

Opening Government?

The Case of the Philippines in the Open Government Partnership

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Table of Contents

I. Executive Summary	i
II. Introduction	1
III. Open Government Landscape: Contextualizing the OGP Journey	2
IV. OGP and the Institutionalization of the Open Government Agenda	4
V. OGP and Bottom-Up-Budgeting	15
VI. Rethinking the Philippines' OGP Journey	19
VII. Recommendations for Key Stakeholders	22
References	24
Annexes	27

I. Executive Summary

This study aims to determine whether and how the Open Government Partnership (OGP) has been leveraged to promote a more accountable, open, and responsive government in the Philippines.

To accomplish this aim, the study revolves around two specific themes: the institutionalization of the open government agenda and the Bottom-Up Budgeting (BuB) reform program in the Philippines, and the extent to which OGP was leveraged in each of these processes. In examining the institutionalization of the open government agenda, we focus in particular on how reformers working on this issue leveraged OGP to expand the scope, sustainability, and nature and continuity of state–civil society engagement in that agenda. By investigating the links between BuB and OGP explore whether and how OGP was factored into the implementation of a specific successful open government reform program. Our study recognizes that inputs, implementation, outcomes, and feedback in the reform process all exist in a given political context that shapes all aspects of that process, including how and why an international initiative, like the OGP, is leveraged.

The study uses interviews, focus groups, and relevant literature to investigate the themes above, and to contextualize the journey of open governance efforts in the Philippines. It finds that at least some key reformers leveraged OGP to:

- 1) Ensure consistent and regular attention to open government reforms, and to withstand criticisms and distraction from scandals;
- 2) Validate the administration’s good governance credentials and win and maintain international support, earning international and domestic political legitimacy in the process;
- 3) Recruit and mobilize other reform champions in the bureaucracy and facilitate coordination with other agencies, thus enhancing the strength of reformers in the government; and
- 4) Serve as a mechanism for regular and consistent monitoring that improved the government’s accountability over some of its open government commitments.

Conversely, OGP’s inputs were of limited value in improving the ability of stakeholders to navigate the local open government journey or re-balancing power through new forms of collective action. Indeed, as demonstrated by the BuB experience, the OGP has not been leveraged to substantively broaden, deepen, or transform the open government agenda in the country or to achieve concrete results in specific reform programs that would have otherwise not been achieved. The open government reform agenda items pursued through the OGP were already included in the government’s priorities and plans. Therefore, even without the OGP, reforms like the BuB would have received the same emphasis. In addition, while OGP’s inputs (e.g., technical peer

exchange visits, awards, and regional events) have been leveraged to contribute to top-level processes and requirements, the value OGP added to BuB was not integral to local-level situations, nor did it influence the local–national dynamics that did feed into the success of BuB.

This case therefore shows that although OGP has played a minor political role at the national level, its inputs and processes are inadequate and limited in the extent that they reach the sub-national and local levels. Here, reform involves the highly nuanced and dynamic engagement of local actors from and between civil society, national government agencies, and local governments whose commitment and capacity to, and the appreciation of, pursue open government reforms vary widely between geographical spaces and sectors.

II. Introduction

This study explores whether and how Philippine open government reformers have been able to leverage OGP mechanisms, processes, spaces, and assistance to improve government responsiveness and accountability. Specifically, it examines the outcomes of the country's engagement with OGP, viewed through the institutionalization of the open government agenda at the national level, and the presence (or absence) of a strong OGP thrust in the BuB at the local level.

This study used process tracing to carry out within-case analysis based on qualitative evidence (Collier 2011). This means that the analysis pays close attention to the sequential, fine-grained systematic description of the Philippine open government journey. The analysis also considers alternative causal mechanisms (the roles of leadership, learning that improves pro-reform actors' navigational expertise, and coalitions and collective action) by which OGP may have contributed. The analytical tool was adapted in consideration of the contextual limitations (e.g., the novelty of the phenomenon under study), the research time frame (4–6 weeks of fieldwork), and the needs and interests of the project's non-academic target audience.

This report proceeds as follows. The next section (III) introduces the national political context in which the OGP operates. Section IV discusses how, if at all, pro-reform actors leveraged OGP to advance the institutionalization of the open government agenda. Section V asks the same question regarding BuB. Section VI recaps and synthesizes the findings. The main insight of the study is that although OGP has provided inputs that have enabled reformers within government to burnish their international and domestic good governance credentials, and strengthen the technical nature of reforms, it has not fundamentally reshaped the power dynamics between government and civil society, or enabled reformers to pursue more substantive reform efforts. Further, as demonstrated by the BuB process, OGP has not factored in sub-national open government reform processes. In light of these findings, Section VII offers tailored recommendations for stakeholders who may be interested in further advancing reforms in the Philippines.

