps to change behaviour” (OECD 2019). Therefore, communication is an essential part of open government initiatives as it can promote greater transparency, participation and accountability. In fact, provision 6 of the OECD Recommendation calls upon adherents to “actively communicate on open government strategies and initiatives, as well as on their outputs, outcomes and impacts, in order to ensure that they are well-known within and outside government, to favour their uptake, as well as to stimulate stakeholder buy-in” (OECD 2017). Yet, the importance of public communication is still not fully recognised, for example only 10% of surveyed Centres of Government list the promotion of transparency and stakeholder participation as a key objective of their communication strategy (OECD 2018).

Strategic communication can be characterized as a driver towards more effective communication. It is typically planned and coordinated at senior management levels within specialized units. Strategic communication structures have defined functions that enable an integrated and organized communication activity, which facilitate greater stakeholder engagement to help shape organizational goals. Such activities are undertaken by skilled professionals, who occupy positions at various levels of organizational charts. Mechanisms to assess the effectiveness of communication activities with measurable outcomes are also envisioned under strategic communication activities together with the employment of digital technologies to facilitate stakeholder engagement.

## Communication and information efforts in Lebanon

Lebanon has not introduced reforms for public communication or set out an overall vision that aims to promote effective communication between the government and the public. Yet, in the framework of the ongoing open government reforms, OMSAR as well as the Prime Minister’s office have been conducting efforts to integrate communication and information practices more strategically.

### Few institutional communication structures exist

In Lebanon, organizational charts of most ministries and public institutions do not include a dedicated unit for communications. As such, administrations in the country do not have public communication officers nor communication units within their agencies. Such functions remain centralized and managed by senior leadership: For instance, ministers are the official spokespeople and communications activities need to be cleared by the minister first[[3]](#footnote-4).

Most ministers hire media advisors when they take office, with the exceptions of a few ministries and public institutions, such as the Ministry of Social Affairs and the Institute of Finance, which have media units. These media advisors are most often political appointees that do not fall under the permanent civil servants’ category. Budgets for communication activities are either very limited or do not exist at all. Alternatively, some ministries hire communication officers for donor-funded projects, which also support in covering the activities of the ministry. Another common pattern observed in ministries is the assignment of communication functions to either Information Technology (IT) personnel or employees in charge of e-services units[[4]](#footnote-5).

Scarce funding deters stability and continuity in the planning of communication functions. As a result, specialized trainings for skills development in communications have not been conducted so far for public sector employees. As public communication is not institutionalized, no legislations or policies have been promulgated to regulate this area. The main roles of media and communication advisors, commonly recruited by ministers are mainly limited to media relations and media campaigns. Such roles remain circumscribed to developing messaging and do not include citizen insight research for engagement.

As highlighted in Chapter 4, the ongoing mapping exercise by OMSAR and the Civil Service Board to outline the organizational charts that need to be amended as well as assess the administrative needs of each public entity[[5]](#footnote-6) could be an opportunity to introduce public communication structures and functions in the public administration. Organizational charts of public administrations in the country have not been reviewed since their establishment, for most of the public institutions. Breakthroughs in Information and Communications Technology (ICTs) have increased pressures on administrations to become more agile and citizen-centric. In light of these continuous ICT changes, administrations are expected to continue the cycles of reflection and reorganization. Indeed, as communication channels and objectives have become more complex, with the development of social media and citizen engagement targets, organizational structures have become more specialized in various countries (Sanders & Canel 2013). One such example is the model of the United Kingdom, which have developed a Government Communication Service (GCS). It is one of 14 functions that operate across the Civil Service and brings together over 4,000 professionals across 25 ministerial departments (UK Government 2019). Briefly, GCS staff are in charge of implementing campaigns, evaluating their outcomes, using technology to gain audience insights as well as promote internal communication amongst government agencies (UK Government 2019).

As mentioned, the ongoing review of organizational charts of the whole administration in Lebanon provides a great momentum to institutionalize public communication across the government. The re-design could introduce communication units across ministerial departments and public entities, creating thereby the institutional structure for outreach activities and greater internal coordination amongst the administration. With respect to open government initiatives, the structures and particularly the communication officers play an important role. Therefore, their capacity and awareness in transparency and two-way communication should be fostered through capacity building activities and guidelines.

The use of social media is of particular importance in this context. With 56% of the Lebanese population on Facebook (Salem 2017), the use of social media could become a widespread tool to proactively inform citizens. Its ability to engage in a two-way conversation can further enhance open government principles, yet at the same time social media also bears risks related to hate speech and disinformation. Accordingly, governments are encouraged to put in place policies and guidelines for the use of social media in public communication. OMSAR has taken first steps in setting-up communication in favour of open government through its Twitter account (@OmsarGov) and the corresponding hashtags (#OpenGov or #OpenGovLeb) and its Facebook Account. Integrating these communication efforts strategically in the open government agenda and providing training and guidelines on the effective use of social media could contribute to greater transparency and dialogue.

### Current information and communication efforts regarding open government initiatives

Another critical aspect to using communication to enhance open government is the proactive disclosure of information, which is foreseen by Lebanon’s Access to Information Law (see Chapter 3). The effective communication and disclosure of government and public administration information depends however on the policies in place. In this sense, the OECD Recommendation suggests to “proactively make available clear, complete, timely, reliable and relevant public sector data and information that is free of cost, available in an open and non-proprietary machine-readable format, easy to find, understand, use and reuse, and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders” (OECD 2017).

Lebanon has undertaken some efforts in this regard, while some major impediments still exist. These concern for example accessing the official gazette which is not free of charge. As described in Chapter 8, Parliament however publishes the laws as adopted by them. To enhance transparency, Lebanon could consider making the official gazette freely available. OMSAR in the framework of the Digital Transformation Strategy, is also undertaking efforts for proactive disclosure. Under Action 9 of the Strategy, the government vows to establish an open data platform [www.data.gov.lb](http://www.data.gov.lb) that will enable government entities to publish high quality open datasets. Under this commitment, the government also promised to develop a platform [www.gov.lb](http://www.gov.lb) that will be devoted to the publication of government information in order to enhance citizens’ access to information (Government of Lebanon 2019). In line with these efforts, an e-procurement portal is also under development, but is awaiting the necessary legal framework to become operationalised. The digitalisation of the administration and building the necessary skills are however preconditions to render these portals effective.

Furthermore, the Central Administration for Statistics (CAS) could play a significant role in ensuring that public entities become more transparent and provide citizens with evidence-based information to promote a well-informed public debate. CAS is a public administration that falls under the Presidency of the Council of Ministers. Its mission is to collect, produce and disseminate social and economic statistics as well as conduct technical supervision of statistics produced by other ministries to harmonize methods. In addition, CAS is responsible for gathering datasets of all public administrations: Every three months, each ministry should send all its datasets to CAS for archiving. More recently, CAS started producing time series with 11 time series databases currently regularly updated on its website. However, the Administration does not have a media or communication department nor a strategy to increase traffic to its website. Also, many of its data are not in open formats (mostly PDF format), which goes against the principle of open data that aims to facilitate re-use.

**Budget transparency**

A major policy document providing information about the government’s priorities and actions is the budget. Lebanon lived through a particular situation as the country did not adopt a budget law from 1997 until 2016, with the first budget law being adopted again in 2017. The Ministry of Finance has undertaken an enormous effort to reconstruct all budgets, which were sent to the Court of Audit, which is suffering from shortage of staff, for auditing and to Parliament to close the budgets. These budgets have however not yet been audited nor closed and are not accessible to the public. The only budget that has been audited is the 2017 one, however it was neither discussed in Parliament nor made available to the public. Encouraging the publication of these documents would greatly enhance transparency and enable citizens to control government action.

The Ministry of Finance with the support of the Institute of Finance has undertaken efforts to strengthen budget transparency, publishing the adopted Budget Law and producing Citizens Budgets for 2018 and 2019. While a Citizen Budget is recognised internationally as a means to facilitate citizen’s understanding of the state budget, civil society’s ability to play a watchdog function and be adequately informed about the government’s policies would be enhanced if the budget was published in an open data format (in the long-term also on the open data platform) and would include explanations about budget choices and their objectives. The ongoing elaboration of the 2020 budget could present an opportunity to adopt new transparency and communication measures. The budget is being produced for the first time to respect the 1 year rule and tries to be more exhaustive, even though it is not yet entirely comprehensive (for example Électricité du Liban is not properly featured). The draft budget was sent to the Council of Ministers, who will send it to Parliament for adoption. In line with best practice and the International Budget Partnership standards, the Ministry of Finance could consider publishing the draft budget.

## Recommendations:

* **Creating public communication structures, officials and a network uniting communicators across the administration** and provide them with training on information and communication practices with regards to open government and the use of social media
* To enhance transparency, Lebanon could consider **making the official gazette freely available**.
* Move forward the efforts to **digitalise the administration and make public information readily available, in an open data and easily accessible format, on the online portals** ([www.data.gov.lb](http://www.data.gov.lb) and [www.portal.gov.lb](http://www.portal.gov.lb)) and the institution’s own portals, while communicating proactively about their publication.
* Adopt international practices with regards to budget transparency in **publishing the draft budget law, the audit report and the budget law in an open data format**.

# Participation practices and innovation

## OECD principles

One of the core principles of an open government culture is stakeholder participation. This refers to “all the ways in which stakeholders can be involved in the policy cycle and in service design and delivery” and can include different levels of participation, including:

* **Information**: an initial level of participation characterised by a one-way relationship in which the government produces and delivers information to stakeholders. It covers both on-demand provision of information and “proactive” measures by the government to disseminate information.
* **Consultation**: a more advanced level of participation that entails a two-way relationship in which stakeholders provide feedback to the government and vice-versa. It is based on the prior definition of the issue for which views are being sought and requires the provision of relevant information, in addition to feedback on the outcomes of the process.
* **Engagement**: when stakeholders are given the opportunity and the necessary resources (e.g. information, data and digital tools) to collaborate during all phases of the policy-cycle and in the service design and delivery (OECD 2017).

The reasons why governments adopt participatory approaches and the objectives they aim to achieve vary, but generally include instrumental benefits, which refers to creating better results such as an improved policy, law or service, and intrinsic benefits which refers to an improved process which is more legitimate, transparent, accountable, and inclusive, thereby contributes to building trust, strengthening social cohesion and enhancing representative democracy (OECD 2016). In this sense, the OECD Recommendation affirms “that stakeholder participation increases government accountability, broadens citizens’ empowerment and influence on decisions, builds civic capacity, improves the evidence base for policy-making, reduces implementation costs, and taps wider networks for innovation in policy-making and service delivery.”

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| Box .1. Benefits of consultation   * Transparency and access to information: Public consultation can increase the transparency of the rule-making process because stakeholders have access to the process itself, as well as to timely and relevant information about the proposed legislation. Consultation therefore contributes to equal access to information. * Added value: The public is a rich source of instant and updated information. It is the driver of innovation, and public consultation enables policy makers to make use of the public’s precious experience and knowledge. * Alienation and connectivity: Public engagement in rule making can raise support for regulations, as citizens feel connected to the policy-making process. Disenchantment with politics bears the risk of declining support for reform, and for undermining public confidence and trust in national political institutions. * Increased compliance: Engaging the public and striving for consensus can help to increase the social acceptance of regulations. It can contribute to greater compliance and, therefore, reduce enforcement costs. * Regulatory literacy: Stakeholders will learn about the complexities of setting regulations, finding compromises and trade-offs. Open government illustrates to the public the constraints and limitations faced by authorities. Public consultation therefore promotes public education on rule making, and provides stakeholders with a chance to increase their regulatory literacy. * Anticipating the impact: Public consultation is necessary to anticipate the likely impact of the regulation on stakeholders, contemplate unintended consequences and consider alternatives to the proposed regulatory option. * Managing conflict: Public consultation provides a mechanism to manage conflicts at an early stage. Engaging the public in rule making is one tool for mediating among various interests in society and increasing awareness of compromises. * Pursued public interest: Quality regulations are based on public interest. Yet, public interest is not static – but a dynamic concept that needs to be continuously defined. Naturally, the definition and pursuit of public interest can only take place through a dialogue with the public.   *Source:* (OECD 2012) |

The objectives to be achieved also vary according to when in the policy-cycle stakeholders are engaged. As Figure .1 shows, stakeholders could be involved at several stages ranging from the definition of priorities to the evaluation of the policy. Data from OECD countries shows however that governments most often open the policy cycle to input at the phase of drafting a policy and when seeking feedback on a policy or service (OECD 2016).

Figure .1. Policy-Cycle



*Source*: (OECD 2016)

Finally, and in line with the three levels of participation, governments have a variety of tools and means to engage stakeholders. The appropriate choice of the engagement tool depends on the objectives to be achieved, the question at hand as well as the stakeholders to be involved. In most cases, a mix of several tools is most appropriate to receive diverse input and to ensure that citizens can participate in their preferred way. Box .2. highlights a set of tools available. Further examples can also be found on the OECD Open Government Toolkit Navigator[[6]](#footnote-7).

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| Box .2. Participatory tools  There are a wide variety of participatory tools available to governments which can enhance information, consultation and engagement of stakeholders. A combination of several tools is most likely to achieve an inclusive approach to participation, enabling stakeholders to participate in their preferred ways. Some examples include:  **Citizen newsletters**: This is an information tool mostly shared by email to which citizens can subscribe if they are interested in receiving regular updates on policies, events and participation opportunities. The city of Barcelona and of Paris are offering such a tool.  **Online consultation and idea suggestion platforms**: Such online consultation tools offer a variety of opportunities for citizens to participate. This can include the publication of policies or laws for an online consultation as well as an “idea box” where citizens can proactively provide ideas for new policies or laws. Some open-source platforms are available such as “Consul” used by the city of Madrid.  **Town hall meeting** is an opportunity for citizens and the government to dialogue. It is often a physical meeting where citizens can question government on specific topics or discuss a specific policy.  **Participatory budgeting** first used in Brazil is an engagement tool. The objective is to enable citizens to decide upon the spending of a specific percentage of the investment budget. Several hundred cities around the world are applying this tool and the government of Portugal is also applying it at national level. Generally, the process includes several stages: idea suggestion where citizens propose projects, an assessment of these proposals by the government (assessing feasibility) and a voting stage where citizens decide which projects will be implemented.  **Advisory councils** “are composed of representatives of public interest, who are appointed by government bodies, with the aim of ensuring broad representation and providing a forum for ongoing consultation”. Mostly they are thematic focused, such as youth councils or elderly councils.  **Citizen assembly** is another form of engagement. Citizens are randomly selected and meet generally over several days or weeks to deliberate on a specific policy issue. They receive input and ideas from a selection of experts to enable an informed decision making process. The assembly’s recommendations can be put up for a referendum, parliamentary debate or be the basis for a government’s policy. Ireland used this approach on abortion and France on climate policy.  **Hackathons** are a co-creation tool based on collaborative computer programming. They often involve engaging stakeholders to find innovative solutions to societal issues. The government of France for example organised a Hackathon based on the data collected through the Grand Débat.  Source: Author’s own creation, (OECD 2001) and (Participedia n.d.) |

## Participatory practices in Lebanon

As outlined, even though there is no legal requirement for stakeholder participation, the government of Lebanon has committed to open government reforms and thus to engaging citizens and other stakeholders in the policy-cycle. These efforts are implemented in a challenging environment, which is characterised, according to the OECD Survey, by distrust between government and civil society and a still too widespread culture of secrecy, with for example cabinet meetings and parliamentary sessions being held behind closed doors. Despite this situation, Lebanon can build on several positive experiences in engaging stakeholders, which have resulted in a more trusting relationships between the ministries and civil society organisations concerned.

