# Transparency and public participation:

## The Albanian case of Open Government Partnership

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## Abstract

Increasing real public participation in governance and decision making is one of the greatest challenges of modern democracies as well as of these countries seeking to elevate their level of decision making and effective participation of public and citizenship in these processes.

The widely dissemination and usage of communication technologies as well a greater pressure from the public for a greater accountability towards their governors, changes the shape and tools of governance, by changing initially the philosophy of and mindset of decision makers and policy maker as well. At the same time, this calls for a revolutionary way of powers distribution in governance processes by bringing more power in the hands of public, starting by an increased transparency and aiming a real and functional participation. The case of Albania, certify how policy makers good will and successful application of best practices, can accelerate democratic processes and increase resources for a better decision making and decision application as well.

The paper makes a historic and political reconstruction of the OGP process and practices by projecting the effects and potential outcomes of this governance philosophy in the Albanian social tissue and set up, taking in consideration of the political system and the governance philosophy in Albania 2011-2012.

**Keywords:** open governance partnership, participation, public trust, policy set up, transparency

## Historic and social development of the OGP concept

The Open Government Partnership (OGP) is a new international initiative. It aims to provide real commitment from governments in order to make transparency an attribute of the relation between decision makers and administrators on one side and public in the other. At the same time it represents a multiple outcomes initiative which aims to ensure active and direct civic engagement in governance, use new technologies of communication to increase the level of account giving from government toward citizens. This initiative is leaded by a multi-stakeholder International Steering Committee which is co-chaired by the United States and Brazil in its inaugural year.

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[1] http://www.mitik.gov.al

Members of this comity are its governments and civil society representatives from around the world.

The historical and philosophical routes of this government philosophy arise to the time of the Enlightenment when many philosophers made an attack on absolutist doctrine of state secrecy a core part of their intellectual project. The main principle of this new way of thinking of government was that government should be open to public scrutiny and susceptible to public opinion.

In any case passing from a way of thinking into action took a lot. First track of transforming these intents into formal legislative instruments it was the Freedom of the Press act of 1776 in the Sweden of that time (which included Finland in its territories). This also created an antecedent to the history of the public sphere.

Influenced by Enlightenment thought, the revolutions in America (1776) and France (1789), freedom of the press enhanced provisions and requirements for public budgetary accounting and freedom of the press in constitutional articles.

After the United States passed its Freedom of Information Act (FOIA) in 1966, FOIAs or Access to Information Acts (AIAs) followed rapidly with Denmark and Norway passing equivalent laws in 1970, France and The Netherlands in 1978, Australia, Canada and New Zealand in 1982, Hungary in 1992, Ireland and Thailand in 1997, South Korea in 1998, the United Kingdom in 2000, Japan and Mexico in 2002, India and Germany in 2005.

Now a day, open government finds its most convinced supporters in the civil society, mostly non-governmental organizations which mission seems to be keeping the communication door opens, taking in account the natural inclination of governing bodies to maintain un-revealed what they like to consider office reserved information. International bodies like Transparency International or the Open Society Institute have been often advocates for the implementation of norms of account giving of governors and civic engagement through the increasing of transparency in public service worldwide considering them as gainers.

This calls for a greater sensitivity in keeping the balance between real information of how administration and public governing bodies use to work, while keeping the citizens safe from consequences of the privacy violation or malpractice of information access and usage.

Open government in many advanced practices is moving on the local level in municipalities and regions.

The widespread of communication technologies and the increased familiarization of citizens with the usage of such technologies, increases the information inquiry as well

as the level of interaction of civil servants and citizens in service provision by making transparency not a new myth but a tangible reality.

In any case it is very important to keep the count of how much the increase of technology usage really increase transparency in order to avoid the creation of a halo transparency.

## Challenges, participation and actions for OGP in a global level

In his speech in the UN Assembly on September 2010, President Obama addressed important issues focusing on the triangle between open economies, open societies and open government as the engine of prosperity for all human kind. While appreciating the efforts to increase democracy in decision making and government in many countries, he stressed upon the relation between governors and their citizens while challenged all participating leaders to gather again in September 2011 to set up action plans which by making leverage in new technologies could create open and better societies.