III. Open Government Landscape: Contextualizing the OGP Journey

The Philippines continues to struggle with consolidating and deepening its democracy. Although the key features of procedural democracy are provided both in the Philippine Constitution and in existing jurisprudence, substantive democracy remains generally weak, with both economic and political power remaining in the hands of a few. A large percentage (27.9%) of the population lives below the poverty line and is disempowered from meaningfully taking part in political processes.¹

Filipinos generally vote in elections, as evidenced by relatively high voter turnout.² However, most mainstream political parties in the country are elite-based organizations created as temporary electoral machinery, with only a few scattered efforts made to establish links to society and the grassroots. Patron–client relationships are prevalent in the country, making it common for ordinary citizens, especially those from the lowest socio-economic class and in poor provinces, to rely on individual politicians or political families to access services from the government.

The impetus for governance reform in the country, particularly towards a more open government, can be traced back to the democratization process of the 1980s. The 1987 Constitution and a more democratic socio-political environment enabled the creation of new spaces for citizens' participation and the institutionalization of anti-corruption measures at both the local and national levels (Clarke 1993; Brillantes 1994; Fabros 2003; Magadia 2003; Estrella and Iszatt 2004; Abinales and Amoroso 2005; Moreno 2006).

Throughout the democratization process, civil society organizations (CSOs) were primarily responsible for mobilizing citizens in support of anti-corruption and human rights issues, as well as others related to democracy (Clarke 1993, 2013; Thompson 1995). By the late 1990s, many activist leaders had joined the electoral process by presenting themselves as candidates or by creating alternative reform-oriented political parties (Quimpo 2008).

Eventually, the good governance discourse became so dominant that it proved instrumental in the electoral success of President Benigno Aquino III in 2010. Using the reformist framing of "*Daang Matuwid*" (Straight Path), Aquino presented himself as the total opposite of his predecessor Gloria Macapagal Arroyo, who was hounded by allegations of corruption, extrajudicial killings, and electoral fraud. The direction was also a product of the engagement of civil society and social movements during the 2010 campaigns, which pushed for good governance to be the centerpiece of the next administration.

¹ National Statistics Coordinating Board (NSCB) 2012. Official Poverty Statistics. http://www.nscb.gov.ph/poverty/2012/highlights_fullyear.asp/.

² Average voter turnout between 1986 and 2013 was 75%, according to data from the International Institute for Democracy and Electoral Assistance (IDEA). <http://www.idea.int/vt/countryview.cfm?CountryCode=PH>.

Under Aquino, the Philippines has made positive strides on various good governance measures: the country has improved its fiscal transparency,³ and has been included among the top countries in terms of access to information, thanks to a constitutional provision on Freedom of Information. It has also achieved a 4 out of 4 record in terms of asset disclosure of public officials, thanks to a law on the public disclosure of income and accessibility of this information to the public, and a 9.12 out of 10 record on the Democracy Index Civil Liberties Subscore⁴ (IRM Philippines Progress Report 2011–2013).

Under the Aquino administration, the Philippines joined the Open Government Partnership in 2011. To date, the Philippines has created three National Action Plans under OGP (2012–2013, 2013–2015, and 2015–2017). The first Action Plan was assessed and evaluated by the Independent Reporting Mechanism (IRM) that contracted out the Philippine Center for Investigative Journalism in 2013.

OGP inputs – in particular the technical expertise and tools OGP made available to reformers within government, as well as the political support it created for the administration – have helped validate the Aquino administration’s existing good governance agenda and legitimized the reformist image of the administration among its supporters and allies. The OGP Steering Committee also gave a formal platform to a limited number of CSOs through which to engage with and monitor the government’s commitments to open government reform. These CSOs shared priorities and links with the administration, and include the Right to Know and the Right Now Coalition (R2KRN), the National Competitiveness Council of the Philippines, and INCITEgov, among others. These CSOs, and others, worked with the government on various issues, including freedom of information and the business environment. However, with regard to on-the-ground reform processes, like the Bottom-up-Budgeting initiative, a key piece of the Aquino agenda, OGP has not been especially useful.

³ The Philippines, with a score of 64%, is ranked 23rd globally in the most recent Open Budget Index. See Open Budget Index 2015. <http://internationalbudget.org/wp-content/uploads/OBS2015-OBI-Rankings-English.pdf>.

⁴ Economist Intelligence Unit, “Democracy Index 2010: Democracy in Retreat” (London: Economist, 2010). Available at: http://graphics.eiu.com/PDF/Democracy_Index_2010_web.pdf.