Notably, these experiences include the process to draft the national anti-corruption strategy. The Technical Anti-Corruption Committee made up of several state institutions led the work and consulted with various stakeholders including parliament, civil society, the private sector and trade unions as well as with UNDP Regional Project on Anti-Corruption and Integrity in the Arab Region. The strategy itself includes as its 6th Outcome “enhancing the participation of society in promoting a culture of integrity” through awareness and educational programmes targeting the wider public, encouraging NGOs to play a role in particular “in all aspects of the national strategy: preparation of public policies and strategies, proposals of projects and laws, monitoring and evaluation of public affairs and public administrations.” This also includes strengthening journalists’ capacity to support the fight against corruption. Similarly, the elaboration of the national action plan for the implementation of the access to information law saw the active participation of civil society, media and academics in the drafting process and their involvement in the implementation is equally foreseen (see Chapter 3). Lebanon could build on these positive examples to set-up a more regular and institutionalised engagement with civil society actors in the field of public governance and open government more specifically, establishing, as mentioned above, an open government stakeholder forum.

This forum could build upon the experiences of the national committee set up to oversee the implementation of the SDGs and should interact with it. The committee was formed in 2017, is chaired by the prime minister and includes more than 50 state officials, as well as two representatives from the private sector and two from civil society, namely the Hariri Foundation for Sustainable Human Development and Caritas Lebanon. It is a coordinating body for the SDGs, shall raise awareness about them and ensure that the SDGs are integrated into national policies and programmes. The committee presents a means to institutionally involve civil society in the SDG process. While it only includes two large organisations, these organisations conducted a series of national consultations and workshops with more than 300 civil society representatives. The committee has several working groups, including a thematic group on peace, which is responsible for the implementation of SDG 16 on peace, justice and strong institutions and which is led by OMSAR (Lebanon: Voluntary National Review on Sustainable Development Goals 2018). As SDG 16 calls for the implementation of open government principles, this thematic group should be involved in any coordination or consultation mechanism to be set up for open government reforms.

Another consultative process conducted which can be an inspiration for further participatory approaches, is the public consultation conducted by the Lebanese Petroleum Association. In line with the legal requirements, the Lebanese Government commissioned a Strategic Environmental Assessment (SEA) for the Exploration and Production Activities Offshore Lebanon in 2011 which was published in 2014. As the first assessment relied on limited consultation with different ministries and provided for no involvement of civil society (Lebanese Oil and Gas Initiative 2017) the Lebanese Petroleum Association, following civil society advocacy, organised a public consultation in 2019. The public was able to submit written comments during a period of 7 weeks on the draft SEA. This online consultation was complemented by five public consultation sessions in Beirut, Tripoli, Byblos, Saida and Naqoura (Lebanese Petroleum Administration 2019). The revised SEA has not yet been published at the time of writing.

The above mentioned examples could provide a basis to elaborate the suggested guidelines on stakeholder engagement (see Chapter 3), in order to further institutionalise consultative and participatory approaches in policy-making.

## Using e-democracy tools

The Digital Transformation Strategy and its Action Plan also put an important emphasis on stakeholder participation. It notes that most governmental entities currently do not engage citizens in the design of their digital services and therefore it aims to encourage the public administration to “engage with citizens and get their feedback through a variety of different digital platforms and traditional methods like events, town hall meetings, and conferences.” Citizens and other stakeholders shall be consulted in the design and rollout of different services and for the development of new technologies such as Blockchain and Artificial Intelligence. As Box .3 shows, the Action Plan foresees an awareness campaign for citizens and the development of e-participation tools. In order to measure the success, the key performance indicators include citizen and business participation. The use of e-democracy tools is a common feature in OECD countries. Their success depends however on the uptake of these initiatives by citizens, whereby reaching a diverse audience is a challenge, as well as on the back office and feedback loops, to ensure that stakeholders receive information on how their input was used or why it was not taken into account. Lebanon could therefore consider adopting an inclusive and collaborative process, including stakeholders inside and outside the public administration, in the design and roll-out of the e-participation platform. The government should equally consider combining these efforts with offline participation opportunities.

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| Box .3. Extracts from Lebanon’s Digital Transformation Strategy  Under the pillar “people” the strategy foresees to develop among others, the following two actions.  **Citizen Awareness Campaign**  The following are the suggested tools and activities:   * One national campaign that reinforces the trust of citizens in the government as a modern, beneficiary-centric public authority that provides high quality e-services to its citizens professionally and efficiently; * Public service announcements, e.g. educational awareness videos, posters, and billboards; * Annual surveys to measure citizen satisfaction with the services that government entities offer; * Social Media engagement to reach out to the youth and next generation of citizens; * Interactive, modern, updated, and mobile-responsive unified portal; * Media and press engagement; * Awareness sessions in schools, universities, professional organizations, trade unions, and NGOs; * Online mechanisms, such as Issue Tracking Systems (ITS), provided for citizens feedback and exchange.   **E-Participation**  Below are suggested initiatives for e-participation:   * Establish a platform for e-participation. * Launch an information campaign, advertising in several media, social media, newspapers, education on several issues, e.g. eServices and how to use them, benefits of digital transformation, security, and more. Social media campaigns include Like/Dislike or quick surveys. * Establish a digital transformation website and social media to inform the public about issues related to digital transformation. * Create incentives for using e-services and encourage feedback by having prizes, competitions, and special features.   Source: (Government of Lebanon 2019) |

## Inclusive legislative processes

In some cases, civil society associations drafted laws and bills on crucial matters and presented them to the concerned authority and/or institution. Examples include the access to information law. To further encourage stakeholder participation in the legislative process, Lebanon could also consider including a dedicated section in the planned e-participation platform for the consultation process of draft laws. In fact, in 25 OECD countries[[7]](#footnote-8), a participatory process is mandatory for all primary laws and in 20[[8]](#footnote-9) for all subordinate regulations whereby draft laws are generally posted for 4 weeks for consultation (OECD 2018). In France, the website [https://parlement-et-citoyens.fr](https://parlement-et-citoyens.fr/) enables citizens to participate in the drafting process of laws that are currently being prepared by Parliament and in most EU countries a central website for consultation of draft laws by the administration exists. Table .1 enumerates some examples:

Table .1. Selected consultation portals

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| Austria | Since September 2017, all draft primary laws are available on the [website of Parliament](https://www.parlament.gv.at/PAKT/MESN/) together with a short description of the legislative project in accessible language, the RIA and other accompanying documents. The public can submit comments on the draft regulation or support comments made by others online. |
| Croatia | On the interactive consultation [portal e-Savjetovanja](https://savjetovanja.gov.hr/), major draft regulations are published for  consultation for a minimum of 30 days. The website allows the public to provide general feedback on the draft or to provide comments on the individual articles of a draft regulation. The comments are publicly displayed alongside the draft, allowing other members of the public or policy makers to react. For major draft primary laws, RIA statements are also made available for comments. |
| Estonia | The [Electronic Coordination System for Draft Legislation](http://eelnoud.valitsus.ee/main#v9VrpqB6) (EIS) tracks the development of all Estonian and EU draft legal acts, and makes available RIAs and documents of legislative intent (describing the problem to be addressed, analysing policy options and determining initial likely impacts). The website [www.osale.ee/](http://www.osale.ee/) is an interactive website of all ongoing consultations where every member of the public can submit comments on legislative proposals or other policy documents prepared by the Government and review comments made by others. EIS and www.osale.ee/ are linked, i.e. EIS takes into consideration opinions submitted via www.osale.ee/ and provides a direct link to them. |
| Greece | The Greek Government publishes draft laws and explanatory material on its [central consultation portal](http://www.opengov.gr/home/category/consultations) to the general public. It allows the public to comment separately on individual proposed clauses in a virtual ‘discussion room’ where members of the public and policy makers can react and add further comments. Comments received during the consultation period are presented to the Greek Parliament, along with the draft law and other relevant materials. |
| Netherlands | Major draft regulations are published on the Dutch central consultation portal <http://www.internetconsultatie.nl/> , with the possibilities for the public to visibly publish comments on the drafts as well as a summary of the impact assessment. The use of the website has been further promoted in recent years and is more frequently used to consult also on policy documents informing about the nature of the problem and possible solutions. |

*Source*: (OECD 2019)

However, it should be noted that in OECD countries consultations on draft laws do not occur solely on an online portal but are combined with other forms such as informal consultations, advisory groups, formal consultations with social partners and physical public meetings among others (OECD 2018). Economic and social councils play a vital role in the consultation with social partners. In this sense, it is timely that Lebanon aims to reinforce the role of its Council in consultation with social and economic actors and appointed new members (Lebanon: Voluntary National Review on Sustainable Development Goals 2018).

## Citizen feedback and complaints mechanisms

Enabling citizens, but also businesses to submit complaints about the public administration is another way of involving stakeholders in improving policies and services, and also a means to interact with them directly and solve individual grievances, which can lead to improving trust in the public administration. In Lebanon, as there is currently no Ombudsman Office – despite the adoption of law 664 of 2015 – which is still awaiting its implementation and whose implementation is included in the National Anti-Corruption Strategy, the Central Inspection Board (CIB) receives complaints from citizens. The CIB’s function is to monitor the actions of the public administration and propose improvements. Any citizen can “lodge a complaint against any public administrative department that is submitted to the authority of the Central Inspection or against the employees and workers of that department”[[9]](#footnote-10). Complaints can be submitted in person in the office in Beirut, which also provides for the possibility to submit anonymous complaints, via the website of the CIB or via its mobile application. The CIB through the information and data it collects on the functioning or malfunctioning of the public administration therefore plays a vital role for open government reforms as it can advise the public administration on reforms to undertake. In order to enable citizens and other stakeholders, such as the media and civil society, to play their role as a watch-dog and promote reforms, the CIB could also consider publishing data about its investigations, such as aggregated data about complaints highlight the themes and institutions concerned. In order to further facilitate the submission and follow-up of complaints and still improve the quality of public services, the CIB could also envisage facilitating direct contact between the citizen and their administrations. For instance, in Morocco, the national portal "chikaya.ma" (launched in January 2018) has enabled citizens to file complaints identifying the organization concerned, and to contact the administration and make suggestions for improving public service provision. Citizens can also express their level of satisfaction after their issue is addressed. For its part, the administration commits to address their complaints within defined deadlines.

OMSAR has also conducted first steps towards engaging stakeholders in improving quality of public services and in enabling them to provide feedback. In this sense, OMSAR conducted two polls in 2019 on its website, one regarding the importance of interacting with public and private sectors using a Digital ID and one regarding prioritisation of digital services according to the OECD Survey. This is an important step to involve stakeholders in policy and service design. Its ability to strengthen citizen confidence depends however on the feedback loop. Therefore it would be advisable that OMSAR informs about the outcome of the polls and how it has been used to transform/inform policy-making.

## Recommendations:

* Set-up a more **regular and institutionalised engagement with civil society actors** in the field of public governance and open government more specifically, establishing, as mentioned above, an open government stakeholder forum. The forum should involve the thematic group on peace of the SDG committee, as it is responsible for the implementation of SDG16, which is directly linked to open government reforms and presents a possibility to engage several actors, including civil society.
* **Adopt an inclusive and collaborative process in the design and roll-out of the e-participation platform** by involving stakeholders inside and outside the public administration. The government should equally consider combining these efforts with offline participation opportunities. Lebanon could also consider including a dedicated section in the planned e-participation platform for the consultation process of draft laws.
* **Strengthen stakeholder feedback and complaints mechanisms** in further developing the interface between administration and citizens and allow direct contact with relevant institutions, Such initiative should facilitate complaint, processing, case by case communication and the provision of systematic feedback. The interface should also be able to provide an overview of the indicators and figures related to complaints received and addressed.

# Open state

Open government is a culture of governance that does not only apply to the executive branch of the state but can apply to all state institutions. Despite most open government initiatives worldwide focusing on the executive, countries are designing specific strategies and initiatives for an “open judiciary”, “open parliament”, “open sub-national government” and “open independent institutions” or are even adopting an open state approach. Costa Rica for example signed the first-ever Declaration for the Creation of an Open State in 2016 and Colombia is the first country to elaborate an Open State Policy (OECD 2019). An open state is, according to the OECD Recommendation, “when all public institutions of the executive, parliament and the judiciary, independent public institutions, and all levels of government join forces and collaborate with civil society, academia, the media and the private sector to design and implement a reform agenda to make public governance more transparent, accountable and participatory.”

The OECD therefore recommends that states “promote a progressive move from the concept of open government toward that of open state, while recognising the respective roles, prerogatives and overall independence of all concerned parties.”

In Lebanon, the Prime Minister and the Minister of State of administrative reform are currently leading the country’s open government reform efforts. However, in addition to the executive, open government initiatives can be found at the sub-national level. As chapter 10 shows, notably the municipalities of Shweir and Byblos have been adopting some initiatives to promote the principles of transparency, stakeholder participation, integrity and accountability.

Lebanon’s Parliament also plays a crucial role in the open government efforts, as on the one hand it is the place that has been and will be adopting key legislation related to open government principles, and on the other hand, as it can be a means to engage stakeholders in policy-making and legislative deliberations. In fact, greater openness of Parliament would enable stakeholders to participate in the law making process and in holding government to account (OECD 2016). The Declaration on Parliamentary Openness (see Box .1) provides a set of principles that can guide Parliaments in strengthening openness.