This signed the grouping of governments and civil society organizations to start the Open Government Partnership (OGP) with the conviction to make true the principles and intents of transparency, public trust and civic engagement.

In the first year of its activity OGP was leaded by the United States and Brazil while its steering committee was composed of governments (Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, the United Kingdom, and the United States) and civil society organizations (Africa Center for Open Governance (Kenya), Instituto de Estudos Socioeconômicos (Brazil), Instituto Mexicano para la Competitividad (Mexico), International Budget Partnership (international), MKSS (India), National Security Archive (U.S.), Revenue Watch Institute (international), Transparency and Accountability Initiative (international), and Twaweza (Tanzania). These action plans focused respectively for each country on:

- Effective management of natural resources revenues (USA)
- Delivering public information (Brazil)
- Gender equality (Norway)
- Open data (United Kingdom)
- Citizen participation (Philippines)
- Service delivery (South Africa)
- Public integrity (Indonesia)
- Government transparency (Mexico)

The eight founding governments stipulated the Open Government Declaration where they articulated the basic principles and the respective action plan in order to apply these principles. In April 2012 other 38 governments joined the OGP and introduced their action plan, among which Albania.

Core elements of these plans were transparency in fiscal and budgetary issues, information access increase, informative activities regarding public servants and real civic commitment.

**Albania and OGP**

The Albanian Prime Minister, Mr. Sali Berisha during the launching ceremony of the OGP initiative in New York on September 21st, 2011, emphasized that:

"Albania is a country that is making serious efforts towards transparent governance. At this Forum, Albania found inspiration and support to implement an action plan that complies with all the engagements arising from the membership agreement."

The Republic of Albania confirmed the participation on Open Government Partnership initiative on August 2nd, 2011, through a letter by the Minister for Innovation and ICT Mr. Genc Pollo and by evidencing Albania's progress in this intent, stated that:

"My country has achieved much in the last years in terms of fighting corruption, rendering government more open and transparent to citizens. I am confident that participating in the OGP will enable us to learn from other countries as well as to provide to others our own record of challenges and successes."

Among the initiatives undertaken by the Government is the establishment of the Inter-Ministerial Working Group (IWG) by Prime Minister Order (No. 104, dated 28 December 2011), with the primary goal: "Drafting the Albanian Action Plan to the Open Government Partnership". The chairman of the IWG is the Minister of Innovation and ITC and the members are all Deputy Ministers of the Albanian government, the Prime Minister's adviser for the information society, and the General Director of the National Agency for Information Society.

Meantime, a lot of important new dimensions has been given to the public service and governance in the country. Among which some more outstanding and significant re-dimensioning of public services can be mentioned:

- Some of ministries will publish in their websites a link dedicated to the OGP initiative and Albania's commitments;
- The Ministry of Finance published online in the Treasury website, all expenses incurred during a day. This practice will be followed by many others similar in different agencies.

- Any act of central administration, concerning control and audit, will be published in the official website of each central institution.
- Digitalization of notaries records ;
- Online access on the Property Register;
- Digitalizing the National Inspection System;
- Establishment of the online auction system;
- A Face book profile "OGP Albania" is launched (http://www.facebook.com/pages/Open-Government-Partnership-OGP-Albania/346855882000303)

Being member and trying to operate in base of the OGP principles represent actually (in particular for countries like Albania) a stable and fast way to progress by applying reforms which assure not only an open government while fostering a open market economy and an open society in general.

E-government and the realisation on-line of different governmental services, even if started few years ago, represent a powerful engine of progress around the world.

They actually are a tangible reality in Albania, by saving time, energies and financial resources while increasing efficiency, transparency and fighting of corruption.

The increased level of information served in internet empowers citizens, their participation in citizen life, increases the level of responsibility of public officials toward citizens. They become more informed, thus becoming more powerful.

At the same time, being members of this worldwide initiative from the very beginning will assist Albania by learning from their countries experiences as well as introduce Albania's best experiences in these efforts.

Civil society and its organizations, as core elements of this challenge of governance in the beginning of the millennium have a key role, that of providing expertise pole, public sensitivity articulators and process evaluators by transforming transparency and information intro a better governance, increased public trust and improved public service for the benefit of our citizens.

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