

Department of Economic and Social Affairs

Division for Public Administration and
Development Management

Moving from commitments to results in building effective, accountable and inclusive institutions at all levels

**Report of the expert group meeting held on 17 and 18 February 2016 at
United Nations Headquarters, New York**



United Nations

Acronyms

ACA	Anti-corruption agency
CEPA	Committee of Experts on Public Administration of the Economic and Social Council
CSO	Civil society organization
EGM	Expert group meeting
IRM	UNCAC Implementation Review Mechanism
OGP	Open Government Partnership
SDG	Sustainable Development Goal
UNCAC	United Nations Convention against Corruption
UNDESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime

Key messages of the expert group meeting

The 2030 Agenda is not just “a collection of wishes”. Many countries are already on the move, as seen, for example, in the countries that volunteered for conducting national reviews at the July 2016 High-Level Political Forum on Sustainable Development. While SDG 16 makes a strong, direct reference to public institutions, the role of institutions extends across all 17 SDGs. The integrated nature of SDGs requires an integrated approach to implementation. This means going beyond silos, and requires capacities and tools to understand how actions in one area will impact other areas. The Agenda’s principle of “leave no one behind” also calls for a new approach to policymaking and implementation, requiring inclusive institutions.

Gaps between principles and reality in building institutions at the local level

The role of local authorities, the closest level of government to the people, is crucial for implementing the 2030 Agenda. Local authorities are also well placed to forge the partnerships and undertake the integrated policies needed to pursue the SDGs. Rather than advocating a particular form of decentralization, the real issue is how to effectively share public function among levels of governments and build stronger capacities for all actors involved, so as to best support the SDGs.

The starting point of reform for implementing the SDGs is to understand the current situation in a particular country, including the prevailing political and other conditions that could support or hinder the empowerment of subnational governments. Each country will have to determine its own SDG priorities, and subnational reforms should be partly linked to SDG priorities. It is also important to identify and document “subnational SDG deficits” – those areas in which there is the biggest gap between the current situation and SDG aspirations. At the same time, local authorities may move towards implementation of the SDGs at different speeds.

The SDG deficits can be used for identifying needed improvements in intergovernmental and subnational government systems and processes. The international community can signal commitment through supporting enhanced local government capacity in integrated territorial development.

Scenario planning and forecasting are important tools for SDG visioning and can strengthen the capacity of local authorities to pursue the long-range planning needed for sustainable development.

Public sector corruption and the SDGs

SDG 16 acknowledges the importance of corruption as a threat to sustainable development. Enhancing the impact of corruption prevention efforts at the country level requires calls for focussing efforts on selected SDG areas such as those related to basic services (health, education, water and energy), as well as investment in infrastructure. In addition, the implementation review mechanism of the United Nations Convention against Corruption should be linked to the SDGs, as should all such international initiatives and instruments. Going forward, additional empirical evidence is needed on the forms of corrupt practices that are most damaging to sustainable development prospects, and under which conditions.

Reviewing open government performance

Open government has been gaining ground in countries around the world, but there is no firm evidence one way or the other that open government take-up leads to improvements in government and society. The ultimate goal of open government should be good governance, yet we lack effective mechanisms to evaluate the impact of open government programmes on governance objectives. At the same time, open government evaluation tools need to be flexible and take into account country contexts and the capacities of open government institutions.

Moreover, access to information and transparency do not necessarily lead to more accountable governments. In pursuing open government, leadership, long-lasting partnerships and engaging civil society in developing open government policies are important, beyond mere provision of information. The participation process also needs to be institutionalized.

Introduction

The Committee of Experts on Public Administration (CEPA) will consider the overarching subject issue of transforming public institutions to facilitate inclusive policy formulation and integration at its fifteenth session to be held from 18 to 22 April 2016. The issue is closely linked to the 2016 ECOSOC theme of moving from commitments to results, and is intended to shed new light on implementation of the institutional dimensions of the sustainable development goals (SDGs). A number of related angles will be explored, including connections between policy integration and participatory decision-making, stakeholder engagement, innovation, corruption prevention and transformative leadership.

In order to support preparations for the CEPA session, the Division for Public Administration and Development Management of the Department of Economic and Social Affairs convened an expert group meeting (EGM) from 17 to 18 February 2016 at the United Nations in New York, entitled “Moving from commitments to results in building effective, accountable and inclusive institutions at all levels.” The meeting brought together individuals from academia, government, civil society and the United Nations to explore state-of-the-art research and analysis in three specific issue areas: (1) gaps between principles and reality in building institutions at the local level; (2) public sector corruption and the SDGs; and, (3) open government performance.

Mr. Lenni Montiel, Assistant Secretary-General for Economic Development, officially convened the meeting. Sessions were chaired by Ms. Marion Barthélemy, Acting Director, UNDESA Division for Public Administration and Development Management, by Mr. Juwang Zhu, Director, UNDESA Division for Sustainable Development, and by Ms. Rowena Bethel, Director and Chief Executive Officer of the National Insurance Board of the Bahamas and Vice-Chairperson of CEPA.

After setting the scene, the first day was devoted to questions of national and local government relations, and was followed by a session on public sector corruption and the SDGs. The second day began with a focus on open government performance. The concluding session, on the second day, comprised an interactive discussion with the CEPA Bureau about the results of the meeting, key messages that should be brought forward, and continuing gaps in understanding that may warrant further study. In examining the issues, the experts considered lessons learned as well as policies options for addressing challenges in SDG implementation, with particular regard to prospects for low- and middle-income countries.