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| Box .1. Declaration on Parliamentary Openness  The declaration was elaborated through an inclusive and open process and is a call by civil society parliamentary monitoring organisations for greater openness. It was adopted in 2012 and provides for principles that legislative bodies can follow to strengthen their openness.  **Promoting a Culture of Openness**  1. Recognizing Public Ownership of Parliamentary Information  2. Advancing a Culture of Openness through Legislation  3. Protecting a Culture of Openness through Oversight  4. Promoting Civic Education  5. Engaging Citizens and Civil Society  6. Protecting an Independent Civil Society  7. Enabling Effective Parliamentary Monitoring  8. Sharing Good Practice  9. Ensuring Legal Recourse  10. Disseminating Complete Information  11. Providing Timely Information  12. Ensuring Accurate Information  **Making Parliamentary Information Transparent**   1. Adopting Policies on Parliamentary Transparency 2. Providing Information on Parliament’s Roles and Functions 3. Providing Information on Members of Parliament 4. Providing Information on Parliamentary Staff and Administration 5. Informing Citizens regarding the Parliamentary Agenda 6. Engaging Citizens on Draft Legislation 7. Publishing Records of Committee Proceedings 8. Recording Parliamentary Votes 9. Publishing Records of Plenary Proceedings 10. Publishing Reports Created by or Provided to Parliament 11. Providing Information on the Budget and Expenditures 12. Disclosing Assets and Ensuring the Integrity of Members 13. Disclosing Information on Unethical Conduct and Potential Conflicts of Interest 14. Providing Access to Historical Information   **Easing Access to Parliamentary Information**   1. Providing Multiple Channels for Accessing Information 2. Ensuring Physical Access 3. Guaranteeing Access by the Media 4. Providing Live and On-Demand Broadcasts and Streaming 5. Facilitating Access throughout the Country 6. Using Plain Language 7. Using Multiple National or Working Languages 8. Granting Free Access   **Enabling Electronic Communication of Parliamentary Information**   1. Providing Information in Open and Structured Formats 2. Ensuring Technological Usability 3. Protecting Citizen Privacy 4. Using Non-Proprietary Formats and Open-Source Software 5. Allowing Downloadability for Reuse 6. Maintaining Parliamentary Websites 7. Using Easy and Stable Search Mechanisms 8. Linking Related Information 9. Enabling Use of Alert Services 10. Facilitating Two-Way Communication   Source: (OpeningParliament.org 2012) |

Lebanon has a unicameral system with a National Assembly elected for a term of four years by universal suffrage. The last parliamentary elections were held in 2018, following several years of extended mandates as political tumults and legislative changes were preventing the timely organisation of elections. According to the 1989 Ṭaif Accord, which ended the civil war in Lebanon, parliamentary seats are apportioned equally between Christian and Muslim sects. Similarly, according to an unwritten convention the president of the country must be a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the National Assembly a Shiite Muslim (Ajroudi 2018). This sectarian division of powers and state functions creates a particular situation. As all large political fractions in the country and in parliament are also part of the government and therefore, there is no opposition in Parliament, Parliament’s traditional accountability function is restricted. For example, according to interviews with Parliamentarians, Parliament has only held one session to question government since it was elected in 2018. The questions and interrogations by Parliamentarians are published on the website of the Assembly, however the last update dates back to 2012. Questioning government is a common practice in OECD countries and a key function of Parliament to play its oversight role. The Lebanese Parliament could consider to institutionalise this practice more regularly, as it is allowed as per Article 131[[10]](#footnote-11) of the Rules of Procedure of Parliament[[11]](#footnote-12), and to open up such question sessions to stakeholders in proactively communicating about these sessions beforehand and inviting stakeholders, such as civil society and the media to participate, which can thereby act as watchdogs. In fact, Parliament sessions are public, unless the majority decides to hold them in private at the request of the government or at least five deputies (Article 51, unofficial translation). Similarly, diminishing Parliament’s oversight function, Parliament adopted the 2019 Budget Law without discussing the latest audit report of the budget - the 2017 report. A law was passed to allow for this change in procedure and the 2017 audit report was not made public. As discussed in Chapter 6, the budget is a key tool to decide policy priorities and its transparency is therefore of paramount importance. Accordingly, Parliament could consider discussing the draft budget law and the audit report in public sessions and making all relevant documents accessible to the public. According to the findings of (Gherbal Initiative 2019), Parliament could also enhance its application of the access to information law. Parliament could appoint an official responsible for access to information and provide training and awareness raising about the law and its implications to its staff and the elected members.

Parliament is making first efforts in providing access to relevant information. All laws adopted by parliament are published on their website[[12]](#footnote-13). This is of particular importance, as accessing the law as published in the official gazette is not free. The laws are however only searchable by year and session not by title or topic of law. Parliament could consider making this section of its website more user-friendly. The website includes other features to provide information, such as the members of the parliamentary committees, however also published in a single pdf document[[13]](#footnote-14), the minutes of sessions, however last updated in 2013. The website also includes some information on upcoming meetings of Parliament. It could become a hub for information regarding Parliament’s work through a more user-friendly design and more up-to-date information regarding among others minutes and draft laws under discussion.

In fact, publishing draft laws for public information and even for public consultation is a common practice in OECD countries. As discussed in Chapter 7, Lebanon currently has no institutionalised process to enable stakeholders to participate in the rule-making and legislative drafting process. Parliament could however consider publishing draft laws before they are discussed in Parliament session and inviting stakeholders to these discussions. This is of even greater importance as participation in committee meetings is upon invitation only. According to Article 34 of the Rules of Procedure “the meetings, proceedings, minutes, discussion and voting of the committees shall be held in private unless the committee decides otherwise’ (unofficial translation).

There are ongoing efforts led by the Parliamentarians against Corruption but also in partnership with Westminster Foundation to enhance Parliament’s openness. These efforts include the drafting of a strategic plan for Parliament, which has not been approved yet, as well as suggestions to amend some of the Rules of Procedure to allow for greater openness, participation and digitalisation of the Assembly. As such, Parliament could build on the current moment and the country’s commitment to open government, to advance its own open government initiatives. It could create an informal working group of Parliamentarians and administrative staff committed to open government principles to elaborate an action plan of initiatives to undertake, to disseminate the concept in Parliament and to co-ordinate efforts with the national government. The French and Moroccan Parliament for example adopted their own National Action Plan on Parliamentary Openness, which could serve as an inspiration (see Box.1).

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| Box .1. Parliamentary Open Government Action Plans  **French National Assembly**  France adopted the National Action Plan on Parliamentary Openness within the framework of the Open Government Partnership (OGP) programme in July 2015. The French National Assembly committed itself to strengthening the transparency of the legislative process and increasing the involvement of citizens in the work of the National Assembly. It is important to point out that the National Assembly voluntarily engaged with the government in this process. Furthermore, in July 2017 the Presidency of the National Assembly launched “Rendez-vous des réformes 2017-2022”, a process designed to “modernise the Assembly by making it more transparent, more efficient and more open in its operation”. The resulting second Parliamentary Action Plan includes 17 commitments which are clustered under four axes:   1. **The Comprehensive Approach to Reforming the National Assembly**: “For a New National Assembly: The 2017-2022 Reform Meetings” aims to comprehensively modernise the functioning of the National Assembly through the application of an open, participatory and transparent methodology. 2. **Transparency and openness**: Reporting on the functioning of the National Assembly is a fundamental principle that builds trust between citizens and their elected representatives. Commitments essential to the re-establishment of strong links between the institution and civil society are presented, including the open source publication of the National Assembly’s source codes or the publication of new datasets on the open data platform. 3. **Citizen participation**: This section presents four commitments that aim to enable citizens to participate more actively in the functioning of the National Assembly, whether at work or using the data it produces and disseminates (open data) via the development of citizen consultations, for example. 4. **Better publicising parliamentary work**: Different institutional actors are responsible for bringing parliamentary work to the attention of citizens. Members of Parliament and the National Assembly must also exploit the possibilities offered by digital technology to communicate their actions by offering training in the use of new technologies or by diversifying the institution’s digital communication.   **National Action Plan of Morocco’s House of Representatives (2019-2020)**  In line with the Constitutional principles, Morocco’s House of Representatives initiated a reform process to modernize its working methods and ensure greater openness and communication with citizens. Therefore, Parliament decided to participate in Morocco’s OGP process and included several commitments in the OGP Action Plan.  The commitments include:   * Implementing the constitutional and legislative provisions on citizen and participatory democracy * Involvement of citizens in the legislative process * Implementing the access to information provisions * Opening up to the public, with a focus on youth * Citizen consultation and engagement in policy evaluation * Creating a partnership with civil society and academia   Source: Government of France (n.d.), Gouvernement et Parlement ouverts: la France renouvelle son engagement pour une action publique transparente et collaborative [Open Government and Parliament: France Renews its Commitment to Transparent and Collaborative Public Action] as in (OECD 2019) and (Government of Morocco 2019) |

## Recommendations:

* **Parliament could consider to institutionalise the practice of questioning government more regularly** and to open up such question sessions to stakeholders in proactively communicating about these sessions beforehand and inviting stakeholders, such as civil society and the media to participate.
* **Parliament could consider discussing the draft budget law and the audit report in public sessions** and making all relevant documents accessible to the public.
* **The website could become a hub for information regarding Parliament’s work** through a more user-friendly design and more up-to-date information regarding among others minutes and draft laws under discussion.
* **Parliament could consider publishing draft laws** before they are discussed in Parliament session and inviting stakeholders to these discussions
* **Parliament could create an informal working group of Parliamentarians and administrative staff committed to open government principles** to elaborate an action plan of initiatives to undertake, to disseminate the concept in Parliament and to co-ordinate efforts with the national government.
* **Parliament could also enhance its application of the access to information law** by appointing an official responsible for access to information and providing training and awareness raising about the law and its implications to its staff and the elected members.

# Lebanon’s performance against the OGP minimum eligibility criteria

Lebanon, as all aspiring members, needs to obtain 12 points of the 16 available in the OGP [Minimum Eligibility Criteria](http://www.opengovpartnership.org/eligibility) in order to join the OGP. **Lebanon currently has 8 points**. To obtain the additional 4 points it needs, it could consider several options in the areas of: **Citizen Participation, Budget Transparency and Disclosures Related to Elected or Senior Public Officials**.

Table 1. OGP minimum eligibility criteria

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| **Lebanon’s current situation** | | **Points** |
| **Access to information** | Law approved by Parliament in January 2017 | 4/4 |
| **Budget transparency** | The Executive’s Budget Proposal and Audit Report are produced.   * A total of 4 points if the latest Executive Budget Proposal and Audit Report are published | 0/4 |
| **Disclosures related to elected or senior public officials** | Declarations are required but not public.   * 2 points if the Declarations are public. | 2/4 |
| **Citizen participation** | Score of 4.71/10 (above 2.5) in the Civil Liberty indicator of the EIU Democracy Index 2018   * A total of 4 points with a score above 7.5 | 2/4 |
| **Total** | **(12 points needed to become eligible to join the OGP)** | **8/16** |

Namely, Lebanon approved the **Law on Access to Information** in January 2017, which affords it a score of 4/4 points. As for **Budget Transparency**, two points are awarded for publication of each of two essential documents (Executive’s Budget Proposal and Audit Report) for open budgets, using a sub-set indicator from the Open Budget Index, conducted by the International Budget Partnership, which covers 100 countries. In this case, according to latest research, Lebanon has 0 points due to the fact that it did not publish the Executive Budget Proposal and the Audit Report of 2017.

As for the criteria of **Disclosures Related to Elected or Senior Public Officials**, Lebanon has an asset declaration system, though the declarations are not published. Lebanon therefore scores 2 out of 4 in this category and should consider public disclosure of assets and a system to verify the accuracy of the declarations to enhance its effectiveness.

Lebanon’s score in the **Citizen Participation** criteria is due to the country’s position in the sub indicator on Civil Liberties of the Economist Intelligent Unit’s Democracy Index. Because the Civil Liberties indicator is constructed on a perception-based survey, the impact of on-going reforms will not be recorded before the publication of the next edition, if not later, considering the time it takes to register shifts in people’s opinions. Lebanon currently scores 2/4 points according to the Index.

**OGP Values Check Assessment**

Following a decision of the OGP’s Steering Committee on September 20, 2017, in addition to the above-mentioned eligibility criteria, countries must also pass a ‘Values Check’ assessment before they are allowed to participate in OGP.

The ‘Values Check’ is based on two indicators from the[Varieties of Democracy](https://www.v-dem.net/en/)[Dataset on Democracy](https://www.v-dem.net/en/data/data-version-8/) and to be eligible, a country has to score at least 3 out of 4 points on one of them. These indicators include “CSO entry and exit” and “CSO repression”. Lebanon satisfies the values check.

# 10. Open government scan of selected Lebanese municipalities

Introduction

The current context of Lebanon expressing an interest to adhere to the 2017 OECD Recommendation of the Council on Open Government (“the Recommendation” hereafter) and to join the Open Government Partnership (OGP) offers an opportunity to foster a new culture of open governance also at the municipal level. Taking into account the commitment of the national government to promote open government principles and initiatives, a number of municipalities who have engaged in transparency, integrity, accountability and stakeholder participation efforts were selected for co-operation for a scan and capacity building with the OECD. These are Byblos (known locally as “Jbeil”) and Shweir – Ain Sindyneh (referred to as “Shweir” hereafter). The objective is to review the institutional policy frameworks, as well as the open government practices and initiatives in the municipality, in order to align them to OECD standards, increase their impact and to disseminate their best practices and lessons learned with other Lebanese municipalities. Open local authorities are also an important part of a country’s transition from open government to open state

The following open government scan was developed on the basis of the OECD Survey of Open Government in Byblos and Shweir, as well as interviews with the Mayors, Councillors, municipal administration, and local civil society in September 2019 and February 2019 respectively.

The OECD’s framework for open government at the local level

The OECD defines open government as “a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth”. These four principles are enshrined in the Recommendation and can be defined as follows:

* **Transparency** refers to “the disclosure and subsequent accessibility of relevant government data and information”;
* **Integrity** is the “consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interests in the public sector” (OECD, 2017b);
* **Accountability** refers to the government’s responsibility and duty to inform its citizens about the decisions it makes as well as to provide an account of the activities and performance of the entire government and its officials” (OECD, 2016), and
* **Stakeholder participation** refers to “ all the ways in which stakeholders can be involved in the policy cycle and in service design and delivery, including:
  + **Information:** an initial level of participation characterised by a one-way relationship in which the government produces and delivers information to stakeholders. It covers both on-demand provision of information and “proactive” measures by the government to disseminate information.
  + **Consultation:** a more advanced level of participation that entails a two-way relationship in which stakeholders provide feedback to the government and vice-versa. It is based on the prior definition of the issue for which views are being sought and requires the provision of relevant information, in addition to feedback on the outcomes of the process.
  + **Engagement:** when stakeholders are given the opportunity and the necessary resources (e.g. information, data and digital tools) to collaborate during all phases of the policy-cycle and in the service design and delivery” (OECD, 2017a).