IV. OGP and the Institutionalization of the Open Government Agenda

This section explores OGP's role in institutionalizing the open government agenda under the Aquino administration between 2011 and 2015. It examines three dimensions of that institutionalization: its scope, its sustainability, and civil society–state engagement (see Table 1). This examination is particularly crucial for understanding the value added by OGP's inputs in reform processes at the national, sub-national, and local levels. Given the highly politicized environment of reform in the Philippines, it would be valid to assume that OGP commitments in the national action plan were vital in ensuring some sort of consistency in the reform process. The remainder of this section tests that assumption, and digs into the role OGP played in the institutionalization of open government in the Philippines.

As explained in Section III, a good governance platform was key to Aquino's victory in the 2010 elections, and to the administration's push for economic growth. OGP became part of that good governance platform. Our research shows that it was used by the Aquino government for three main purposes:

- 1) As a source for technical inputs and deliberation with regards to realizing the open government principles;
- 2) To gain international support and recognition for its good governance reforms, which fed into domestic political imperatives; and
- 3) To introduce and strengthen the good governance discourse within the government.

Table 1: Summary of the Different Dimensions of Institutionalization and How They Progressed Over Time

	Pre-OGP (2010)	Entry into OGP (2011)	3–5 years after OGP (2015)
Scope	Good Governance Agenda or the “Daang Matuwid” (Straight Path): transparency, accountability and citizen participation as pillars of democracy and means to fight corruption	Efficient and innovative open government reforms for good governance Introduction of innovations (use of technology such as ‘Open Data’ and use of ICT in some Departments/ Agencies in the government)	Expanding open government reforms and good governance to achieve inclusive growth (still largely rhetoric, slowly being reflected in the agenda being pursued: 4Ps, KALAH! BuB; inclusion of/ interface with other agencies in the GGACC: CSC, COA, DSWD, NAPC)
Sustainability	While laws and mechanisms that promote open government exist, they can easily be threatened and overturned depending on the president/ administration, squabbles among the elites, and controversies that cause political instability	New government/ administration that won under the platform of good governance, many open government reforms initiated, implemented, and improved from 2011–2015 (due to regular monitoring and assessment), but still several controversies that threatened the continuation, expansion, and sustainability of the gains of these reforms (pork, DAP, etc.)	OG reforms initiated were threatened by upcoming elections because most have not been “institutionalized” Continuation of open government reforms along with other reforms becoming a campaign issue Whether “champions” inside the bureaucracy can continue the reforms depends on their number and capacity (highly unlikely) Timing the 3rd OGP Action Plan to overlap with the next administration to leverage OGP
CSOs’ participation/ civil society–government engagement	Active and vibrant civil society Growing openness of government Political power remains concentrated (dynasties), undermining meaningful participation and accountability	Government has opened up many spaces and provided many mechanisms, CSOs have difficulty catching up due to perennial challenges/ inherent limitations that prevent the deepening, sustainability, and expansion of the coverage of civil society–government engagement, such as resources, ensuring independence, fragmentation/ internal conflict among CSOs, and capacity gaps	Challenge of deepening, sustaining, and expanding coverage of civil society–government engagement persists, but efforts are being undertaken to address the challenge on resources

IV.1 Scope of the Open Government Agenda

During the early days of the Aquino presidency, the good governance agenda was emphasized and furthered through the institutionalization of the Aquino campaign platform, *Social Contract with the Filipino People* (hereafter, Social Contract) in the *Philippine Development Plan 2011–2016* (hereafter, PDP). Following the formulation of the PDP, the Aquino government demonstrated its prioritization of good governance through the creation of the “Good Governance and Anti-Corruption Cluster” (GGACC) within the Cabinet.⁵ The GGACC, which is chaired by the President himself, aims to improve public service delivery and anti-corruption efforts, and enhance the business environment. It was instrumental in introducing good governance programs to Philippine government institutions.⁶ It is composed of former civil society leaders who have been appointed as secretaries to various departments.

GGACC was active in pushing for legal reforms focused on good governance in the Philippines, including the Cybercrime Prevention Act of 2012, the Amending Law to Anti-Graft and Corruption Law (R.A. 10365), and others. Within the government, it was able to maximize the participation of reformist leaders in institutionalizing the good governance agenda.

The administration also staked its political reputation, at least in part, on its “Social Contract” and “*Daang Matuwid*” reform initiatives. Crossover reformers from civil society organizations that had been prominent in activist movements dating from the 1980s, including Florencio Abad (who was appointed to lead the Department of Budget and Management, DBM), Corazon Soliman (appointed to lead the Department of Social Welfare and Development, DSWD), and Jesse Robredo (Department of Interior and Local Governance, DILG),⁷ were brought into the government. Younger activists, including

⁵ Created by Executive Order #43, the GGACC is composed of the following Departments: DBM (Secretariat), DILG, Department of Finance (DoF), Department of Justice (DoJ), Department of Trade and Industry (DTI), Presidential Legislative Liaison Office (PLLO), and the Office of the Presidential Legal Counsel (OPLC).