This report reflects the discussion and analysis, as well as the challenges and policy priorities identified at the EGM. It provides recommendations for the consideration of CEPA, and suggests key messages that could inform the debate on the institutional dimensions of the 2030 Agenda. It also builds on individual papers and presentations prepared by the experts on specific topics for the meeting, which serve as additional inputs to CEPA and have been posted online as background material for the fifteenth session at <https://publicadministration.un.org/en/CEPA/session15>.

Summary of the discussion

Session 1 – Setting the scene

The Assistant Secretary-General, in his opening remarks, recalled the 2030 Agenda was the most ambitious roadmap for development ever adopted by the United Nations. Its seventeen sustainable development goals encapsulate a common vision of the kind of world all countries want to see, and embody a comprehensive, systematic and coherent approach to development that recognizes poverty eradication and climate change as among the greatest global challenges of our time. While the 2030 Agenda embodies a common vision of the future, there is no one blueprint to follow. Each country needs to determine its own path to sustainable development in view of its own national policies and priorities.

The 2030 Agenda dedicates one goal – SDG 16 – to the building of peaceful and inclusive societies and effective, accountable and inclusive institutions at all levels. Many countries are already on the move, for example in promoting integrative approaches in government administration and showcasing these experiences to stimulate learning and reflection. As of February 2016, eighteen countries had volunteered to report on their efforts in national reviews of implementation to be conducted by the High-Level Political Forum in July 2016. A number of delegations may be represented by the Head of State or Government.

The 2030 Agenda presents specific challenges to institutions both in relation to SDG 16, which refers directly to institution-building, and across all seventeen SDGs. The integrated nature of the Agenda calls for developing integrated policies, revamping coordination institutions, and developing new cultures of working together. Capacities and tools will be needed to understand and anticipate the impact of policies in one area on progress in other areas. And, achieving the targets within fifteen years will require a keen understanding of policies and ways to enhance them. In particular, the principle of “leaving no one behind” warrants new approaches to policymaking, as well as in the delivery of public services.

Local authorities have a critical role to play in all seventeen of the SDGs. Among other things, there is a natural link with the principle of leaving no one behind as local authorities are often in the best position to know who falls behind, and in what ways. A territorial approach to SDG localization could further link decentralization reforms to SDG outcomes, and help national and local authorities get beyond predominantly sectoral concerns. This may place particular demands on local authorities – the closest level of government to the people, but also often underfunded, underequipped and less connected to international agendas.

The concern for future generations, moreover, requires having the tools and capacities to look to the long-term and assess the impact of trends and policies. Statistical capacities and disaggregated data are critical for improved policymaking, as explicitly recognized in one of the targets. Long-term planning, forecasting and scenario analysis all depend on reliable and disaggregated data. Governments also need to mobilize domestic resources, which are an important source for financing for development as stressed in the Addis Ababa Action Agenda of the Third International Conference on Financing for Development. That means addressing tax avoidance and more effectively tackling corruption and bribery.

The Assistant Secretary-General concluded by noting that building institutional capacities will be essential, including particularly in the most fragile and vulnerable countries. Public institutions are also challenged to improve the way they engage with non-governmental actors, including civil society and the private sector.

Session 2 – Gaps between principles and reality in building institutions at the local level

This session comprised two parts. In the first part, the experts considered the sharing of responsibilities and resources among levels of government with a view to localizing the SDGs. Mr. Paul Smoke, Professor of Public Finance and Planning and Director of International Specialization, Wagner School of Public Service, New York University, and Mr. Hamish Nixon, Research Fellow, Overseas Development Institute, led the discussion with a presentation of their paper on the same subject. Ms. Alina Tartanko, Deputy Head, Centre of Expertise for Local Government Reform, Council of Europe, served as discussant.

In the second part, the experts explored State capacity for enhancing vertical policy coherence in SDG implementation through the use of strategic foresight, scenario planning and impact assessment tools and techniques. Ms. Livia Bizikova, Director, Knowledge for Integrated Decision Program, International Institute for Sustainable Development, made a presentation on scenario approaches and SDGs at the sub-national level. Mr. Ozcan Saritas, Professor of Innovation and Strategy, National Research University, Higher School of Economics, Moscow, served as discussant.

Part 1 – Sharing responsibilities and resources among levels of government

Local authorities should be key players in SDG implementation for a number of reasons. Given their proximity to citizens and grasp of conditions and relationships on the ground, local authorities are well placed to make the connections and forge the partnerships needed to pursue the integrated developmental aspirations of the SDGs. Moreover, local authorities have an important role in delivering essential public services and basic infrastructure that bear directly on sustainable development and poverty reduction, accounting for about a third of public spending in general, and up to 70 per cent of public investment in Organization for Economic Co-operation and Development countries. Local authorities are also better positioned to consider development holistically, and can be more agile than larger central agencies with national level authority and responsibility.

A first step in localizing the 2030 Agenda is to define the SDG priorities and needs of a particular country and to consider what role each national and local authority should play in addressing them. The experts agreed that decentralization per se was not the objective. Rather, the concern is how to structure intergovernmental systems, share responsibilities and resources among levels of government, and build capacities so as to best support implementation of the SDGs, taking into both national and subnational contexts, which vary.

The starting point for thinking about reform for implementation of the SDGs is to document and understand the current situation in a particular country, including the prevailing intergovernmental relationships and contextual conditions that could support or hinder the greater empowerment of subnational governments. Also, there is need to analyse individual countries' current capacities at

national and subnational levels across a broad range of functions. If the accountabilities and challenges are not well understood, it is very hard to say sensibly what local governments can do.