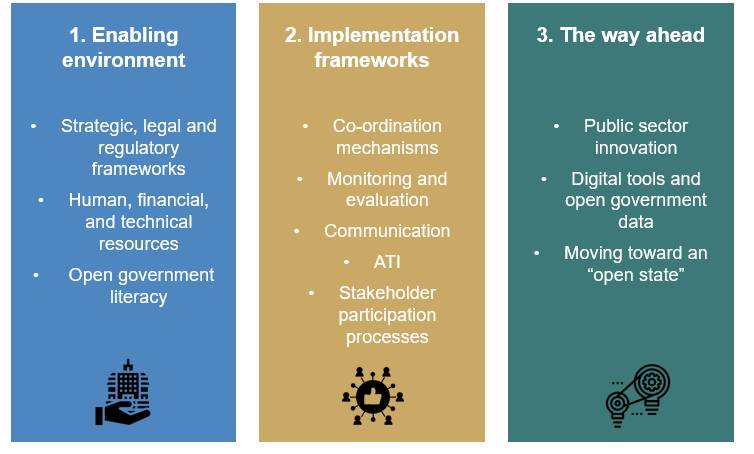
Local administrations are central to initiatives for more transparent, accountable and participatory governance. They are an essential interface for citizens to be in contact with public policies and services, which has resulted in many of the most innovative approaches to open government coming from cities, regions or provinces. Responsible for delivering public services, such as road maintenance, sanitation and policing, local governments form the most immediate relationships between public administrations and citizens. As outlined in the OECD report on *Open Government: The Global Context and the Way Forward*:

The proximity of citizens and the state spurs engagement, but also shapes citizens’ perception about the government. Thus, it is not surprising that cities, regions or provinces have, in the last decades, been places for citizen engagement. The demands for greater engagement of citizens in urban planning date back to the 60/70s. Innovative and interactive approaches to involve citizens in policy making arose in parallel with the decentralisation efforts by many countries from the 1970s and consisted of transferring authority, responsibility and resources from the national government to lower governmental levels, to better respond to citizens’ needs and demands” (OECD, 2016).

To achieve successful reforms, local authorities must first adopt a new *culture* of governance that promotes the four open government principles. This requires strong political will and enabling institutions, a consistent whole-of-government approach, in addition to the necessary human, financial and technical resources, and a forward-looking attitude to promote innovation and apply digital tools.

This chapter will assess open government policies and initiatives in Shweir and Byblos across the three pillars of the Open Government Recommendation, which are the enabling environment; implementation, and the way ahead (Figure 10.1). The first pillar regards the strategic, legal and regulatory frameworks; human, financial and technical resources, and open government literacy. The second pillar focuses on the implementation frameworks necessary to carry out open government initiatives and practices, including the co-ordination mechanisms across government; monitoring and evaluation; communication; access to information, and stakeholder participation processes. Finally, the third pillar concerns the most forward-looking aspects of the open government agenda: public sector innovation; digital tools and open government data, and the idea of moving towards an “open state”, where all public institutions – not just government – have an open government culture and practices in place.

Figure 10.1 Three pillars: 10 provisions for the governance of open government



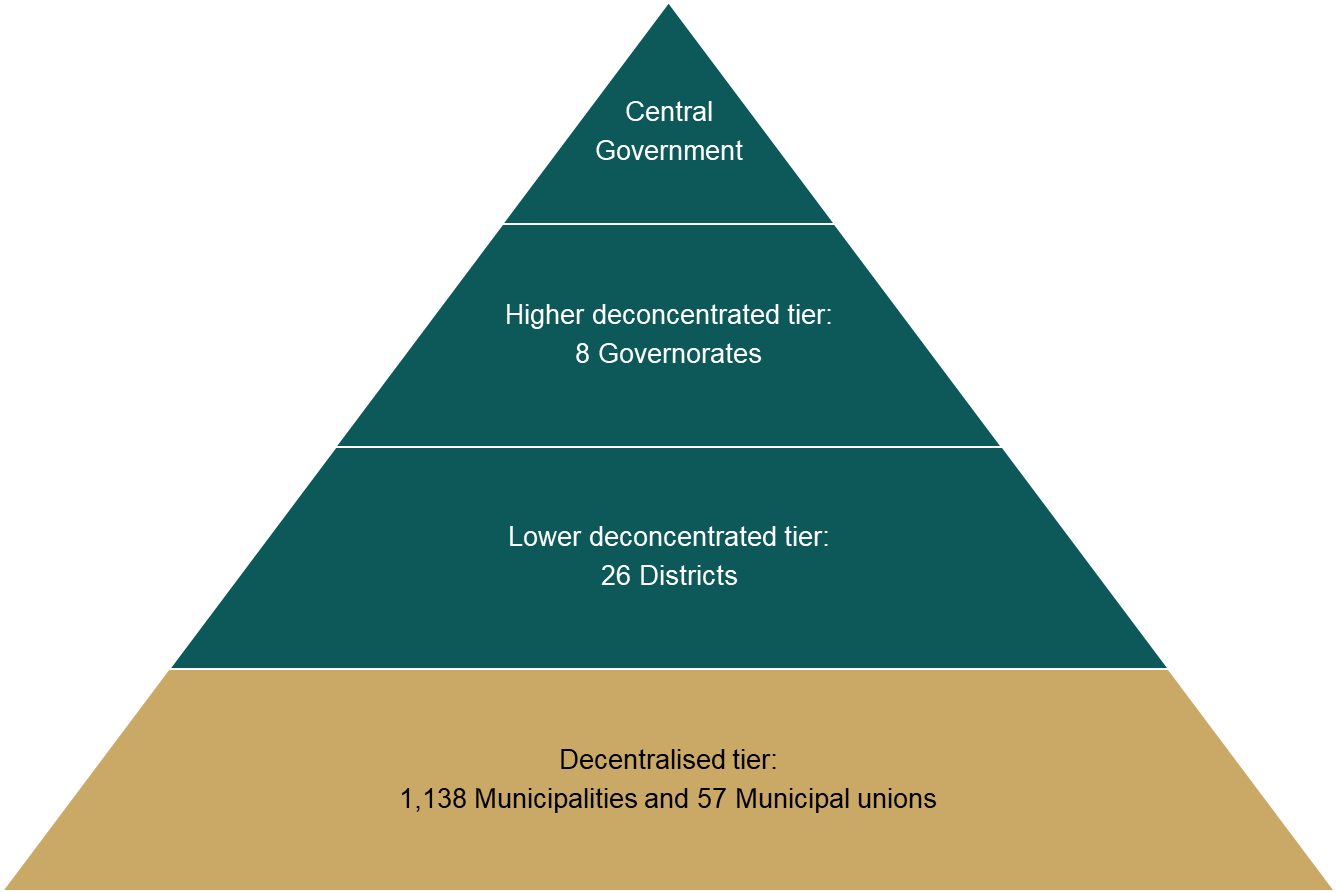
*Source*: OECD, 2017a.

Before doing so, the following sections provide the context regarding the mandate of municipalities in Lebanon, the state of play of decentralisation reforms, and an overview of open government principles at local level.

Municipal powers in Lebanon

Lebanon is a unitary state and its public administration is organised at three levels: central administration; deconcentrated administration (8 governorates and 26 districts) and decentralised administration (1,138 municipalities and 57 municipal unions) (Figure 10.2).

Figure 10.2. Higher and lower government tiers in Lebanon



#### Source: DRI, 2017c.

#### Central administration

The central administration refers to the President of the Republic, Prime Minister, Council of Ministers and ministers, as well as ministries and central councils with administrative powers. Executive authority is centralised and the central public administration plays a key role in Lebanon’s governance.

#### Deconcentrated administration

In many countries where power is centralised, there is a deconcentrated system to lessen the central government’s administrative burden and to bring decision-making closer to citizens in economic, social, education and /or health affairs. In Lebanon, territories are divided into geographical units called governorates, and the state’s administrative authority is extended to central administration representatives who have decision-making authority regarding local affairs (Nahnoo, 2018). There are eight governorates in Lebanon: Akkar: Baalbek-Hermel; Beirut; Beqaa; Mount Lebanon; Nabatiyeh; North Lebanon, and South Lebanon.

Governorates are divided into 26 districts (called qadas), with the exception of the Beirut Governorate, which is not sub-divided. These are smaller geographical units, where decision-making power on behalf of central government is granted to District Commissioners.

The governorates and districts form the upper and lower deconcentrated tiers of the central government respectively. They are therefore not legal entities, as they represent the central government, constituting an integral part of the Ministry of Interior and Municipality (MOIM), which is responsible for policies related to the governorates, districts, municipalities, municipal unions[[14]](#footnote-15) and villages (Nahnoo, 2018; DRI, 2017c; LCPS, 2015).

#### Administrative decentralisation

Lebanon has one decentralised tier of administration, comprised of 1,138 municipalities and 57 municipal unions. Three-quarters (75%) of municipalities are part of a municipal union (DRI, 2017c). These local units are defined by geographical areas and are governed by elected councils, which have legal powers related to citizens’ affairs at the local scale. It is worth noting, however, that Lebanese citizens are registered to vote in the location of their family’s origin, meaning that many people do not vote where they reside. This underlines the need to have strong stakeholder participation policies in place at the municipal level to bring citizens closer to government and provide them with an opportunity to influence local public decisions.

The elected council holds the policy making power, while the mayor (elected by the councillors) holds a chief executive role, chairing the executive authority.[[15]](#footnote-16) Article 47 of the Municipal Act (1977) sets out a broad range of municipalities’ duties: “Each work of public character or interest in the municipal area falls within the scope of the Municipal Council’s competence”. However, conflicting legislative texts, administrative and fiscal blockages, and heavy central government control limit municipalities’ autonomy (DRI, 2017c; DRI, 2019). As in some OECD countries, municipalities are responsible for providing local services such as street cleaning, road tarmacking, public lighting, street signs, urban planning, selected aspects of healthcare, education, and social affairs, sometimes public order, wastewater management and water drainage (Municipal Act, 1977, OECD/UCLG, 2016).

Municipalities’ funding comes from the Independent Municipal Fund (IMF) and from local taxes. The IMF is an intergovernmental grant system, which transfers taxes and fees from central to local governments. The central government distributes the funds based on a formula outlined in Decree 1917 of 1979. Article 87 of the Municipal Act states that “the revenues and common allowances of all municipalities shall be deposited in trust in an independent municipal fund at the Ministry of Interior”. The amount allocated to each municipality is calculated in the following way: 60% based on the registered population and 40% based on direct revenues collected in the two years prior (Atallah, 2011). On average, 36% of municipalities’ revenue comes from the IMF and the rest is raised through local taxes (Mourad and Piron, 2016).

The state of play for decentralisation in Lebanon

The groundwork for decentralisation was laid in the Ta’if Agreement[[16]](#footnote-17) in 1989, setting out “extensive administrative decentralisation” to foster “even development” between different Lebanese regions (DRI, 2017c). The Agreement was integrated into the Constitution in 1990, mandating a comprehensive decentralisation reform. There have been numerous attempts to adopt a new legal framework for decentralisation since 1991, none of which have been adopted yet. The most recent of these was the draft Administrative Decentralisation Bill in 2014, championed by the former Minister of the Interior and Municipalities, Ziyad Baroud (Box 10.1).

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| --- |
| Box 10.1. 2014 Administrative Decentralisation Bill   1. “Division of Lebanon into 33 regions with regional councils that are granted a wide scope of work, and suppression of the lower deconcentrated tier (districts); 2. Elections on the basis of proportional representation instead of the so far adopted first-past-the-post system; 3. Improved transparency and mandatory use of ICT and e-government; 4. Institutionalised participation mechanisms and civic oversight at the local level; 5. Promotion of Public-Private Partnerships in local governance; 6. Adoption of a gender quota in the electoral law; 7. A sustainable fiscal and financial system.”   Source: DRI, 2017c. |

As outlined in Box 1, the draft Bill includes numerous propositions that enhance the open government principles of transparency, integrity, accountability and stakeholder participation. It introduces innovations that Lebanese civil society has been advocating for many years related to digital government, increased transparency, institutionalised civic participation and scrutiny, electoral reform, as well as greater administrative and financial autonomy. However, it does not mention municipalities or their legal framework, nor does it mention reform of the municipal electoral system regarding the ability of residents to vote. At the time of writing, the draft Administrative Decentralisation Bill has not been adopted.

Open government principles at the municipal level

The open government principles of transparency, integrity, accountability and participation are enshrined, though not always explicitly, in the Municipal Act of 1977. Article 45 states the right of voters or interested parties to obtain copies of the municipal decisions that may be disclosed to the public. Article 55 stipulates that the council decisions that are in force and serve a public interest must be posted on the door of the municipal premises. Furthermore, Article 76 states that decisions of public character issued by the Head of the Executive Authority (the mayor) must be posted on the municipal council’s door. However, the Municipal Act also includes clauses that go against the open government principles, notably Article 35 which states that municipal council sessions are held in secrecy.

More recently, the Access to Information Law (2017) requires central institutions and municipalities to publish all public administrative documents (decisions, budgets, annual accounts and tenders), create special websites for this purpose and reply to access to information (ATI) requests. More details about the status of implementation of this law in general are available in Chapter 3.

The legal and regulatory frameworks for local governance in Lebanon do not require local authorities to engage with and consult citizens in decision making, public policy making and planning. In spite of this, Democracy Reporting International’s (DRI) recent survey in Lebanon shows that half of the municipal unions engage in participation (2019). Information about participation at the level of municipalities is missing, however. DRI and the Lebanese Transparency Association are also carrying out numerous pilot projects and capacity building activities on participation in municipalities across Lebanon.

The principles of open government could be strengthened at the municipal level through legal amendments to the Municipal Act and the draft Administrative Decentralisation Bill, requiring councils to open their sessions, declassify their session reports, and making it binding to publish council decisions. Moreover, introducing amendments to establish mandatory stakeholder participation could ensure that citizens are consulted and engaged regularly in planning, infrastructure, and other local public policy decisions.

Overall context

Municipality of Byblos

Byblos is the largest city in the Mount Lebanon Governorate, around 40km to the north of Beirut along the coast. It is a UNESCO World Heritage Site for its structures that are testimony to the beginnings of the Phoenician civilisation; it is known as being one of the oldest continually inhabited cities in the world, with evidence of communities occupying the site for at least 8,000 years.

The municipality’s inhabitants are predominantly Christian, mostly Maronite, with a minority of Shia Muslims. There is no data available about the population age breakdown. Byblos is home to professional schools of the Lebanese American University and its economy relies heavily on tourism due to its ancient port, Phoenician, Roman, and Crusader ruins, beaches, and surrounding mountains. Due to its proximity to Beirut, some inhabitants commute to work in the capital.

Municipality of Shweir and Ain Sindyaneh

Shweir is a municipality in the Matn region of Mount Lebanon, 30km from Beirut. It comprises the towns of Dhour Shweir and Ain Sindyaneh. According to interviews with the municipality, as of May 2019, it has a population of 5,000 in the peak summer season, and a population of around 1,500 the rest of the year. The vast majority of Shweir’s population is working age (between 20-65, see Table 10.1) and there are a significant number of immigrants (estimated at around 30% of the overall population, although as there are no precise figures, the overall population estimate excludes immigrants), mostly from Syria.