⁶ GGACC aims to achieve the following outcomes within six years:

- Improved Transparency and Citizens' Empowerment
 - Improved Access to Information
 - More Meaningful Citizens' Participation
- Improved Public Sector Performance
 - Strengthened Public Financial and Management and Accountability
 - Improved Performance Management and Monitoring Systems
 - Enhanced Delivery of Incentive Services
 - Enhanced Delivery of Justice
- Improved Anti-Corruption Measures
 - Greater Accountability of Public Servants
 - Intensified Efforts to Prevent Smuggling and Tax Evasion
- Improved Policy Environment and Good Governance
 - Greater Support for the Passage of Legislations on Transparency, Accountability, Participation and Anti-Corruption

⁷ Sec. Robredo, prior to his stint as DILG Secretary, was a well-known local government official, a Mayor of Naga City (1988–1998/2001–2010), an urbanized city in Southern Luzon, province of Camarines Sur. He championed citizen participation in his city by allowing his constituents to have an active role in local legislation, planning, deliberation of issues, and more. As a reformer, he brought his experience and familiarity with good governance to the DILG by introducing people-oriented programs for the local government units across the Philippines. He died in 2012 in a plane crash near the island of Masbate, Philippines.

Tanya Hamada and Patrick Lim, both of whom were appointed to the DBM, also eventually joined the administration to help push the government's reform agenda.⁸

For instance, during the time of Sec. Robredo, the DILG focused on improving transparency, accountability, and good governance in the bureaucracy through its "Seal of Good Housekeeping," "Performance Challenge Fund," and the early version of Bottom-up-Budgeting in the Philippines (Cruz, interview, July 14, 2015).⁹ This was a dramatic departure from the previous role of the DILG, which had supported traditional, patronage-based politics in local governments.

The administration's push for good governance therefore predates the Philippines' entry into the OGP. The Philippines' compliance with the OGP minimum eligibility criteria – fiscal transparency, access to information, public officials' asset disclosure, and citizen engagement – suggests that reforms were already underway. In fact, when the DBM, which led the OGP Secretariat in the Philippines, started to create the first OGP National Action Plan (2012–2013), a majority of the potential commitments proposed by Departments and Agencies were already queued in budget for the following fiscal year (Lim, interview, July 2, 2015). The 19 commitments that were eventually selected were chosen by the Steering Committee mainly because they were capable of being monitored, as well as practically implemented. Other programs that were not chosen still remained part of the GGACC plan, which many working in government saw as overlapping with the action plan (Lim, interview, July 2, 2015).¹⁰

Given these factors, there are three main ways in which OGP was leveraged (both positively and negatively) vis-à-vis the scope of the open government agenda:

- 1) It provided technical inputs that informed the implementation of GGACC programs that were included as OGP commitments, especially ICT;

⁸ The term reformer or "reform-oriented" tries to contrast government officials in the country with "traditional" or corrupt politicians, who are basically in office for power and for personal/particularistic gain. Reformers/reform-oriented government officials are supposedly fueled by the reforms, which is the reason they are in power. The idea behind their being in government is to continue and advance their reform agenda from their time in civil society/social movements. These are mostly "cross-overs," i.e., leaders from civil society/social movements who have decided to engage the electoral arena and enter government to advance reforms. They were pivotal in advancing the reform agenda and social contract during the campaigns in the 2010 elections and in pushing the reform agenda forward in the current administration. For more info about the reformers or the electoral engagement of civil society actors who are later on referred to as "reformers," see Aceron, *et al.* 2011. *Infusing Reform in Elections: The Partisan Electoral Engagement of Reform Movements in Post-EDSA Philippines*. Ateneo de Manila University.

⁹ "Seal of Good Housekeeping": to assess the performance of LGUs based on the standards of full disclosure of budgetary documents online and in bulletin boards; no negative findings from the Commission on Audit (Government of the Philippines 2013a). "Performance Challenge Fund": where there is a subsidy of Php 1 million pesos for municipalities; PHP 3–7 million for provinces for projects that are in line with the Millennium Development Goals, tourism promotion, local economic development, disaster risk reduction and management, and solid waste management (Government of the Philippines 2013b). "Grassroots Participatory Budgeting Process" or "Bottom-up-Budgeting": an approach that allows the strong participation of civil society groups and sectoral organizations in preparing budget proposals by incorporating the local poverty reduction plan of a particular locality (DBM-DILG-NAPC Joint Memorandum Circular No. 4 2013)

¹⁰ The 19 OGP commitments are: disclose executive budget; access to information; broader civil society organization engagement; participation budget roadmap; local poverty reduction; empowerment fund; social audit; results-based performance; harmonized performance-based management systems; Citizens' Charter; internal audit; single portal for information; integrated financial management system; procurement cards; manpower information system; expand the national household; e-tails; Budget ng Bayan or People's Budget.