Many countries need more robust national frameworks, including predictable, adequate and equitable sharing of resources between tiers of government. How taxes are shared and transfers are funded and distributed will affect the ability and incentives of subnational governments to meet the SDGs. Getting the right balance between national governments and local authorities, however, is a hard political exercise. The political economy of intergovernmental reforms and historical precedents heavily influence the shape and strength of intergovernmental systems, which are difficult to change.

National bureaucratic dynamics are another critical factor shaping the design and implementation of intergovernmental systems and subnational reforms. Detailed design and implementation of frameworks is often assumed by central government administrators operating in complex and fragmented bureaucratic settings, and subject to various interests. If there is too much fear about giving power and resources to local governments, the system will stall and local governments will be unable to play a role. In implementing the SDGs, one must think about what is realistic and move towards a politically-viable, contextualized reform strategy.

Each country will have to determine its own SDG priorities, and subnational reforms should be partly linked to SDG priorities. The SDG deficits can be used as a key input in identifying needed improvements in intergovernmental and subnational government systems and processes. Also, it is important to define and document “subnational SDG deficits”, those areas in which there is the biggest gap between the current situation and SDG requirements, while recognizing that local authorities may move towards implementation of the SDGs at different speeds.

Some SDGs can be analysed mainly around single issues pertaining to a particular service while others may require a more holistic approach. Because of the integrated nature of many of the SDGs, the component functions and services required to meet each goal need to be carefully disaggregated and defined. This information could be used to help determine which elements can best be undertaken by national or subnational actors, and which will require joint provision by multiple levels and nongovernmental actors. Better data can also help to define the SDG deficits and illuminate the detailed implications of pursuing specific goals, feeding into the process of prioritization.

It is important to vest subnational authorities not only with specific functions, but also with a general SDG-related mandate to provide for territorial development and the welfare of their constituents. This can provide an incentive to pursue integrated development strategies in a way that is consistent with the underlying logic of the SDGs, transcending the ‘functional silo’ tendency associated with traditional decentralization.

Attaining the SDGs will require substantial increases in institutional capacities. The SDGs require a combination of robust sectoral capacities in some respects and holistic territorial development planning capacities in others. Institutional mechanisms and processes to move forward and engage the various actors need to be created. In some cases, existing agencies and mechanisms can help, but new entities may be needed to address the potential bureaucratic constraints.

The Council of Europe (CoE), for its part, has documented good practices in local government that could be shared with countries in other regions, possibly in cooperation with the United Nations. The CoE is already cooperating with UNDP in Europe and publishes various toolkits on its website.

The United Nations system and development partners will have an important facilitation role. The international community can signal commitment through agreements and programmes to enhance local government capacity in integrated territorial development. Particular consideration could be given to support for places where the SDG deficits may be the greatest, for example in low-income urban areas and in post-conflict countries. Development partners could also helpfully provide guidance on SDG-related fiscal transfers, echoing aspects of climate finance or multi-stakeholder health initiatives. Finally, the experts recommend a coordinated, whole-of-system approach on the part of United Nations to help overcome policy incoherence arising from competition or poor coordination among levels of government and across agencies.

Part 2 – Assessing State capacity for enhancing vertical policy coherence

The experts next considered the question of how foresight and scenario planning can help achieve policy coherence across levels of government in the context of the SDGs. Above all, they highlighted the need for national and local administrations to consider using forecasting and scenario planning tools as a means of enhancing vertical policy coherence.

Scenario planning refers to a structured way for organisations to think about the future. Qualitative scenarios grounded in current trends will be necessary to integrate diverse aspects of the SDGs and are useful for understanding aspects of the SDGs that are hard to quantify, for example, ensuring equal economic rights and access to basic services for all, improved awareness of sustainable management practices, and building resilience. The qualitative storylines of scenarios can be quantitatively modelled to facilitate decision-making by policymakers, taking both socio-economic and environmental aspects and their interlinkages into account – such as the impacts of diverse industrial processes, energy sources, agricultural and food systems on jobs, income, land-use change and pollution.

Effective planning for SDG implementation involves an assessment of ways to move towards achievement of goals and targets based on current data and trends at national and subnational levels. Well thought-out scenarios describe the possible future changes in a particular system, domain, environment or society, involve imagination and are usually written in the past or present tense, as if the visualized trends and events have already happened. They indicate the causes and consequences of key developments and challenge our current images and conjectures about the future. This way, they help create and evaluate alternative policies, strategies and actions, which will be essential for integrated planning in the medium- to long-term.

Scenario planning provides a structured way for envisioning, exploring and improving decisions and helping identify risks and uncertainties and ways of dealing with them at the hypothetical level and thus reduce the likelihood of making expensive mistakes.

It should be possible to assess the relevance of the SDGs in a given context based on priorities and current policies, and create a legitimate consultation process to explore future options at the sub-national level. Scenarios from different sub-national entities could also be aggregated with adequate

national leadership and coordination of policy and strategy development, including through periodic reviews.

Similar to scenario planning, strategic foresight can help inform policy-making for SDG implementation. Foresight refers to a broad view of the future and the gathering of intelligence to inform policy and mobilize collective action. Foresight entails a scoping and preparation phase, intelligence gathering, synthesis of information into quantitative and qualitative models of the future, analyses and prioritization of the alternatives involving intensive negotiations among stakeholders, translation of future visions into long-, medium-, and short-term actions, planning of structural and behavioural transformations, assessment of results, and engagement of experts and stakeholders throughout the foresight exercise to ensure transparency, inclusivity and legitimacy of the foresight activity.