Table 10.1. Population of Shweir by age

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| --- | --- |
| Age | Number of residents |
| Under 20 | 700 |
| 20-40 | 2,000 |
| 40-65 | 2,000 |
| 65+ | 300 |

*Note:* These figures exclude refugees and emigrants.

*Source*: Estimates by Shweir municipality, May 2019.

The economy revolves around summer tourism, commerce and banking. Many people work in and commute to Beirut daily. Shweir is not part of a municipality union; however, there is informal exchange between the mayors of Shweir and neighbouring municipalities about common issues, such as security and local events.

1. The enabling environment

Developing an open government strategy and institutionalising good practices

In order to create a framework for all open government reforms and to align related efforts in a municipality, the OECD recommends the development of an Open Government Strategy. According to definition in the Recommendation, “an open government strategy (is) a document that defines the open government agenda … [and] includes key open government initiatives, together with short, medium and long-term goals and indicators” (OECD, 2017a). Such a strategy can help to ensure that open government initiatives reinforce each other and are implemented in a way that contributes to a shared vision and common objectives. It should include high-level political commitments, as well as specific, delivery-oriented commitments.

If co-created with stakeholders, an Open Government Strategy has the potential to impact on all of local government’s functions and activities, and improve the relationship between government and society. OECD data show that despite many notable open government practices at national and subnational levels in OECD countries, a consistent approach to designing and implementing open government policies and initiatives through an official strategy is often lacking.

Currently, there are numerous open government initiatives underway in Byblos and Shweir that could be included in such a strategy; they are discussed in greater detail over the course of this chapter and are summarised in Box 10.2 below:

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| Box 10.2. Summary of Open Government initiatives in Byblos and Shweir  **Byblos**   * Pro-active disclosure of information regarding the budget * Regular open-door sessions with the Mayor * Active public communication about Council activities, initiatives and municipal plans through Facebook * Up-to-date municipality website with information about the municipality, news, projects, press coverage, a gallery, and contact details * Baladiyati mobile app where citizens can access information about municipality news, public services, and submit complaints * Conducting trainings and workshops with CSOs about open government topics * Transparent procurement process   **Shweir**   * Training about transparency, integrity and information technology (IT) provided for all municipal staff members * Pro-active disclosure of information regarding the budget and Council resolutions * Daily open door sessions by the Mayor and Councillors * Mechanism for citizens to submit complaints/suggestions through the municipality’s app and social media * Transparent procurement process * Participative processes used for developing municipal plans and urban planning * Citizen participation in development of annual Emigrants Festival * Active public communication about Council activities and initiatives through social media – Facebook, Instagram and Twitter * Tracking of audience engagement on social media * Data archive in development * Geographical Information System (GIS) in place * Baladiyati mobile app where citizens can access information about municipality news, public services, and submit complaints   Source: 2019 OECD Open Government Survey of Shweir; interviews with Mayor, Councillors, administrative staff and civil society. |

These are important efforts and demonstrate strong political will and leadership to advance open government reforms at the municipal level. They cover all four open government principles and include many practices that could be replicated across the country. At the moment, these good practices remain disparate open government initiatives and, while they are part of the Mayor’s strategic vision, they are not enshrined in a strategy. They are largely dependent on the political commitment and leadership of the current Mayor and Council.

The municipalities of Byblos and Shweir could consider developing their own Open Government Strategies in order to institutionalise their open government practices, articulate their vision, establish clear objectives, and embed the principles of open government in all areas of the municipality. This is the case in a number of OECD countries, such as the city of Edmonton in Canada (see Box 10.3). Having a strategy in place would also help to enable a long-term approach and enshrine an open government culture in Byblos and Shweir, bringing the residents and stakeholders of each municipality together around the same vision. It would also help to ensure that open government initiatives are conducted to achieve wider objectives, for instance inclusive growth, strengthened democracy or increased public trust in government.

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| Box 10.3. Open City initiative, Edmonton, Canada  The Open City Initiative outlines how the City Council will advance the vision of the city and its strategic objectives, defined in The Way Ahead, the vision of the city leading up to 2040. The initiative is based on five principles (transparency, participation, collaboration, innovation and inclusion) and revolves around five key goals:  **GOAL ONE: FOUNDATIONAL ELEMENTS** - The City of Edmonton’s practices are aligned to support openness, transparency and consistency.  **GOAL TWO: OPEN ENGAGEMENT** - Through innovative and inclusive public engagement approaches, the City creates opportunities for people to interact with the City and impact the design, development and delivery of public programmes, services and policies. The City supports community building and leadership for engaged citizenship through education and collaboration.  **GOAL THREE: OPEN DATA** - The City will enhance the quality and increase the quantity of information available through the Open Data Programme. Through provisioning, delivering, consuming and crowdsourcing data, the City will enhance services, stimulate economic opportunities, encourage innovation and unlock new social values.  **GOAL FOUR: OPEN INFORMATION** - Information is provided to Edmontonians to promote participation and collaboration, increase knowledge and build capacity in the community.  **GOAL FIVE: OPEN ANALYTICS** - By leveraging the vast stores of City data and new analytic capabilities, Open Analytics supports informed policy development and decision making. Tools and resources are provided to citizens and City staff to empower them to work with data.  The initiative also includes actions for each goal, together with progress indicators.  Source: (City of Edmonton, 2017[9])  <https://www.edmonton.ca/city_government/documents/Open_City_Initiative.pdf> |

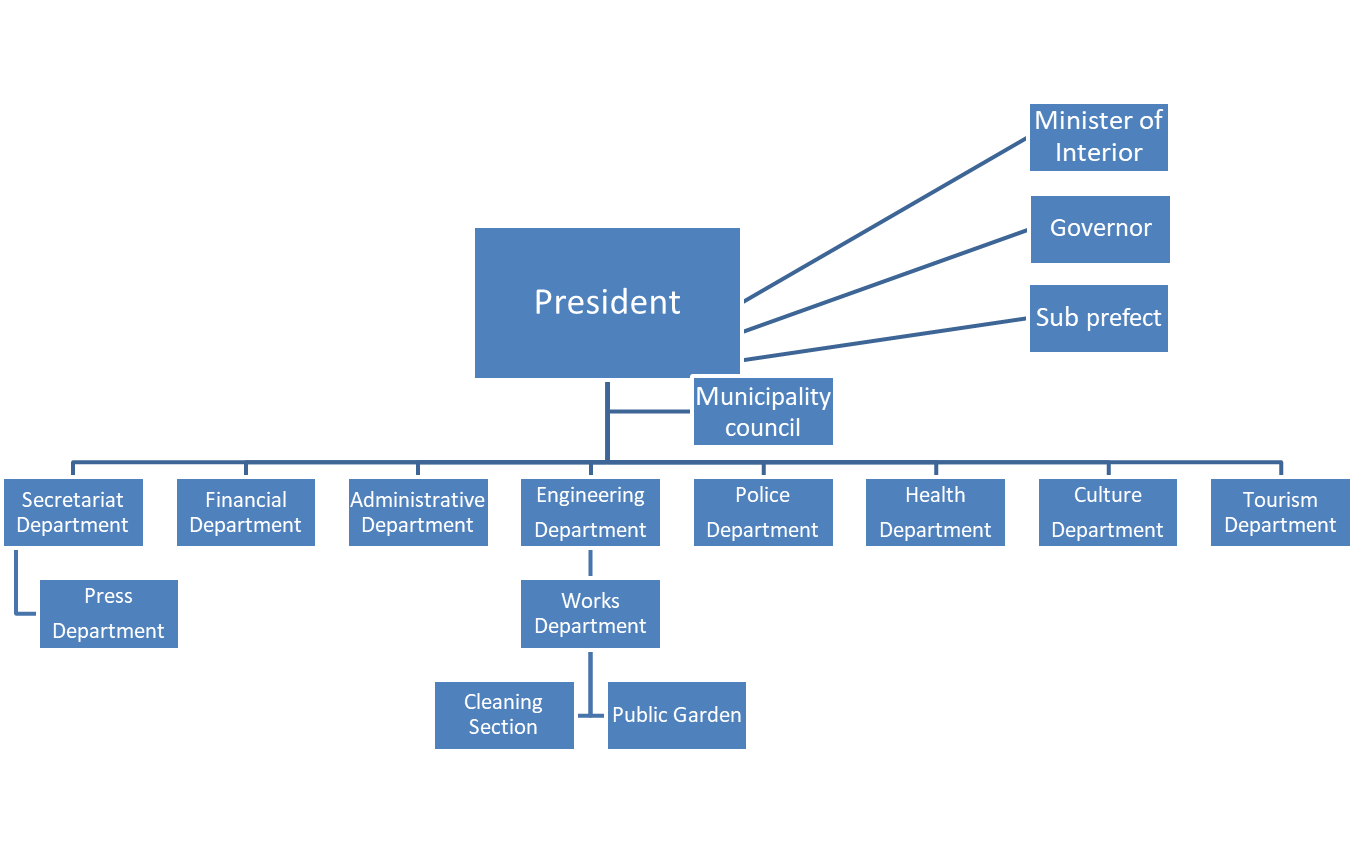
As outlined in the Recommendation, to reach its full potential, an Open Government Strategy should be developed with an inclusive process that results in the “buy-in” from key actors in and outside of government. It is therefore important to involve all relevant stakeholders, especially citizens and civil society organisations (CSOs), to participate. In OECD countries, the types of actors involved include: government institutions; citizens; migrant communities; organised civil society; academic institutions; media/journalists; organised professional groups; international organisations, and the Open Government Partnership Support Unit (OECD, 2019c).

The institutional framework for open government

Successfully implementing open government practices and developing an open government strategy depend on a solid institutional framework. Furthermore, in OECD countries, analyses demonstrate the value of dedicated structures to co-ordinate open government initiatives in order to ensure their consistency, complementarity and relevance (OECD, 2016).

Byblos has a formalised administrative structure, as outlined in Figure 10.3. The municipality President oversees the Council, as well as all of the administrative departments (Secretariat, Finances, Administration, Engineering, Police, Health, Culture, and Tourism). The secretariat department oversees the press department, and the engineering department also oversees various other teams: works; cleaning; and public gardens. Responsibilities that relate to the open government principles are shared between the Secretariat, Finance, Administrate, and Tourism departments in particular. The Head of Tourism manages the municipality’s website and the Secretariat handles social media and traditional press relations. These two teams are in regular contact with the Finance and Administrative departments to be able to communicate any important news and budget information to the public. As of September 2019, there is no one who is tasked specifically with managing ATI requests nor anyone responsible for stakeholder and citizen participation.

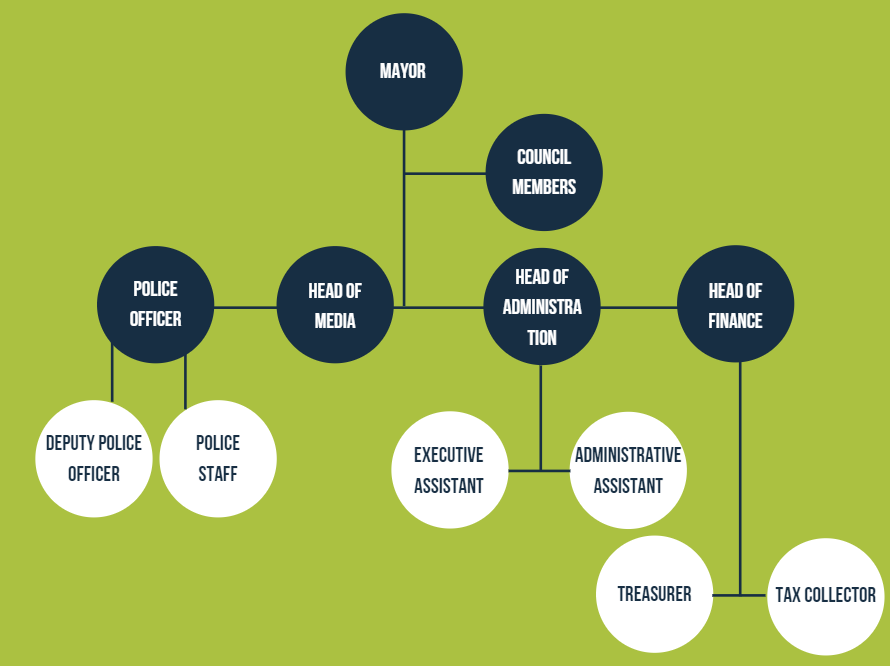
Figure 10.3. Organigram of Byblos municipality



*Source*: Byblos municipality, September 2019.

The municipality of Shweir has a formalised administrative structure, as outlined in Figure 10.4. As the chief executive of the Council, the Mayor oversees the head of police, head of media, head of administration and the head of finance. As it is a small municipality, the head of the administrative department is also the employee charged with open government related themes such as access to information, including answering ATI requests, and citizen participation. Horizontal co-ordination on some open government issues is well established; the head of media works together with the head of administration on public communication efforts, and the two of them also co-ordinate with the finance department in regards to publicising budgetary information.

Figure 10.4. Organigram of Shweir administration



*Source*: Shweir Municipality, May 2019.

In some OECD municipalities, there is an office responsible for participation, which co-ordinates all participation initiatives, produces an overarching document to define their characteristics, and provides the incentives for public officials to organise them and for citizens to participate (OECD, 2016). Byblos could consider establishing such an office, or an open government office with slightly broader responsibilities, such as responding to ATI requests. For a small municipality the size of Shweir, an adapted proposal is for the municipality to outline the objectives, characteristics and principles of stakeholder participation in its Open Government Strategy, specifying who is responsible for their implementation and monitoring. This could ensure that open government responsibilities are part of the official tasks/terms of reference of specific roles within the administration.

The OECD Survey also asked the municipalities whether they exchange with other municipalities about good open government practices and whether they co-ordinate or collaborate with other municipalities on open government issues. In both cases, Byblos and Shweir have indicated that they do not yet have any collaboration with other Lebanese municipalities on these issues. Interviews with key members of the two municipalities indicate there is a desire to foster such an exchange, however. Establishing a network of municipalities for open government could enable Byblos, Shweir, and other municipalities to learn about good practices and to potentially share resources for related initiatives. OMSAR, as the national ministry taking the lead on the open government agenda, could help to foster the establishment and co-ordination of such a network.

Human and financial resources

The impact of open government strategies and initiatives equally depends on having well-trained human resources as well as sufficient funds (OECD, 2019d). As such, the OECD Recommendation calls on governments to implement reforms by “providing public officials… with adequate human, financial and technical resources, while promoting a supportive organisational culture” (OECD, 2017a). For instance, good public communication requires the technical skills to use different channels and clear language, as well as a strategic understanding of how communication can be used to leverage stakeholder participation. Interacting with citizens requires negotiation or mediation skills. Implementing the 2017 Access to Information Law requires training in what this law entails. Additionally, civil servants need to be aware and informed about the benefits that having an open government strategy and related initiatives can bring.