- 2) It mainstreamed reforms and expanded/popularized the good governance agenda within the bureaucracy, accelerating the familiarity of stakeholders with good governance initiatives; and
- 3) It was used, somewhat conversely, to burnish the administration's domestic and international good governance credentials, sometimes at the price of limiting the scope of reform.

Further, as will be made clear in Section V, the OGP platform's effect on the Aquino administration's priorities did not expand the scope of open government to encompass sub-national issues. We now address each of the elements outlined above in turn.

i) OGP as a Source of Technical Inputs

One concrete way in which OGP expanded the scope of the administration's good governance agenda was through its exposure to innovative programs, particularly those using ICT, such as "Open Data." Though there had been previous efforts to maximize the use of technology in governance, government reformers learned about concrete initiatives through OGP regional and global events. They also received technical assistance for such programs from the OGP Support Unit. Specifically, the OGP Support Unit, through the support given by the World Bank for open government in the Philippines, was able to help facilitate the participation of a technical expert from Moldova in a training workshop requested by the Philippine government. Other support for the OGP, through the World Bank, includes the development of data.gov.ph and the creation of the Agency Management Tool, which "facilitates agencies' ability to upload data digitally through dashboards" (Lim, Ong, email exchanges, November 12, 2015). This assistance from the World Bank is geared to strengthening the good governance competency of the Philippine government.

ii) Mainstreaming and Expanding (with Limits) the Good Governance Agenda

Over time, the processes of OGP and its inputs in the Philippines resulted in the creation of additional mechanisms that further mainstreamed reforms and popularized the principles and values of good governance and openness within the government (F. Cruz, interview, July 14, 2015). As the Philippine government institutionalizes its reform programs, OGP reinforces these efforts by providing open government knowledge and fostering commitments to open government, within and among different government departments and offices. This occurs primarily via the administrative interaction between the department/agency heads and their constituents. For instance, Undersecretary Austere Panadero of DILG and Commission on Audit (COA) Chair Grace Pulido-Tan became OGP "champions" after taking part in regional and global summits in which the programs under their department (Bottom-Up-Budgeting and Citizen Participatory Audit) were nominated for/won OGP awards.

For the second (2013–2015)¹¹ and third action plans,¹² the focus on expanding the reach of open government reforms is easily seen. The inclusion of other relevant departments and agencies in formulating new OGP initiatives, such as the DSWD for the KALAHI program, Commission on Audit (COA) for the Public Audit, Bottom-up-Budgeting for DILG, and the National Anti-Poverty Commission (NAPC) and Department of Environment and Natural Resources for *Extractive Industries Transparency Initiative*, make clear the government’s commitment to expanding the reach of good governance throughout the bureaucracy. At the same time, the inclusion of these programs enabled the DBM to exercise clearer oversight over OGP directives, and enabled the DBM, an OGP champion thanks to its leadership, to coordinate more closely with other agencies in implementing open government commitments and expanding the administrative reach of open government programs. Without the OGP, DBM might have had a challenge establishing credibility and leadership over these programs. While the DBM has control over the budgets, these mechanisms would not have been as responsive to use of the budget to pressure them to comply with the government’s good governance initiatives. Again, those new OGP initiatives do not just reflect the efforts of the Aquino government to simply comply with the OGP directive to formulate action plans for open government. Their inclusion also signifies the clearer oversight of the OGP-PhI Secretariat in the DBM on these programs. It facilitates the coordination of DBM with the agencies concerned in implementing the programs. The programs therefore become part of the open government efforts promoted and advanced by the administration.