The experts recognized that these techniques may be especially challenging for local authorities to employ given the analytical tools and skills required, and a tendency of highly-skilled civil servants to gravitate to the national government, as the perceived locus of decision-making and authority in some countries. At the same time, it will be important for local actors to participate and not leave planning entirely to the national government. One possibility is to experiment with the introduction of reforms and/or techniques in one territory that could be extended to others if found beneficial.

Session 3 – Public sector corruption and the SDGs

This session also comprised two parts. In the first part, the experts examined the institutional drivers of normalized corruption and considered policy options for addressing them. Mr. David Jones, Policy and Management Consultant and former Associate Professor of Economic and Policy Studies, Faculty of Business, University of Brunei Darussalam, led the discussion with a presentation of Mr. Jon Quah's paper on "*The normalisation of corruption: why it occurs and what can be done to minimise it.*" Ms. Yu Ping Chang, Programme Management Officer, United Nations Office on Drugs and Crime (UNODC) New York Office, served as discussant.

The experts then turned their attention to the risks that public sector corruption posed to implementation of the SDGs, and what policies and strategies could be envisaged to reduce exposure. Ms. Elisabeth Ungar Bleier, Executive Director, Transparencia por Colombia, introduced the subject with a presentation on getting the SDGs right on corruption. Mr. Anga Timilsina, Programme Manager, UNDP Global Anti-Corruption Initiative, served as discussant.

Part 1 – Addressing normalization of corruption in the public sector

For the purposes of the EGM, corruption was defined, based on the work of UNDP, as "the misuse of public or private power, office or authority for private benefit." When illicit practices – whether on a petty or grand scale – have become rampant and systemic, and constitute the norm rather than the exception, they can be said to have become normalized. This appears to be the situation in many countries, reflecting widespread shortcomings in addressing the underlying causes and conditions that allow corruption to flourish despite various anti-corruption reforms.

Studies reveal five common factors associated with normalized corruption: (1) salaries of civil servants, which may be too low to make ends meet; (2) red tape that increases opportunities for

corruption; (3) a low risk of detection and punishment of offenders; (4) expectations associated with cultural values such as gift-giving and kinship; and, (5) difficult governance environments, for example as found in fragile States. The risk of corruption increases when more than one of these conditions is present, as is often the case.

The experts recalled that, in tackling corruption, many governments followed a combination of compliance, integrity and community based approaches. The compliance, or rules-based, approach relies on promulgation of laws and regulations intended to control corruption, along with the establishment of anti-corruption and related agencies to enforce them. Some of these institutional mechanisms appear more effective than others. A wide-ranging study of arrangements undertaken in connection with the EGM found that, when multiple anti-corruption agencies (ACAs) are in the position of having to compete for limited resources, personnel and recognition, reliance on a single ACA tends to produce better results as evidenced by Transparency International's Corruption Perceptions Index. Anti-corruption efforts could therefore be substantially strengthened not only by enhancing the capacity of ACAs, but also by giving serious consideration to consolidating multiple agencies in a single entity in order to avoid coordination problems. Drawing on the experience of Rwanda, perceived to be the least corrupt country in East Africa, one expert drew attention to the role of law enforcement agencies in supporting ACAs, and called for increased resources to reduce gaps between legal and regulatory frameworks on paper, and actual enforcement.

The experts further highlighted the importance of political and social context in the effectiveness of anti-corruption efforts. For example, the successes achieved by Hong Kong (SAR, China) and Singapore were closely connected to the historical moments surrounding the establishment of their respective ACAs. By extension, successful anti-corruption practices are not automatically transferrable from one situation to another. They need to be adapted to specific political, social and institutional contexts.

The integrity-based approach relies on influencing individual behaviour through such measures as ethics, codes of conduct, training and education. The experts noted that the integrity-based approach appears to be a less effective method of corruption prevention within the public sector. In particular, there appears to be no evidence to suggest that codes of conduct actually lead to a higher standard of ethical behaviour among civil servants, especially when they are ignored or not enforced.

Community-based approaches engage civil society actors in monitoring government, for example through media reporting, citizen feedback on the quality of public services, corruption perception surveys and access to information. Such approaches have been found to be a valuable corollary to compliance-based mechanisms. One expert stressed that implementation of international corruption prevention instruments does not occur automatically at the national level. Implementation reports from civil society can be valuable in this respect and should receive greater attention. Civil society can also play an important role in developing innovative responses and should be supported bearing in mind that in some countries the space in which civil society operates may be restricted.

Turning to international cooperation in corruption prevention, the experts recommended strategic partnerships among countries with normalised corruption to identify good practices in corruption control and facilitate the adaptation of those practices through training and capacity-building. The

experts observed that, while international instruments such as the United Nations Convention against Corruption (UNCAC) may not be a panacea, they do provide a benchmark for holding countries accountable for their commitments. UNCAC's peer review mechanism, in particular, is a useful tool to identify gaps in implementing anti-corruption obligations through a self-assessment checklist. The peer review mechanism also allows UNODC to identify capacity gaps and design tailored responses to address them at the country level. Moreover, instruments such as the UNCAC offer an entry point for civil society to follow up on anti-corruption commitments and for the international community to provide assistance for countries to implement necessary reforms.