*Human resources*

The OECD Recommendation on Public Service Leadership and Capability stresses the importance of skills to turn political visions into high-quality services that improve citizens’ lives (2019d). The OECD Report, *Skills for a High Performing Civil Service*, introduced a new framework for the skills that civil servants require today (OECD, 2017c). One of its four pillars regards service delivery and citizen engagement, which are both particularly relevant for local government. The report summarises the skills needed as:

* **Professional**: Traditional building blocks of service and engagement skills including professionals with expertise in public relations, communications, marketing, consultation, facilitation, service delivery, conflict resolution, community development, outreach, etc.
* **Strategic**: The use of engagement skills to achieve specific outcomes to inform, for example, better targeted interventions, or nudge public behaviour towards desirable outcomes, such as healthier eating habits or smoking reduction.
* **Innovative**: The application of innovation skills to engagement to expand and redesign the tools themselves through, for example, co-creation, prototyping, social media, crowdsourcing, challenge prizes, ethnography, opinion research and data, branding, behavioural insights, digital service environments and user data analytics.

Shweir municipality has taken a number of steps to provide training to all staff – not just those with responsibilities for open government-related tasks – about transparency, integrity, emotional intelligence, interaction with citizens, as well as technical capacities to utilise the new information technology (IT) system. According to interviews with the administrative staff, the aim of these capacity-building activities has been to ensure the same quality of service delivery to everybody without discrimination. Additionally, OMSAR has provided training to the municipality on implementing the Access to Information Law. No such training has taken place in Byblos as of the time of writing in early 2020 but would be encouraged. Further training in both municipalities, in particular regarding the innovative skills listed above, which are related to the implementation of open government initiatives, could also benefit the municipality’s ability to involve citizens more closely in its decision making, projects, and public service design and delivery.

*Financial resources*

The OECD Survey indicates that insufficient funding was one of the most important challenges that both Byblos and Shweir face in implementing open government policies and initiatives. Additionally, Byblos has highlighted the lack of clear separation of responsibilities between levels of governance, and Shweir has acknowledged a lacking requirement for open government reforms.

According to interviews with the President, Mayor, Council members, and administrative staff in both municipalities, project funding from the central government is not always predictable and projects often stop partway as a result. This is in line with the findings of numerous reports which highlight that transfers from the Independent Municipal Fund (IMF) are often late from one year to the next, and are not done on a fixed schedule, meaning municipalities often do not know when they will receive additional funds (Atallah, 2011; Mourad and Piron, 2016; DRI, 2017a; DRI, 2017c).

One third (35%) of Shweir municipality’s budget comes from the national government through the IMF, while the remaining 65% comes from municipality taxes, which is a common funding structure in Lebanese municipalities (Mourad and Piron, 2016). The municipality is responsible for the finances related to projects undertaken entirely by the municipality. When projects are co-ordinated by central government, however, the higher level is accountable, including for the procurement process. In these latter instances, central government informs the municipality, which plays a monitoring role. Interviews conducted underlined how these power-sharing arrangements limit the ability of municipalities to have full control over their open government policies regarding budget transparency and stakeholder involvement in budget decision making.

The municipality of Shweir also tries to implement open government principles through initiatives that are made possible by donations in kind. This has not been the case in Byblos. Interviews with the council members conveyed that their proactive approach to seeking donations involves promoting a specific project, contacting well-off individuals and businesses in the community for their support, and, if donations are received, following their transparency procedures for disclosure. For instance, in response to such a call, a local cement company might donate concrete for a new building. The municipality follows an informal set of rules to ensure transparency with its citizens and the central government regarding donations. It provides a detailed description of the donation, involving its nature and its cost, on the municipality’s website and its social media accounts, notably its Facebook page. However, this practice is not a legal requirement and the municipality could consider embedding it as a provision in an Open Government Strategy.

Furthermore, Shweir municipality co-operates with CSOs and seeks citizen involvement in order to be able to deliver some of its projects. Such an approach follows some trends underway in OECD countries to innovate public service delivery through co-production, referring to the direct involvement of individual users and citizens in public service planning and delivery (OECD, 2011). For example, in 2017 when the municipality wanted to establish a centralised low cost medical assistance centre in Shweir, it sought to do so by establishing a public-civil partnership with CSOs and involving citizens in co-delivery. After asking and being granted permission from the Ministry of Health, the municipality established a new primary health clinic with the support of two health-related CSOs and citizen volunteers. The municipality and CSOs financed the building maintenance and supplies, the CSOs are paying the salaries of two nurses, and six citizens who live in the municipality volunteer as doctors. Such a public-civil partnership for public service delivery demonstrates that Shweir already has some advanced participatory practices underway, which could be expanded to other areas of service provision within its competencies. They could also be an inspiration for Byblos and other municipalities.

Proposals for action

1. **Co-create an Open Government Strategy for Byblos and Shweir respectively, with relevant stakeholders.** The President or Mayor and elected representatives could, together with citizens, CSOs and other relevant stakeholders, identify the priorities in the areas of transparency, integrity, accountability, and stakeholder participation. Such a strategy could include a vision, objectives and initiatives to be undertaken, as well as a set of monitoring and evaluation metrics that could allow for an impact assessment. Developing an open government strategy could help to enshrine the municipality’s current culture of openness, ensuring its sustainability. It would also help ensure that citizens and stakeholders share the same vision.
2. **Foster exchange with other Lebanese municipalities.** Currently there are no formal mechanisms for exchange of good practice on open government efforts between Lebanese municipalities. Establishing stronger links can help enable the spread of good open government practices and initiatives in Lebanon and a sharing of resources. OMSAR could help establish and co-ordinate such a network.
3. **Provide training and capacity-building** **activities to strengthen skills required to implement open government initiatives in both municipalities.** Training would benefit the President/Mayor, Councillors, and administrative staff. In Byblos, a training similar for all staff, similar to the one already conducted in Shweir, would be encouraged to cover transparency, integrity, emotional intelligence, interaction with citizens, as well as technical capacities to ensure that all staff have the same capacities to the use the IT system and social media. Training in both municipalities to strengthen awareness and knowledge of how to implement the ATI law would also be helpful. Finally, capacity-building activities for key staff responsible for open government activities could cover topics including: co-creation; prototyping; crowdsourcing; challenge prizes; ethnography; opinion research and data; audience insights, branding; behavioural insights; digital service environments, and user data analytics. Such training could enhance the scope and quality of open government initiatives in the municipalities.
4. **In Byblos, assign responsibilities to an individual or office for handling ATI requests and for stakeholder and citizen participation.** Currently there is no individual or office specifically responsible for either of these important open government functions. It does not necessarily need to be more than one person given the size of the municipality. However, it would help to ensure that the municipality is implementing the ATI law and is conducting regular and meaningful stakeholder and citizen participation initiatives to inform its work, leading to better policies and strengthening the relationship between the municipality representatives and administration and its citizens.
5. **Continue and expand the use of public**-**civil partnerships for co-delivery of public services in Shweir, and consider doing so in Byblos.** The new low cost health centre in Shweir, established with CSOs and run with the help of volunteer doctors demonstrates the municipality’s capacity to use innovative methods to deliver better and more inclusive public services. This approach could be extended to other areas of service provision and could serve as an inspiration to Byblos.

## 2. Implementation frameworks

The second pillar of open government regards the implementation frameworks, meaning the ways in which open government principles are put into action. These entail: transparency and access to information policies; public communication strategies; stakeholder participation processes, and monitoring and evaluation systems.

Transparency and access to information policies

The right to access government information is important as a foundation for open government at the local level as it is for central government. Articles 45, 55 and 76 of the Municipal Act (1977) enshrine the principle of transparency to some extent. This has been strengthened with the recently passed Access to Information Law (2017), which also applies to municipalities. Even though these legal instruments are in place, Lebanese municipalities publish only 10% of the information related to their budget decisions, and less than 12% of municipal unions have a favourable opinion of the Access to Information Law, according to a 2017 survey by Democracy Reporting International.

In Byblos, budgets are published publicly on the Baladyati app for residents and on the municipality’s Facebook page. In Shweir, there is a long tradition of transparency in the municipality, where the municipality budgets have been publicly posted since at least 1982, when the municipality’s current head of finance took the post. However, the budget in both municipalities is published in a PDF format, which creates difficulties for analysis. It is common practice in OECD countries to publish the budget in an open data format – for instance, as a downloadable Excel document. Provision 7 of the OECD Recommendation specifies that the format should be “free of cost, available in an open and non-proprietary machine-readable format, easy to find, understand, use and reuse, and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders” (2017a). The majority of OECD countries provide the approved budget (28 OECD countries) and the executive’s budget proposal (24) for the national level in open data format (OECD, 2019a). Byblos and Shweir could consider making the detailed budget more easily accessible and searchable for citizens and businesses by publishing it in an open data format.

Moreover, budget documents are often long and technically complex documents. By explaining and reporting budgets simply and clearly, the government can enable better citizen and business understanding of the budget. In many OECD countries, governments publish a citizen’s guide, sometimes called a citizen’s budget, to explain the objective and impact of the budget in plain language. As of 2018, citizen’s guides, in one form or another, are now produced in 23 OECD countries (OECD, 2019a). According to the 2018 OECD Budget Practices and Procedures Survey results, they are most often published for the approved budget and the executive budget proposal (14 OECD countries for each). The Lebanese government also published a citizen’s guide to the budget in 2018 and 2019 (Bissat, 2019). To make the budget more accessible to its citizens and businesses, Shweir municipality could consider developing a citizen’s guide to the approved budget. The OECD has developed relevant guidelines: *Producing a Citizens’ Guide to the Budget: Why? What and How?* (Petrie and Shields, 2010).

One example of what a citizen’s guide looks like is the United Kingdom (UK)’s 2018 budget (see Box 2). The government published a simple breakdown of “24 things you need to know” (GOV.UK, 2018). Additionally, each year when UK residents submit their tax returns, they also receive a table and a graphical pie chart breakdown of how their tax money was spent. Every resident receives this automatically. At the local level, the city of Brussels publishes a visual guide to the annual budget every year, which could serve as inspiration for Shweir of how to strengthen their budget transparency practices. (Bruxelles, 2019).

Another important open government practice in Shweir, in place since 2010, is the publication of the Council’s minutes of decisions on the municipality building, on its website and its Facebook page. The latter has allowed for this sharing of information to become more interactive, as citizens have asked about the rationale for certain Council decisions on the platform, allowing for initial dialogue. These are not published in Byblos as of the time of writing in early 2020.

In both municipalities, the Council publishes information about ongoing projects in the municipality and their status of completion, as well as the municipal plans and strategy. To ensure that this practice continues, the municipalities could embed the approach to publishing information about projects, and subsequently, about how citizens can participate in or offer feedback/complaints about Council decisions into their respective Open Government Strategies.

In Shweir, where there is a specific person in the administration responsible for ATI requests, the municipality has responded to access to information requests in a timely manner. It was discussed in the previous section that Byblos could assign responsibilities for ATI to an individual or office in the municipality to ensure that requests are handled and responded to in a timely manner.

Finally, procurement transparency is a key element of an open government agenda. According to interviews with the Council and civil society members, the procurement process in Shweir is considered to be transparent. For small local projects costing below $5,000 USD, the municipality contacts two to three contractors who are required to bid, although this information is not published. Above this amount, there is an open bidding process required by law. A tender is distributed on the municipality’s webpage and on the front of the municipality building, open for 30 days. The public is able to attend the town hall on the day that the bids are opened and discussed by the Mayor and the Council. The municipality chooses the lowest bid that still meets the required technical evaluation required for the project.

### Public communication strategies

The OECD Recommendation (2017a) identifies strategic public communication as a key pillar of an open government agenda, which can promote transparency, enable participation and ensure accountability. Despite this fact, less than 2% of commitments included in OGP action plans across the world are related to media and communication (OECD, 2016).

Byblos has appointed a head of press and media, who is responsible for public communication efforts by updating the municipality’s website, relations with traditional media (TV, radio and newspapers), managing the municipality’s Facebook activity, and covering events. On Facebook, there is daily activity and the head of media is promoting two-way communication by reacting and responding to citizens’ comments on its posts.

In Shweir, the municipality is making a strong and strategic use of communication campaigns and digital tools to promote open government principles and two-way communication with its citizens. Shweir’s head of media is responsible for the public communication efforts. Her responsibilities include updating the municipality’s website and social media, covering events, and co-ordinating with key media (TV, radio and newspapers).

In both municipalities, public communication efforts could be strengthened through the development of a strategy for communicating about open government initiatives. Existing good practices, such as awareness campaigns, publication of key information in bulletins and official documents, on the municipality’s website, and on social media are to be encouraged. Embedding these good practices in a public communication strategy – as part of an overarching Open Government Strategy – could help ensure that they become systematic and that they are supporting wider objectives.

Byblos and Shweir’s Facebook pages are particularly active. The municipalities post updates about Council decisions, social events, mostly with posts featuring photos or videos. Shweir additionally livestreams meetings.

The municipality of Shweir has shared some of its social media engagement metrics for analysis. These were not available for Byblos. As of February 2019, the average post reach per month is 98,000 views, the average post engagement is 68,000, and the average number of new page likes is 346 (Table 10.2). It is an important communication channel given the prevalence of Facebook in Lebanon. As of May 2019, Shweir municipality’s page has 8.8k likes, which suggests they are also engaging a significant proportion of emigrants, visitors and diaspora, since the population is only 5,000 residents during the peak summer months and around 1,500 the rest of the year.

Table 10.2. Shweir Facebook insights

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|  | Average per month |
| Post reach | 98,000 |
| Post engagements | 68,000 |
| New page likes | 346 |

*Source*: Shweir Municipality, February 2019.

The municipality of Shweir also began to engage on Twitter, although on this platform it only has 33 followers as of September 2019. However, this seems to be more likely due to the low penetration rate of Twitter (10%), compared to Facebook (78%) in Lebanon (Mideastmedia.org, 2019). Shweir is equally active on Instagram, with 443 posts and 1,575 followers as of May 2019.

Beyond these measures of public communication, overarching objectives of what the Councils would like to achieve by their communication could be set. The OECD guide for *Communicating Open Government* (2019b) suggests establishing specific objectives that are SMART: Specific, Measurable, Achievable, Relevant and Time-based. For example, an objective could be to encourage a cultural change in favour of the open government principles. Key performance indicators for such an objective could include an increase in the number of citizens signing up for a particular participation initiative and an increase in the number of institutions using open data platforms. The guide also explains why and how to: set targets and milestones; set responsibilities; identify audiences and develop key messages.

When it comes to other communication channels, Byblos’s head of media is in charge of press releases and managing relationships with journalists from TV, radio and newspapers to ensure coverage. The municipality’s website features a ‘news’ section that features some of this coverage. Shweir’s activity to engage traditional media sources is rather limited. Radio, TV and newspapers are not used to communicate about open government initiatives, raising an important question about the digital divide. According to interviews with the municipality’s head of media, there is a high level of certainty that the vast majority, if not all, of Shweir’s residents are on Facebook. Even if true, this does not necessarily mean that everybody is an active user of the platform. A diversified approach to public communication could help alleviate the potential digital divide and ensure that a wider audience is being reached and engaged.