However, despite efforts towards widening the range of actors and stakeholders represented in the Steering Committee, the Philippine-OGP platform remains largely confined to the GGACC (with the exception of the third action plan). In this light, it is clear that OGP action plans have only provided an avenue for introducing the discourse on good governance among selected officials (F. Cruz, interview, July 14, 2015; T. Hamada, interview, July 21, 2015).

iii) International and Domestic Political Validation

In many ways, for the Aquino administration, OGP can be seen as an effort to win approval from international actors, as well as domestic supporters, in order to better accomplish its main political and policy priorities: namely, the eradication of corruption and the expansion of economic opportunity. As revealed by many government speeches and

¹¹ The OGP initiatives for the second action plan are divided into two groups. 1) Continuing commitments: sustain transparency in national government plans and budget; support for the passage of legislations on access to information and protection of whistleblowers; engage civil society in public audit; enhance performance benchmarks for local governance; enhance the government procurement system; strengthen grassroots participation in local planning and budgeting. 2) New commitments: provide more accessible government data in a single portal and open format; initiate fiscal transparency in the extractive industry; improve the ease of doing business.

¹² The OGP initiatives for the third action plan are: passage of legislation on access to information; sustain transparency in local government plans and budget; proactively release government data in open formats through the Open Data portal; attain Extractive Industries Transparency Initiative (EITI)-compliance; engage civil society in public audit; strengthen community participation in local planning and budgeting; improve public service delivery through an effective feedback and monitoring mechanism; enhance performance benchmarks for local governance; improve the ease of doing business; improve local government competitiveness; institutionalize public-private consultation and dialogue for economic growth; improve corporate accountability.

statements, the international recognition and affirmation the government has received from OGP have been used to entice more people, inside and outside the administration, to support the Aquino political agenda, including its good governance framework (Department of Budget and Management 2014). For instance, the award received by the Philippines for its grassroots participatory budgeting program is often used by the government to showcase its accomplishments on the good governance agenda, which, it argues, has contributed to the country's high credit rating and economic growth.

However, due to this sort of validation, rather than serving as a platform to win critical open government reforms, OGP may have become a shield by which the government can justify or exemplify its open government commitments despite failing to enact substantive legislation on a given topic. For example, in the case of a proposed Freedom of Information (FOI) law, which has long been discussed in the Philippines (since the restoration of democracy in 1986), the government has failed to pass any legislation.¹³ One possible explanation for this failure is that OGP actually diluted the pressure on the political leadership, and allowed it to claim it was still prioritizing access to information (via measures like Open Data) despite not devoting its efforts to pushing through a FOI bill. As an example, DBM undersecretary Moya referred to the Open Data initiative's active disclosure policy, claiming in 2014, "If we publish everything, then it is always best that you do not even need to ask for it because it is already available" (Ilagan 2014). An OGP commitment therefore made unnecessary a more substantive open government reform, or at least reduced the pressure on the government to pass a certain reform (such as the FOI), which limited the extent to which the scope of the open government agenda could be expanded.¹⁴

IV.2 Sustainability of the Open Government Agenda

By and large, in the Philippines it is the sitting administration that determines the sustainability of reforms. Despite laws and mechanisms that support governance reforms, their sustainability can easily be threatened and frustrated by a sudden change of priority by the sitting (or new) president, the general elite composition of the legislature, and the political instability of a given period.

Between 2010 and 2015, the Aquino administration was viewed as fairly consistent in pursuing open government or good governance reforms despite controversies that put in doubt the depth of its commitment. The OGP processes, dynamics, and outcomes, through the Philippine-OGP Steering Committee and the monitoring of commitments during meetings, as well as through the Progress Reports, ensured that regular attention and prioritization were given to governance reforms. The participation of the reformers in

¹³ Concerns about a FOI bill abound, ranging from potential security risks to concerns about privacy.

¹⁴ Another explanation why the Aquino government was not able to win the passage of FOI despite its recurring inclusion in the OGP initiatives is because it has been framed as ultimately a legislative matter and the OGP was not leveraged to engage the legislature (Malaluan, interview, July 23, 2015). The Aquino government failed to engage the legislature by getting commitments from its allies outside the executive branch, especially in the Senate and House of Representatives, in pushing for the passage of the FOI bill (Lim, interview, July 2, 2015).

the OGP continuously validated their commitment to open government and their “reform-orientedness,” despite challenges.

Aquino’s reform agenda has been threatened by several political controversies. For instance, the “Pork Barrel” or Priority Development Assistance Fund (PDAF)¹⁵ and Disbursement Acceleration Program (DAP)¹⁶ scandals could have put in doubt the sincerity of the administration to pursue governance reforms.

Despite such controversies, the Aquino administration has by and large continued to maintain its pursuit of reforms, as well as its credibility. This is due to the many governance reform initiatives it has undertaken and the considerable amount of international recognition these efforts are getting from international groups, including the OGP. Reformers in government have used the OGP platform and Philippine OGP initiatives to validate their reform efforts, which have been particularly crucial during periods of controversy. Reports about international recognition, for instance, served as counter-proof to reports questioning the reform efforts of the administration. The use of Open Data framing allowed DBM to disclose some budgetary documents that aim to prove the absence of any irregularities in the use of the public funds. Again, the spaces created through the OGP, and specifically through the recorded implementation of action plan commitments, have provided continuity and regularity to the administration’s reform momentum.