One expert pointed out that the UNCAC is not very well known at the local level, where corruption is also endemic. Governments and other stakeholders should take steps to raise awareness about the UNCAC and related instruments, while also investing in the education and empowerment of citizens so that they are conversant with their rights, and of the roles and responsibilities of their local authorities. The work of the Centre of Expertise for Local Government Reform of the Council of Europe provides a useful set of benchmarks to show where municipalities stand in a given area, help them to identify gaps in their corruption prevention frameworks, design appropriate responses, and follow improvements over time.

The experts concurred that the persistence of corruption could generally be attributed to a lack of political will, as evidenced by a focus on the symptoms rather than the causes of corruption, the failure to effectively and impartially administer anti-corruption laws, and to enhance the capacity of anti-corruption agencies. At the same time, the expression "political will" could refer to any number of actions and was open to interpretation. One should be careful to unpack the concept and ask, "Whose will?" and "To do what?" in order to understand how best to create it. This is particularly important for addressing political corruption, which calls for a careful reflection on how the features of a political settlement could be engendering corrupt practices. By way of illustration, grand corruption often features in cases where the political settlement relies on distribution of revenues from resource extraction to sustain power relationships. Strengthening of compliance-based approaches, better suited in principle to tackling administrative corruption, may not be so useful in addressing situations such as these.

The experts drew attention to a number of specific forms of political corruption such as political capture, illicit financial flows and grand corruption enabled by banking and financial systems. Unregulated lobbying was another concern, further complicated by the fact that certain lobbying activities may be considered acceptable in one country and unethical or illicit in another. These differences in viewpoint would make it difficult to adopt a common response.

Some development assistance agencies, such as USAID and the World Bank, have taken a pragmatic approach to corruption prevention by supporting assessments of sectoral vulnerabilities, and creation of "road-maps" that enables policy-makers to focus limited resources on those areas where corruption is most prevalent. The experts recommended that sectoral approaches to corruption prevention be pursued more actively, with a focus on priority sectors.

Further on the subject of cooperation, the experts suggested that anti-corruption efforts include provisions for identifying and engaging with "pockets of effectiveness" in government to serve as examples for others. Countries – such as Singapore, Hong Kong (SAR, China), Botswana and Georgia – and sectoral agencies that have been successful in containing or reducing corruption provided

valuable insight into practices that could be transferred and adapted by others. Strategic partnerships between international agencies such as the World Bank and UNDP, and civil society organizations, offer a possible conduit for action.

Finally, the experts stressed that poverty and inequality were significant correlates of corruption. While from a public administration perspective one could nurture good practices and develop instruments to tackle corruption, such measures could not address matters of political economy. Nonetheless, the United Nations appears uniquely positioned to examine the causes and effects of corruption across sectors, and to link anti-corruption efforts to broader societal issues of poverty, inequality and livelihoods.

Part 2 – Corruption risks to SDG implementation

Turning to corruption risks to implementation of the 2030 Agenda, the experts recalled that SDG 16 is a cross cutting goal, and that progress in this area will be necessary for the achievement of all the other SDGs. The effects of corruption on the most vulnerable sectors of society are often the most pronounced. Moreover, corrupt practices divert critical public resources thus undermining the aims of development assistance and effective use of domestic public resources. The positive associations between corruption and poverty levels, as well as negative associations of strong institutions and unsatisfied basic needs, further illustrate the influence of corruption on sustainable development.

The experts observed that strong institutions, political will and participation are essential for achieving results. However, this is not a new understanding. In assessing corruption risks, it would be helpful to decode what is meant by these expressions: Whose political will? What actors and institutions? Are we talking about human rights-based approaches or accountability mechanisms? Greater specificity may be needed in analysis of the institutional dimensions of corruption.

As available data on access to water, education and health services show, corruption can significantly undermine access to services with consequent impact on the achievement of different development objectives, including poverty reduction. The causes and effects are similarly diverse and depend on institutional context. Sectoral approaches to anti-corruption efforts should be strengthened with a focus on factors that hinder achievement of the SDGs. For example, the delivery of education for all can only be achieved by addressing corrupt practices that undermine the performance of the educational performance, such as absenteeism. In the spirit of the 2030 Agenda and leaving no one behind, priority could be given to corrupt practices that undermine goals and targets connected with delivery of basic services, such as in health, education and water. In addition, given the large sums involved, priority attention could also be given to commitments related to infrastructure.

The experts indicated that it would be useful to have a stronger link between the SDGs and the UNCAC in order to align initiative and policies with a view to making progress on both fronts. Some initial consideration has been given to linking the Implementation Review Mechanism of the UNCAC and related technical assistance to the SDGs. For example, one indicator initially considered for SDG 16 was the number of UNCAC-related recommendations implemented by States parties. The IRM of UNCAC could be more explicit about the 2030 Agenda, and more might be done to direct technical assistance in the corruption field to addressing capacity gaps that could hinder implementation of the SDGs.

The UNCAC is an important example but there are many international instruments whose implementation could be brought in alignment with the SDGs in order to be more effective in producing results at the country level. Institutional arrangements at the national level could present additional complications of their own. For example, corruption prevention focal points are often in the justice ministry, while focal points for SDG implementation might be in ministries of planning or finance, making policy coordination challenging.

The use of good indicators was another area where additional work may be needed. Such indicators should both take the diversity of country contexts into account, and enhance civil society capacity to participate in the monitoring process. High quality, internationally comparable data on corruption is limited. Moreover, it is often difficult to understand and use information from oversight agencies, such as supreme audit institutions, for anti-corruption purposes.