Moreover, when it comes to other digital communication tools, Shweir could consider finalising the maintenance of its website and making use of it to proactively share relevant information. Byblos’s website could be a source of inspiration. For both municipalities, another key outreach tool could be a citizen newsletter. Citizen newsletters are an effective way of keeping residents up to date with municipality activities, projects and updates directly, reducing the need to seek out information. The city of Barcelona, for example, also offers its newsletter via the messaging app, Telegram, as more and more people use their mobile phones to find and receive information (see Box 10.4).

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| Box 10.4. Barcelona’s citizen newsletter  The city of Barcelona invites its citizens to sign up for its regular newsletter, either via email or via Telegram. The city’s website explains:  “**Keep up to date with what's happening in Barcelona**  If you want to keep up to date with everything going on in the city you can get information of interest to you directly via e-mail.  All you need to do is fill in the following fields and you’ll receive up-to-date content to match your preferences, whether relating your district or to a specific topic. If your interests change you can unsubscribe easily using any of the mails you have received.  **Got Telegram?**  You can follow our Telegram channel to keep up to date with everything going on in Barcelona. Just type @bcnajuntament in the app or click on the following link t.me/bcnajuntament” Top of Form  *Source*: City of Barcelona, <http://e-bcn.cat/newsletter/en/landings/alta>. |

### Stakeholder participation processes

As outlined in the Recommendation (2017a), the concept of participation refers to a scale of participatory practices that range from information to engagement, with citizens’ involvement and influence increasing at each level (Figure 10.5):

Figure 10.5. Scale of participatory practices: levels of stakeholder participation



*Source*: OECD, 2016.

Byblos and Shweir both have numerous good practices regarding the first level of participation: information. The municipalities pro-actively shares information and there is a two-way communication approach as described in previous sections. The main element Byblos and Shweir could consider improving is access to municipal council sessions. Opening these sessions to the public is a common practice in the local authorities of OECD countries, which allows citizens and the press to follow municipal decisions closely (OECD, 2019c). However, in Lebanon, Article 35 of the Municipal Act (1977) stipulates that “the Municipal Council sessions are held in secrecy”. There is a potential way to overcome this challenge, as the same article also adds that “the President [Mayor] of the Municipality shall be entitled to convene any employee or person to the sessions of the Municipal Council and to listen to him”. While the law prevents the Councils from publishing minutes or broadcasting the sessions, it does allow the possibility of the Mayor extending an invitation to all residents to attend the Council meetings in person.

Regarding consultation, both municipalities also have numerous good practices in place, such as open door sessions and consultations for municipal, infrastructure and urban planning projects, both common practice in municipalities in OECD countries. To bring citizens closer to the council, in Byblos, the President holds regular open door sessions, though the days and hours are not specified, and this does not extend to the councillors. In Shweir, the Mayor holds open door sessions daily from 9am-12pm, and all councillors spend 2-3 hours daily at the municipality, open to meeting with citizens. According to interviews with the President, Mayor, Councillors and citizens in both municipalities, residents stop by every day during this period to discuss a wide range of issues.

In Shweir, the Council also engages with stakeholders through a combination of these open door sessions, town hall meetings and Facebook posts where citizens are able to post their feedback. The consultations are currently targeted at citizens and could also be expanded to include other actors such as CSOs, trade unions, private companies, media/journalists, and minority groups, such as the sizeable Syrian immigrant community. Moreover, to demonstrate to stakeholders how their inputs are informing Council decisions or how they are being implemented, a feedback loop between citizens and the municipality could be established and enshrined in the Open Government Strategy.

Byblos identified four challenges of implementing stakeholder and citizen participation initiatives through the OECD Survey: insufficient funding; insufficient incentives for public officials to implement stakeholder participation initiatives; insufficient citizen interest to participate; and interested parties are not sufficiently informed about participation opportunities. These numerous challenges shed some light on the municipality’s limited stakeholder and citizen participation initiatives thus far, which have been largely limited to information-sharing and one-way consultations, without more innovative approaches or two-way engagement tried.

In Shweir, there were two main challenges for stakeholder and citizen participation identified: a lack of adequate information among staff about different participation processes, as well as insufficient funding. As part of its co-operation with Shweir, the OECD conducted a three-day capacity-building workshop about innovative citizen participation practices in May 2019, with a peer from Belgium and two experts in the field from Belgium and Poland. The workshop was attended by the Mayor, members of the Municipal Council, administrative staff, and civil society. This workshop provided an introduction to participation more broadly, and it focused in-depth on deliberative processes, meaning it addressed the question of how to engage representative groups of citizens in a process of facilitated learning and deliberation in order to allow citizens to develop informed recommendations. Many other forms of stakeholder and citizen participation were not covered in depth.

A similar workshop will take place in the municipality of Byblos in 2020, which could help to encourage the municipality to identify how it could better incentivise councillors and public servants to use stakeholder and citizen participation practices to improve policies and strengthen the relationship with inhabitants.

Beyond the discussed capacity building, both municipalities could benefit from receiving training about different forms of stakeholder participation, such as participatory budgeting, which is particularly salient for the local level. “Participatory budgeting (PB) is a democratic process in which community members decide how to spend part of a public budget. It gives people real power over real money” (Participatory Budgeting Project). PB started in Porto Alegre, Brazil, in 1989 and has since spread to 3,000 cities across the world (*ibid*). It is a method that allows citizens to practice democracy and counter corruption, as it introduces checks and monitoring by citizens. A 2019 World Bank study has also found that participatory budgeting and participatory institutions can improve governments’ balance sheets as they increase citizens’ willingness to pay taxes (Peixoto *et al.*, 2019). While PB practices vary across the world in their specifics, they usually follow a certain set of steps, according to the Participatory Budgeting Project:

1. “**Process design**: a steering committee that represents the community develops the rules and engagement plan.
2. **Brainstorm ideas**: Through meetings and online tools, residents share and discuss ideas for projects.
3. **Develop proposals**: Volunteer “budget delegates” develop the ideas into feasible proposals.
4. **Vote**: Residents vote on the proposals that most service the community’s needs.
5. **Fund winning projects**: The government or institution funds and implements the winning ideas”.

Byblos and Shweir could benefit from learning more in-depth about participatory budgeting processes through a training program adapted for PB in small municipalities. However, as outlined in the previous section, with only a small proportion of the municipality’s budget being raised directly through taxes, and the unreliability of funding from the national level, participatory budgeting might be a more salient option if the currently debated Decentralisation Bill becomes law, granting municipalities greater autonomy over their finances. This Bill could also help contribute to resolving the issue of insufficient funding for stakeholder participation.

To address the challenges that the municipalities face, developing a Participation Charter, which enshrines the principles, objectives and procedures for citizen participation in Byblos and Shweir respectively could help to ensure that these practices are embedded. This could also establish a procedure for systematically providing feedback to participants in consultations. It is common practice in OECD countries to co-create this charter with citizens, civil society and stakeholders. As there is no legal requirement in Lebanon for the government, at any level, to consult or engage citizens in its policy making and decision making, creating such a charter could be one way of putting such a commitment in place, inspiring other municipalities to follow suit. For example, the Charter of Lyon helps to establish a common set of principles, objectives and a vision, setting out the rights and obligations of the municipality and citizens (Box 10.5).

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| Box 10.5. Example of Charter of Participation  Lyon Charter of Participation  Greater Lyon established a Charter of Participation in 2003, setting out the city’s principles, objectives, actors, direction, commitments, pilot projects and monitoring and evaluation efforts.  ***Principles***   * *Purpose*: Developing a more participatory democracy is at the heart of a strategy of sustainable development and the development of a strong culture. The Charter aims to renew local democracy, strengthen the legitimacy of the elected representatives, develop social links, restore public debate, facilitate free speech, encourage the expression of the voiceless and adapt politics to social demands. * *Efficiency:* Consultation should allow for better understanding public action, enriching projects, and facilitating their implementation and ownership. * *Subsidiarity:* For consultation on projects of local interest, the principle of subsidiarity will be privileged. * *Adaptability:* There is no “one size fits all” method of consultation. It will therefore be essential to adapt the consultation strategies according to projects, actors, territories and regulatory, technical and financial constraints. Exchanging experiences will allow us to construct a consultation architecture. * *Progressivity:* The Charter does not set out a set of fixed and rigid procedures. It is part of a progressive, flexible and open process. It is part of a permanent and sustainable process. Local democracy is being built thanks to its progress and successes, but also with the experience of failures and frustrations.   Source: Grand Lyon, 2003. |

Finally, the third level of stakeholder participation – engagement – could be strengthened in both municipalities. Consultations as currently carried out contain no obligation to inform citizens of the final outcome and tend to be top-down. Opening greater opportunities for citizens to influence decision-making through methods of co-production and co-decision, where there is a balanced sharing of power between decision makers and stakeholders, could improve the quality of input that the municipalities receive from stakeholders and ensure that it comes from a wide range of socio-economic backgrounds.

This could also be in the form of creating opportunities for everyday people in the municipalities to be able to provide informed recommendations on policy issues and projects. Deliberative processes are particularly well-suited for achieving this goal, as they are designed to take a representative group of people, provide them with the time and resources to become informed and weigh all sides of an issue, and to develop concrete recommendations within the constraints of what is feasible for the public authority (OECD, 2020 forthcoming, Chwalisz, 2017; Gerwin, 2018a; Box 10.6). Deliberative processes are not the only option, however. Participatory budgeting, mentioned earlier in this section, is also an example of engagement.

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| Box 10.6. Example of deliberative processes for involving citizens more directly in public decision making  Gdansk: Three citizens’ panels about flood mitigation, air pollution, and civic engagement  Since July 2016, the city of Gdansk commissioned three deliberative citizens’ panels to provide binding recommendations on important issues such as how to prevent flooding, how to improve the city’s air quality, and how to make the city more inclusive – focusing on civic engagement and treatment of LGBT people. The participants in each assembly – around 60 people each time – were randomly selected through a lottery process, stratifying to be representative of the city in terms of demographics and geography.  Each assembly met for at least four to six weekend days, spread out over numerous weeks, to have the time to learn, hear from experts, read all the relevant information, speak to their fellow family members, friends and colleagues, and have the time to deliberate with one another before developing recommendations. Stakeholders, CSOs and institutions are invited to present their positions to the panel.  *Examples of the questions the panel contemplated about flood prevention:*   * What to do to improve rainwater retention in the Tricity Landscape Park? * How should the city support the residents affected by a heavy rainfall? * When building a new reservoir, should we give up filling it partially with water?   All proposals that received at least 80% of support from participants became official recommendations of the panels, which the Mayor is implementing. Each panel has cost approximately 30,000 euros.  According to Marcin Gerwin, the main organiser of the citizens’ panels, the key ingredients for success are: a well-designed process; trust in people; inviting the best possible experts on the topic, and a willingness to implement the recommendations.  Source: City of Gdansk, 2016; Gazivoda, 2017; Gerwin, 2018b. |

Monitoring and evaluation systems

The last key aspect of open government implementing frameworks are monitoring and evaluation (M&E) systems. These are essential for elaborating sound and robust public policies, ensuring that they achieve their intended goals and objectives, helping to identify the challenges involved and providing possible solutions to overcome them. Provision 5 of the OECD Recommendation outlines three aspects needed to develop and implement monitoring, evaluation and learning mechanisms for open government strategies and initiatives:

1. “Identifying institutional actors to be in charge of collecting and disseminating up-to-date and reliable information and data in an open format
2. Developing comparable indicators to measure processes, outputs, outcomes and impact in collaboration with stakeholders
3. Fostering a culture of monitoring, evaluation and learning among public officials by increasing their capacity to regularly conduct exercises for these purposes in collaboration with relevant stakeholders” (OECD, 2017a).

Monitoring and evaluation are complementary, although they are two distinct practices, with diverse dynamics and goals. Policy monitoring refers to a continuous procedure of systematic data collection on specific indicators to allow policy makers and stakeholders to have access to information regarding the process and achievements of ongoing policy initiatives and/or the use of allocated finances (OECD, 2018, 2016). Monitoring is important for planning and operational decision making, as it provides evidence for performance management and can help identify implementation problems, delays or bottlenecks. It can also contribute to strengthening accountability regarding the use of resources, the outputs of a given policy initiative, or the efficiency and effectiveness of internal management processes (OECD, 2017a).

Policy evaluation refers to the structured and independent assessment of the design, implementation and/or results of a completed, ongoing or future policy initiative. The objective is to define the relevance and completion of policy goals and to assess various dimensions of a specific policy, such as its efficiency, effectiveness, impact or sustainability. (OECD, 2018, 2016). Evaluation serves three main purposes. First, it allows policy makers to learn and understand why and how a policy was successful or not. Second, it allows for strategic decision-making by illuminating the links between decisions and outcomes. Lastly, it promotes accountability, as it provides stakeholders with information regarding whether or not the government’s efforts are leading to the expected results (OECD, 2017a). At the national level, 86% of OECD countries monitor open government initiatives and 59% evaluate them (OECD, 2015).

M&E systems could be established for each of the implementing frameworks outlined in this section. Overall, this requires the municipality to identify an institutional actor or individual in the administration who would be responsible for collecting and disseminating updated and reliable information in an open format. It also necessitates the development of comparable indicators to measure processes, outputs, outcomes and impact in collaboration with stakeholders. For these recommendations to be successful, it is crucial to foster a culture of monitoring, evaluation and learning among public officials. Once ongoing monitoring is in place, the municipality could consider an evaluation of its open government initiatives to assess how open government improves policy outcomes and impacts.

For instance, measuring the extent to which citizens use their rights to access information could be one way of keeping track of transparency. An example of how this is implemented elsewhere is in the Australian state of New South Wales (Box 10.7). Measuring the number of access to information requests, waiting time, and response given is one example of how implementation of the Access to Information Law can be monitored and evaluated, although many requests does not necessarily mean there is a great deal of transparency, nor does having few requests mean that information is being made available proactively.

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| Box 10.7. Example of Freedom of Information monitoring  New South Wales Dashboard  In the Australian state of New South Wales, metrics regarding the utilisation of Information Access Rights have been monitored since 2014. The dashboard is a visual representation of the data, making it possible to track progress over time easily. The dashboard includes the following measures:   * count of formal applications by type of applicant * formal applications received per capita * percentage of decisions on formal applications where access was granted in full or part * percentage of all decisions made on formal applications where access was refused in full * percentage of all decisions made within the statutory time-frames * percentage of applications received which are reviewed by the jurisdiction’s Information Commissioner/Ombudsman.   Source: New South Wales Information and Privacy Commission, 2018. |

Regarding communication, the municipality of Shweir is already measuring its social media engagement, which is a crucial element for understanding impact. This could become a practice in Byblos as well. Both municipalities could also consider collecting more systematic data about their two-way communication to get a sense of what percentage of their communication is one-way information and what percentage is a two-way dialogue with citizens.