The meetings of the Philippine-OGP Steering Committee, which occur two or three times a year (since 2011), have also been useful for deepening the sustainability of reform. These meetings, which include an array of actors from various sectors, address the implementation and direction of open government reforms, and specifically, OGP, in the Philippines. They inform and engage members about issues and controversies related to the action plans. They also act as a mechanism for monitoring and assessing commitments. In this way, the government and its supporters have indirectly leveraged OGP to absorb potential shocks from sudden controversies and scandals that could destabilize existing reform efforts.

Although the Aquino administration has managed to sustain its reform efforts, whether these efforts can withstand the 2016 elections remains a question. To date, none of the commitments and reform initiatives carried out under OGP have been adopted into

¹⁵ The PDAF, popularly referred to as a pork barrel system or pork, was a discretionary fund that has long been institutionalized in the Philippine budget. A certain lump sum amount in the budget was allocated for discretionary spending by senators and congressional representatives. In 2013, the Commission on Audit (COA) came up with a report implicating senators in corruption in the use of PDAF. Although the accused senators were put on trial and the PDAF was eventually deemed illegal by the Supreme Court, allegations of “selective justice” were made against the administration given that the figures accused did not belong to the administration party.

¹⁶ The DAP controversy that implicated the DBM secretary himself posed a big threat to the “reform-orientedness” of the Aquino administration. The DAP was a fiscal discipline policy that allowed transfer of funds to high priority programs that were being more efficiently implemented from those that were facing delays. The policy became controversial when reports came out that some of the funds went to some legislators as a form of pork. At the time, the pork barrel system was not yet deemed illegal. The DAP was deemed “partially unconstitutional” by the Supreme Court because of its danger of violating the separation of power between the executive and the legislature, in which the “power of the purse” is supposed to lie with the legislature. However, the Supreme Court also recognized that the executive initiated the DAP “in good faith.” Despite the ruling not necessarily being damaging to the administration, the complexity of the DAP and the Supreme Court’s decision on it has turned the DAP into an unresolved controversy that continues to put into question the reform-orientedness of the administration.

law or otherwise turned into an irreversible government program. They remain subject to the priorities of the next administration.

With that in mind, there are two ways that reformers in the Aquino administration are trying to leverage the OGP to address the threat of elections in sustaining reforms.

First, by preparing an OGP action plan (the third action plan) that spills over into the next administration. Indeed, on this point, Mr. Patrick Lim states, “we know that the third action plan has to be adopted by the new administration, and we will push for it,” in order to sustain Aquino’s good governance aims (Lim, interviews, June 3 and July 2, 2015).

Second, the Aquino administration is trying to leverage OGP to sustain its reform efforts beyond its political life by recruiting career bureaucrats who will stay in government beyond this administration. For example, awards granted by OGP are seen as carrots by which to entice reform-oriented bureaucrats to stay in their posts even after the end of the Aquino presidency (Lim, interview, July 2, 2015), thus continuing the pursuit of the Aquino political agenda. Whether the administration’s use of OGP in these respects is successful, however, remains to be seen.

IV.3 CSO Participation in the Open Government Agenda

Since the return of democracy in 1986, civil society in the Philippines has generally been described as active and vibrant. A range of participatory mechanisms were created to enable interest groups and CSOs to discuss, deliberate, and participate in government policy decisions (Clarke 1993; Brillantes 1994; Fabros 2003; Magadia 2003; Estrella and Iszatt 2004; Abinales and Amoroso 2005; Moreno 2006). However, participation is often limited to consultation (Third World Studies Center 1994; Ateneo Center for Social Policy and Public Affairs 1997; Borrás 2001; Magadia 2003; Borrás, Carranza, Reyes 2007; Bello 2009). Factors such as resistance from the dominant elite-based parties limit the effectiveness of existing mechanisms (Anderson 1988; McCoy 1994; Sidel 1999; Quimpo 2008; Kreuzer 2009; Querubin 2011).

The OGP provided another opportunity for CSOs to participate in government policy-making. The Philippine-OGP Steering Committee was formally activated in 2013 (GPH 2013). It had the following members: the GGACC cluster member departments,¹⁷ the Union of Local Authorities of the Philippines (ULAP), and a limited number of CSOs: the Budget Advocacy Group (BAG), Right to Know Right Now (R2KRN) Coalition, and Taskforce Participatory Local Governance (TPLG). Each of these organizations is an ally of the Aquino administration. They were invited or informed by reformers appointed in the government (N. Malaluan, interview, July 23, 2015; F. Magno, personal interview, July 28, 2015). The members of specific civil society groups were elected by their organizations or networks (T. Hamada, email exchanges, January 2016).