Data at the local level would also be valuable in order to have a good diagnostic of corruption problems in specific sectors. It does not all have to come from government sources. Civil society organizations, the private sector and others can play a critical role in producing corruption-related data. However, both technical support and political will to make information available are important. It is also critical to enhance open data initiatives, including the local level, which help create an enabling environment for effective monitoring. Ensuring transparency and integrity of budget processes and public procurement, as well as programmes for achieving the SDGs, were among the policy recommendations for achieving these ends.

Clear and effective participation mechanisms that allow citizens to monitor and oversee SDG implementation were another way of reducing risks. Among other things, it is critical to reflect on who should be involved in setting the priorities and making decisions in reform efforts. There is a need for inclusiveness and consensus among many different actors, in addition to appropriate oversight mechanisms. At the same time, the multiplicity of international commitments presents a problem for civil society actors. Moreover, while Civil Society Organizations (CSOs) are involved in all these initiatives, their resources and capacities are often limited.

The experts discussed how best to coordinate anti-corruption and transparency frameworks. By way of example, in Colombia, follow-up to the UNCAC, OGP and the Inter-American Convention against Corruption are all coordinated by the Government's Transparency Secretariat connected with the Presidency. While this facilitates coordination, the resources are too few to address the given mandates fully. Concentrating on priority issues, sectors or agencies should be considered in such cases. Another approach would be to take advantage of government planning cycles in order to find entry points for improving coordination. Donors and the United Nations could assist by reminding governments of the need to promote policy coherence and coordinate efforts, thereby facilitating the work of CSOs in this area. Moreover, those involved in coordination should take all relevant goals and targets into account, and, drawing on the experience of UNODC, build on past efforts in order to reduce repetition and duplication.

With respect to localization of the SDGs, the experts emphasized that there is a need for a better understanding of the complex relationship between decentralization and corruption. Initiatives to reform intergovernmental systems with a view to localizing the SDGs could otherwise simply lead to decentralization of corruption, thus perpetuating risks at the local level. The corollary is that centralizing all SDG follow-up at the national level without attention to local governments also

presents a major risk. Greater attention to addressing corruption in local government will therefore be essential.

Finally, prioritizing these measures and addressing challenges requires taking into account the political factors in different contexts. Newer forms of corruption can emerge during peace-building processes and co-exist alongside older forms, presenting special challenges for countries in post-conflict situations. Employing illicit practices to build peace might serve as a stabilizing force in the short term but the effects can be very destabilizing in the longer term.

Session 4 – Reviewing open government performance

This session considered open government strategies, evaluation methods, and the assessment of the impact of open government initiatives on transparency, accountability and public trust. The first part was led by Ms. Sandra Elena, Director, Justice and Transparency Program, CIPPEC, Buenos Aires. Mr. Abgboyega Ojo, Research Fellow, Insight Center for Data Analytics, National University of Ireland, Galway, served as discussant.

The session also explored the importance of balancing transparency, data protection and privacy, and steps that need to be taken to manage risks resulting from openness – assessing whether current approaches provide an adequate framework for further progress towards open government. Ms. Teresa Scassa, Canada Research Chair in Information Law and Professor, Faculty of Law, University of Ottawa, led the exchange with a presentation on privacy and open government: a balancing act. Mr. Fred K. Nikusi, International law expert, Independent Institute of Lay Adventists of Kigali, and Visiting Lecturer at Mount Kenya University, Kigali, served as discussant.

Part 1 – Evaluation of open government results.

Open government has been gaining ground in countries around the world, particularly after the launch of the Open Government Partnership by the United States and Brazil in 2011. Many international organizations, among them the World Bank and the United Nations, have supported its take-up. Some 69 countries, comprising about one third of the world population, participate in the OGP. In addition, there are many relevant and ongoing initiatives implemented outside the OGP framework that should be recognized. Open government initiatives typically aim to promote four common objectives: access to information and government transparency; accountability of government administration; citizen participation; and, use of technology and innovation to enhance public involvement in government.

The experts observed that open government could be further expanded by promoting the exchange of information in countries with similar contexts, and by paying greater attention to the legislative and judicial arms of government, where achievement of open government objectives can be more problematic, particularly in developing countries. Local authorities also appear to be far behind the national government, or at least did not appear to be taken fully into account in open government planning and review processes. There were some success stories, such as Costa Rica, which is in the process of developing strategies covering the three branches of government, and Canada with its “open, agile cities”, but more could be done given the impact these sectors and levels of government have on people’s lives.

The ultimate goal of open government should be good governance. The findings to date, however, are inconclusive on this score. Case studies of five countries – Mexico, Costa Rica, Georgia, Indonesia and Kenya – show no clear evidence of the impact of open government policies on transparency, accountability and public trust in government institutions. The scores of Kenya and Mexico on transparency and corruption indices fell significantly over the period of a decade, whereas Georgia’s score rose, although all five countries have demonstrated a strong commitment to promoting open government initiatives.

The factors at play could not be sufficiently explained on the basis of the available data, leading to a question as to whether these two widely cited perception indices could be meaningfully used in reviews of open government performance. The experts agreed that the relationships between transparency and accountability, and trust, are not straightforward in general, making assessment of the impact of open government on public services and on society difficult.

Noting that the goal of public policy is to solve problems, not necessarily to open government, the experts emphasized the three most important success factors: a demand-driven approach, participation of civil society, and political will. With regard to demand, SDG 16 includes a number of targets that seem closely connected to the open government objectives. Developing effective, accountable and inclusive institutions at all levels is a case in point. In addition, participation features strongly in the SDGs. On the surface, the links seem clear but more work is needed to make them concrete, and specifically to relate open government initiatives to implementation of SDG 16 and the other SDGs, including within the framework of national development plans.