For stakeholder participation, collecting metrics regarding the number of participants and inputs into a consultation and the demographics of participants could help the municipalities better understand which voices are being heard and not being heard, highlighting the potential need for targeted efforts to reach certain parts of their populations. Doing so could also enable the municipalities to establish greater legitimacy for decisions taken, where a link can be drawn to the representativeness of the input received from citizens. Beyond monitoring the process, it is also important to monitor the outcomes and the impact of stakeholder participation initiatives on the desired goals, such as an improved policy or project, or increased trust in government.

Proposals for action

1. **Publish the budget in open data format.** The Recommendation says that data could be published in a format that is “free of cost, available in an open and non-proprietary machine-readable format, easy to find, understand, use and reuse, and disseminated through a multi-channel approach, to be prioritised in consultation with stakeholders” (OECD, 2017a). In the case of the budget, each municipality could publish a downloadable Excel file, which would allow citizens and businesses to easily search the budget, carry out calculations, and would foster greater accountability of the municipality.
2. **Create a citizen’s guide to the budget that is automatically sent to all residents by e-mail and social media, and is available as a leaflet at the municipality.** Transforming the key elements of the budgets into graphical representations and explanations that are easy to understand by all people would help ensure the budget is more accessible to citizens, stakeholders and businesses. By sending it out automatically to residents by e-mail or social message (such as WhatsApp or Telegram, for example), the municipality would be pro-actively sharing information rather than waiting for citizens to come to the municipality building or its website/Facebook page searching for information. To avoid a digital divide and since not all citizens are necessarily active online, Byblos and Shweir could also consider making the citizens’ guide to the budget available as a leaflet at the municipality building.
3. **Incorporate a public communication strategy into the overarching Open Government Strategy**. Evidence suggests that the current administrations in both municipalities communicate well about their respective open government initiatives and measure levels of engagement, but these practices could be reinforced by a formal strategy. Including these practices in the Open Government Strategy could help to systematise them.
4. **Publish systematically information about local projects** (i.e. indoor sports facility, the budget, etc.). Currently the practice for sharing information in both municipalities is *ad hoc*. The municipalities could develop a set of guidelines that ensure all information for every local project is always published on its website and social media pages, detailing which information needs to be shared with the public.
5. **Extend communication beyond social media and develop audience insights.** The municipalities’ use of social media to communicate, particularly on Facebook, is already excellent, generating high levels of engagement and two-way dialogue. Utilising other forms of communication as well could widen the reach. Keeping the official website up to date is also important. Another suggestion, which is common in many OECD municipalities, is to develop a citizen newsletter which brings the municipality’s news and information directly to the citizens by e-mail or social messaging. In Shweir, adding a media strategy to increase TV, radio and newspaper audiences could help to ensure that the municipality is also reaching residents that are not active online. Finally, in both municipalities, developing analysis regarding audience insights could help the municipalities to better understand which types of residents they are reaching through which communication channels in order to develop a more targeted approach that could help Byblos and Shweir reach more people and increase stakeholder and citizen participation. Indeed, understanding audience motivations, perceptions, and expectations are key for effective and strategic public communication.
6. **Create a Charter of Openness & Participation that includes guidelines for stakeholder & citizen participation.** As there are currently no guidelines, regulations or legislation mandating citizen participation and engagement in Lebanon, developing such a Charter, common in OECD countries, could help to institutionalise the good practices that are already underway in Byblos and Shweir. The guidelines could set out the principles and objectives of involving citizens more in policy making, and could establish methods of citizen participation. It could also ensure that monitoring and evaluation of citizen involvement occurs, keeping track of how many people participate in deliberations and consultations about each issue, as well as their representativeness of the wider community. Finally, the guidelines could outline indicators that could help measure the outcomes and impact of stakeholder and citizen participation initiatives on policies and services.
7. **Institutionalise stakeholder and citizen participation in infrastructure and urban planning projects.** To embed the municipalities’ practice of holding open door sessions and meetings regarding infrastructure and urban planning projects, guidelines could be developed as part of a Charter of Openness & Participation, which could also take these practices further, outlining in what instances they should be required, for example. If the municipalities choose not to develop a Charter, then developing a set of guidelines for stakeholder and citizen participation that are enshrined in the Open Government strategy would be useful and set an example for other municipalities.
8. **Develop monitoring and evaluation guidelines for open government initiatives.** These guidelines could detail the monitoring and evaluation requirements set out in an Open Government Strategy in each municipality. They could identify the institutional actor or individual within the municipality responsible for collecting and disseminating updated and reliable information and data in an open format. The guidelines could also entail the indicators that should be used to measure processes, outputs, outcomes and impact. I.e. for stakeholder and citizen participation, it could include monitoring the number of participants, their demographics, and the feedback loop. For transparency and ATI, it could include metrics on access to information requests.

## 3. The way ahead

The way ahead refers to how the open government agenda can move forward beyond the frameworks, institutions and initiatives outlined in the previous two sections regarding the enabling environment and implementation frameworks. It refers to public sector innovation, digital tools and open government data, and moving towards the notion of an “open state” (OECD, 2016, OECD, 2017a). In Byblos and Shweir, there are already a number of initiatives that are heading in this direction. The municipalities have been pro-active in disclosing information, tax information, budgets, publishing Council minutes (in Shweir) and other information digitally since 2002.

Both municipalities have a mobile application called Baladiyati where citizens can access information, public services and submit complaints. In Shweir, a digital archiving system is under construction with the support of OMSAR. A geographical information system (GIS) is also available, with 70 linked layers of data, allowing for more analytical decision making regarding issues such as planning and new infrastructure. Furthermore, Council resolutions are livestreamed on Facebook, and social media are used to communicate about social events, decisions taken, and responses to citizens’ complaints. Byblos could consider undertaking similar initiatives of digital archiving, establishing a GIS system, and livestreaming Council resolutions on social media.

The next steps for both municipalities could be to consider how they could incorporate more advanced consultation and engagement opportunities into the functionality of the app, or to use another application for these purposes. Some examples from OECD countries include the government of Jersey’s chatbot consultations with Apptivism, Barcelona’s use of the free open-source participatory democracy platform Decidim, and Madrid’s free open-source platform Consul (see Box 10.8). The latter of these examples has also demonstrated how online and deliberative forms of engagement can work well together, since the online platform has been complemented by a recently inaugurated Observatory of the City. The deliberative processes outlined in the previous section are also examples of more advanced engagement methods. The OECD’s forthcoming report, *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave* (2020) covers this approach in more depth, analysing close to 300 case studies around the world to better understand the principles of good practice and how such processes can be embedded into the policy cycle. Other examples of innovative citizen participation mechanisms can be viewed on the OECD’s Toolkit and Case Study Navigator on Open Government,: <https://oecd-opsi.org/guide/open-government/>.

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| Box 10.8. Examples of innovative citizen participation mechanisms  Government of Jersey: Apptivism chatbots for more representative engagement  Between June 2017 and February 2018, the Government of Jersey ran six online consultations with a chatbot used to assess public opinion. The chatbots simulate conversation with human users, so questions are asked in a more conversational way than via a traditional survey. Apptivism’s co-founders describe their approach as “human-centred”, applying the EAST (Easy, Attractive, Social and Timely) principles with both the citizens and the decision-makers in mind. The topics included:   * Shaping Our Future – Environment and Community on behalf of the Chief Minister’s Department; * Shaping Our Future – Community Living in Jersey on behalf of the Chief Minister’s Department; * Review of maternity and paternity benefits on behalf of the Social Security Department; * Review of the personal tax system, including the treatment of men and women on behalf of the Income Tax Department; * Survey on perceptions of the Police and safety in the community on behalf of the States of Jersey Police; * Review of divorce law on behalf of the Community and Constitutional Affairs Department.   *Overview of key outcomes of the six chats*   * 996 – average number of respondents per chat, uppermost among departmental consultations * 3,270 – unique users of Apptivism; instantly re-engaged each time a new chat was launched * 54.1% – percentage of users that ‘chatted’ on more than one theme * 33 – average age of user * 57% – percentage of female respondents * 2,100– qualitative free text responses received suggesting improvements to policies and services   The Apptivism chats received more responses than most departmental consultations, whilst demanding less time from Government of Jersey officers. The Apptivism chats received a comparable number of responses to previous surveys conducted by the Government of Jersey’s statistics unit, but were not fully representative. Those without Facebook were not able to participate, although 87%of the population of Jersey is on Facebook, and this will not be a problem with future chats that will not require a Facebook interface. Men and those over 65 were slightly under-represented.  Re-engagement rates were high between consultations (54.1% of users completed more than one chat), and by using the same platform and approach, there is a now a large user base (3,270 people) which can be easily re-engaged. This is not a feature of traditional paper or web-based survey consultations. In comparison, Mailchimp estimate that emails from governments and non-profits receive a 2.76% clickthrough rate on average.  Apptivism engaged parts of the population that are typically under-represented by traditional consultation approaches, notably young people and women. The average age of respondents across the six chats was 33 and 57% of respondents were female. No socio-economic or ethnic origin data were asked of participants, however, so it is not possible to analyse whether or not the respondents were representative of the wider population in these respects.  Source: Government of Jersey, 2018; Apolitical, 2018  **Government of Barcelona: Decidim platform for citizen participation**  Decidim, which means “Let’s decide now” in Catalan, is a free open-source software for participatory democracy, which has various spaces and tools for participation.  *Spaces for participation*  There are four spaces for participation where members are able to formulate their propositions and take decisions together: initiatives; processes; agoras, and consultations. For example, there can be a citizens’ initiative to obtain a modification to a regulation (initiative); a participatory budget, a vote or a consultation to define a long-term objective (process), a general assembly of a workers’ collective (agora), or a referendum on a specific topic (consultation).  *Tools for participation*  Separately, the platform also offers tools for participation. These are the functionalities which allow interaction between the platform and spaces of participation. Decidim proposes different tools: meetings; conferences; calls for ideas; proposition deposits; surveys and questionnaires; discussions and debates; results; project monitoring; votes; pages, and newsletters.  There are also three different types of participants on the platform: visitors; registered members, and verified members. Visitors can see the content on the platform without register. Registered members can contribute to the platform. And verified members benefit from an extended level of participation, which comes with additional abilities to defend their propositions, sign petitions and vote in consultations. Individuals are able to register either as individuals or as members of an association nor organisation. The developers consider Decidim to be more than an open source platform – a real community.  Source: Open Source Politics, 2018.  **Government of Madrid: Combining online and deliberative practices**  A bottom-up, citizen-led initiative, Decide Madrid provides an open online platform for the generation and consideration of proposals developed by citizens. This process has drawn in everyday people, but it struggled to make their contributions substantive enough to work as hoped, and to bring their contributions to a public referendum when they were substantive enough.  The platform has experienced many problems common to other forms of ‘open’ online participation. The loudest and most frequent voices dominate, and the proposals do not draw from a wide variety of sources and are under-researched, leading to poorly informed recommendations. There is also the problem that it is hard to get the required number of signatures for any given proposal, meaning it becomes more important to have the time and resources to run a good campaign.  To help counter this, the city council, with the help of Participa Lab and the newDemocracy Foundation, designed a citizens’ council, which they have called the Observatory of the City, with 49 randomly selected residents. These people will meet eight times over the course of the year to learn in-depth, to deliberate about the trade-offs and be able to come to a public judgement about the proposals. The Council will be given the freedom to search through proposals on Decide Madrid and get further information to help improve or substantiate proposals that they choose to focus on.  The members of the Citizens Council make a group decision to proceed to referendum. As the voter opens their ballot, they are informed by a report of a single page of pros and cons for each proposal, written by the citizens of the Council as a trustworthy source to help them ultimately make their own considered decision.  Source: newDemocracy Foundation and ParticipaLab, 2019.  **OECD Open Government case study platform and toolkit navigator**  The OECD Open Government Case Study Platform and Toolkit Navigator features over 100 examples of innovative open government practices from OECD and non-member countries.      Source: OECD Open Government Toolkit Navigator. |

Proposals for action

1. **Introduce cutting-edge citizen participation practices that involve stakeholders more directly in public decision making.** The municipalities are currently undertaking good practices for information and consultation. Next steps to consider could be to implement more advanced citizen participation processes for engagement – which means involving stakeholders more directly as partners in policy making and public decision making. This could take the form of deliberative processes or advanced tools for online participation, for instance.
2. **Expand the functionality of the Baladiyati mobile app to allow for greater citizen participation.** One way that Byblos and Shweir could implement the recommendation regarding cutting-edge citizen participation could be to expand the functionality of the mobile application to also include the ability for citizens to participate in consultations (which is a two-way process), beyond the ability to submit complaints. Another option to consider could be to utilise one of the free, open-source platforms that are available for this purpose online.
3. **Continue the data archive process in coordination with OMSAR in Shweir, and begin it in Byblos, alongside the development of a GIS system.** The municipalities could ensure that the data is in an open format which is easily downloadable, searchable and shareable, as per the Recommendation.

Conclusion

There is an important opportunity today for Byblos and Shweir municipalities to take a strategic approach to open government and set an example for other municipalities in Lebanon. The national government is focusing on how to improve open government initiatives at the national level, and the political leadership and commitment to openness at the local level both municipalities is notable. Many excellent initiatives covering each of the four principles of open government are already underway. While the complex governing arrangements between central and municipal level impose some limits to what can be achieved without greater decentralisation and national reforms, there are nonetheless numerous options for Byblos and Shweir to institutionalise their approach to governance that puts citizens at its heart.

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7. For other 4 countries it is mandatory for some primary laws and for another 4 countries for major primary laws. The data covers 34 OECD countries and the European Union. [↑](#footnote-ref-8)
8. For other 8 countries it is mandatory for major subordinate regulations and for another 4 countries for some subordinate regulations. [↑](#footnote-ref-9)
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14. Municipal unions are sometimes called municipal federations. [↑](#footnote-ref-15)
15. The municipality of Beirut is an exception. The government-appointed Governor of Beirut chairs the executive authority and the Mayor of Beirut is responsible for policy making alongside the councillors. From a legal perspective, Beirut’s mayor has the same powers as the councillors, but in practice, he is also the leader and spokesperson of the elected council (DRI, 2017c). [↑](#footnote-ref-16)
16. The Ta’if Agreement ended the civil war in Lebanon. It was negotiated in Ta’if, Saudi Arabia in September 1989 and approved by the Lebanese parliament on 4 November 1989. The full text is available here: <https://www.un.int/lebanon/sites/www.un.int/files/Lebanon/the_taif_agreement_english_version_.pdf>. [↑](#footnote-ref-17)