Some open government strategies appear to be “playing to the gallery”, i.e. incorporating commitments that may already have been completed before being declared. Independent reporting of implementation of such commitments can thus be quite favourable. Such practices should be avoided.

Beyond demand-driven provision of information, participation can be strengthened through a demonstration of effective leadership, long-lasting partnerships, “co-creation” of open government policies, and collaborative decision-making between government and civil society. It also helps if participatory mechanisms are institutionalized, as in Mexico and Georgia. The OGP, for its part is considering how to make civil society participation more meaningful, taking into account the experiences of Europe, the United States and Uruguay, among others, with civil society collaboration. Experience suggests that as long as people do not see the impact of open government they will not get involved. Creating a framework to support civil society organizations in weak environments and de-politicisation of national action plans are recommended.

The quality of open government evaluation tools was a particular focus of the session. There are two main tools to evaluate open government performance: the Independent Reporting Mechanism of the Open Government Partnership, used to track the progress of open government commitments of the 69 OGP countries; and, the World Justice Project’s Open Government Index, which measures government openness in some 100 countries based on public perception surveys.

The experts found the OGP Independent Reporting Mechanism and World Justice Project index insufficient in various respects. The OGP’s reporting mechanism only assesses results based on commitments made in OGP national action plans. Independent criteria to assess medium- and long-

term impacts of those commitments are not included. The World Justice Project's index does not readily link public perceptions to implementation of open government initiatives. Transparency International's Corruption Perceptions Index and the World Bank's Control of Corruption Index likewise seemed to suggest mixed findings on country performance and do not reveal impacts. These shortcomings may be due in general to the diversity of effects that open government policies can have, and the difficulty of connecting outcomes concretely to changes in government and society.

The experts concluded that work on the measurement of open government results is still in its early stages and suggested a number of guiding principles for further research. Evaluation tools need to be flexible and take context into account since conditions and objectives vary from one place to another. Such tools should also assess the effectiveness of open government institutions, include sectoral reviews, and apply at the national and subnational levels. At the global level, a uniform methodology with internationally-comparable indicators could be useful. Setting up a group of experts to advise on the process of creating a mechanism leading to a common evaluation tool, which builds on existing instruments, could be the first step.

Part 2 – Balancing transparency, data protection and privacy

Openness and transparency can serve broad societal objectives such as promoting accountability and trust in government. However, these principles must be balanced with other competing values such as the protection of privacy, national security, and the protection of confidential business information. Balancing has always been a concern but the changing context of the new digital environment in which government operates poses major challenges.

Information can now be quickly and easily shared, is easily searchable, and can be represented in novel and interesting ways. This substantially increases the risks associated with improper and inadvertent disclosure. For example, big data from government can be harvested and combined with other data by data brokers and others, which is generally perceived as beneficial. However, even anonymized data sets can be analyzed in combination with other data in ways that may lead to re-identification, thus increasing privacy risks. At the same time, it is difficult to assess re-identification risks and therefore to balance potential privacy harms with transparency values.

The manner and mode of publication of data can also have a large impact on privacy. To illustrate, online publication of court and tribunal decisions without redaction of names, and open data publication of name and salary information of public servants, can make it significantly easier to uncover information. In these cases, even though the public policy decision has already been made that the public interest is served by making the personal information publicly, the manner and form of publication may still have privacy implications that need to be addressed by the State. Such questions could have an important bearing on open government policies.

There are laws requiring government to protect certain personal information from disclosure, such as exceptions to access to information and right-to-know laws, and public sector data protection laws. The problem is, however, that the obligation to protect privacy is generally not absolute. Disclosure of personal information may still be permitted or required under some circumstances. Such issues could have an important bearing on open government policies.

On the other hand, there is also a risk that extreme concern over potential privacy can lead to decisions not to release certain data and information, excessive reliance on technological barriers or restrictive licensing to limit the reuse of data, and overprotection of marginal privacy interests at the expense of transparency.

To mitigate the risks of under- or over-protection, pre-release processes and practices should be adopted such that governments collect the least amount of personal information necessary, require cross-government communication on information release decision processes, provide training and clear procedures for data release, and perform a privacy impact assessment, as appropriate, before disclosing data sets. Moreover, the reasons for release of data should be clear and where release is favoured consider strategies to minimize potential harm. Finally, steps should be taken to anonymize data, consider any needed licence restrictions or technological barriers to reuse.

Ultimately, all countries need clear policies and procedures for deciding which data to release. There is also a need to develop a coherent legal framework, formal mechanisms for monitoring and evaluation, and practice guidelines, which might be shared and adapted by other countries. It will be a challenge for the international community to encourage open government take-up and privacy and data protection at the same time with a view ultimately to reconciling the various considerations with the aims of the SDGs.

Session 5 – Results of the expert group meeting and key messages

In the concluding session, the CEPA Bureau members and other experts were invited to take stock of the discussion over the past two days and reflect on key messages that could be brought forward. The participating Bureau members were Ms. Rowena G. Bethel, Director and CEO, National Insurance Board of the Government of the Bahamas, Mr. José R. Castelazo, Former President, Instituto Nacional de Administración Pública of Mexico, and Ms. Najat Zarrouk, Former Governor in the Ministry of the Interior, Government of Morocco. The session was chaired by Ms. Marion Barthélemy, Acting Director, UNDESA Division for Public Administration and Development Management, who also contributed to the concluding remarks.

The 2030 Agenda is indeed a transformative agenda, and its implementation calls for innovative approaches enabled, inter alia, through effective leadership, coordination, stakeholder engagement, and better data. Political will and national leadership are a big part of the equation and the key to successful implementation of the SDGs. Each country will have to engage in a visionary dialogue and set clear priorities for the 17 SDGs and targets. When deconstructed and analysed, these priorities will lead to a better understanding of the scope and limits of the policies and strategies needed to move from commitments to results in building effective, accountable and inclusive institutions at all levels.

Where national-local relations are concerned, there is a need for countries to clarify how responsibilities and resources could and should be shared to support SDG implementation. The conventional approach to intergovernmental relations, wherein the national government is vested with full responsibility to deliver on the global agenda, will be insufficient. It bears repeating that coordination and cooperation within and across all levels, with due attention to specific contexts, are critical for moving forward on sustainable development. Yet, localizing the SDGs in a constructive

way and achieving vertical policy coherence amount to far more than a checklist of needed actions. Global coordination among development partners will also be essential, not least for the sake of ODA recipients pursuing an integrated agenda, and should continue to be promoted by United Nations organizations.

That said it is recognized that national governments have the overall responsibility and authority for the SDGs, including to lead and to get buy-in from stakeholders. Civil society actors and others will continue to have a strong voice in advocacy and in rallying behind the implementation and review of the SDGs. There is room for innovation in stakeholder engagement, for example in the “government as a platform” paradigm where non-governmental actors take the initiative drawing on a common platform, resources, data and so forth provided by government. Government acting as a platform for engagement may challenge top-down hierarchical approaches.

SDG implementation calls for relevant mechanisms and monitoring and evaluation tools, as well as the availability of reliable, disaggregated data and statistics. It is furthermore necessary to determine and differentiate priorities and goals for the short-, medium and long-term. Toolkits such as those provided by the CoE’s Centre of Expertise for Local Government Reform can be shared and used by other countries, as appropriate, to avoid reinventing the wheel, especially in support of reform efforts and the transfer of administrative functions from the national to the local level.

With regard to corruption, it can be useful to have an overarching notion of how to prevent it while recognizing that there may be different causes and concerns in different institutions. One element might be a code of conduct and ethics for all, including public servants. Lobbying is an area where further attention may be needed, in particular when it could have important cross-border effects. Some of the largest corporations are more powerful than small governments, and thus lobbying in one jurisdiction can have far reaching implications in other jurisdictions putting some weaker states at a substantial disadvantage in public policymaking. Global initiatives to reduce corruption are needed as well, in addition to national and subnational action.

The open government concept embodies a tacit acknowledgement of the usefulness of ICT in addressing development challenges but the ability to understand data and to use it is crucial.

Concluding observations

While noting that the 2030 Agenda has far-reaching implications for institutions that call for a change in mind set and bold action, there is great excitement about its transformative nature.

To realize the ambition of the 2030 Agenda, governments will need to exercise leadership in promoting coherence and coordination within and among sectors and levels. New mechanisms, such as inter-ministerial coordination bodies, may be needed, as well as enhanced efforts to mobilize all stakeholders to work together towards SDG priorities and needs.

By the same token, we need to ask if there is a place for new institutions or reason to change existing institutions in discussing strategies that take into account all dimensions of sustainable development and relationships among sectors. We need to delve further into the implications of “leaving no one behind”, in particular what it means for local authorities, civil society and the private sector.

While local authorities play a vital role, there is no one single model or one-size-fit-all approach to sharing of responsibilities and resources in pursuit of the SDGs. Each country is different, and while the principles of subsidiarity and proximity may generally apply, in considering reforms, we cannot ignore the political, historical and other factors that shape institutions and how they function.

The question of sequencing of reforms is also important. Careful consideration should be given to what comes first, and how and when to engage non-State actors, as well as when national government should take the lead and when local authorities should play a more prominent role.

With respect to stakeholder engagement, we need to explore innovative approaches, such as “government-as-a-platform”.

The United Nations itself should continue to consult all stakeholders on issues such as corruption prevention, health, education and other areas connected with the 17 SDGs. We need to look at new and innovative ways of doing business, including engaging others and civil society in implementation, as demonstrated in COP21, to learn how the international agenda can better engage civil society.

A holistic and strategic approach is needed to combat corruption, including reinforcement of anti-corruption agencies with the necessary authority, resources and capacity. More research is needed into the areas where corruption may be most damaging to implementation of the SDGs, as well as appropriate context-specific responses.

Where open is concerned, mechanisms to measure performance and results could be improved. Having a programme on open government does not guarantee that it will have the desired impact on government on society. There is a need to look more closely at the linkages, use and impact of open government on each of the 17 SDGs, and to consider the validity of an overarching and encompassing strategy. Challenges remain in balancing transparency, privacy and data protection.

We need to build capacity to create and use data, which is relevant and readily available, and continue to promote a more evidenced-based approach to the interlinkages among the SDGs and associated targets. Tools such as scenario planning and strategic foresight are also very relevant to SDG planning and decision-making processes.

In general, we need to consider the role of the international community in providing support, tools and capacity building assistance that facilitates integrated approaches to the SDGs, for example by mapping the SDGs and targets to other instruments while recognizing the limitations of international conventions and agreements.

We need to learn from different practices and, while taking national, local and institutional contexts into account, to adhere to our common values and principles, especially those articulated in the 2030 Agenda.

Participating experts

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The full documentation of the meeting is available online at <https://publicadministration.un.org/en/CEPA/session15>.