¹⁷ DBM, Department of Finance (DoF), Department of Interior and Local Government (DILG), Department of Justice (DoJ), Department of Trade and Industry (DTI), Presidential Legislative Liaison Office (PLLO), and Office of the Presidential Legal Counsel (OPLC).

CSO participation in OGP has been very limited. Consultations on national action plans have been held (N. Malaluan, personal interview, July 23, 2015), but little else has taken place. Further, there are a huge number of CSOs in the Philippines, yet only three networks are represented in the OGP Steering Committee. Each of these is already affiliated with groups that support the Aquino administration. The dominance of the Aquino CSO allies clearly limits the participatory nature of the Steering Committee, and of OGP in the Philippines more broadly. It also points to a potential problem of discursive homogeneity in the OGP space in the country, which may have prevented the Steering Committee from considering taking on other critical and substantive issues (F. Magno, interview, July 28, 2015).

Moreover, because CSOs were not invited to join the process of the first action plan, the government prepared it with minimal involvement, even in consultations, from CSOs (Lim, interview, July 2, 2015). Broader consultations for the second and third action plans involved efforts to “co-create,” but the agreed commitments were premised on what government agencies can and are willing to do (Lim, interview, July 2, 2015). Indeed, action plan commitments are already defined in the GGACC plan. CSO representatives regularly attend Steering Committee meetings and events, but their inputs are minimal. This makes it clear that even the member organizations in the Steering Committee do not have fundamental involvement in setting the OGP agenda in the Philippines (D. Soliman, interview, 30 July 2015), which is instead dominated by GGACC.

One CSO representative mentioned that there are benefits from civil society engagement with OGP, such as international contacts, access to technical expertise, and learning opportunities,¹⁸ but these are hardly connected to an institutional agenda (F. Magno, interview, July 28, 2015). Other CSOs on the Steering Committee reported that they participate in OGP because they want to support the government’s reform agenda, which they helped establish in the first place. Cast in this light, participation in the Steering Committee, and the limited agenda setting it entails, helps CSOs pursue their own priorities. That said, it should be pointed out that even though CSOs are pushing for many reforms in the Philippines, few of those reforms are directly related to OGP. When they are, GGACC and the other members of the Steering Committee are not necessarily successful in achieving them. For example, despite RKRN’s strong lobbying for FOI, FOI legislation remains a proposal only. As a result, when the FOI law did not pass, RKRN disengaged from the Committee.

In sum, although OGP has been leveraged to expand modestly the scope of the open government agenda in the Philippines, largely by providing technical inputs and access to innovative resources, that agenda focuses on priorities generally identified by the Aquino administration. The extent to which the current president’s reform programs, including OGP, will be sustained in the future remains to be seen, and civil society

¹⁸ For example, Magno, the Steering Committee Representative for the TPLG, points out that some CSOs tried to communicate online with others and with the OGP Support Unit to learn more effectively about innovative ways of boosting local governance participation (Magno, interview, July 28, 2015).

engagement with the administration on open government issues within OGP mechanisms has so far been limited. The OGP remains a GGACC-dominated platform, and though success in OGP has been a source of international and domestic validation for the government, the initiative may have also, in some cases, actually been leveraged by the state as a shield to burnish its good governance credentials while avoiding engaging in more fundamental reforms (like the passage of a FOI bill).

In the next section, we explore the way in which these features of the OGP in the Philippines have informed a specific reform process.

V. OGP and Bottom-Up-Budgeting

As argued in the previous sections, OGP has not reshaped, or played an especially integral role in, the open government landscape in the Philippines. For the most part, the OGP-championed reforms would have been accomplished without OGP, as they were already part of the Aquino administration's GGACC plan for improving governance. This holds even in the case of Bottom-up-Budgeting (BuB), a successful reform meant to open up local budget processes to local stakeholders, including CSOs and citizens. BuB was introduced to boost participatory local governance in the country, but the value added to the program by OGP has been limited. Indeed, despite being included as a commitment in the first national action plan, the selection and implementation of BuB was not significantly affected by the OGP platform. Understanding this phenomenon is key to assessing how OGP has informed reform in the Philippines. As such, BuB makes a good lens through which to examine whether and how stakeholders pushing for participatory budgeting used OGP inputs.

V.1 Introducing Open and Participatory Budgeting Processes

Historically, budgeting in the Philippines has always been top-down and centralized. Citizens and grassroots have barely taken part in any process that determines where the budget will be allocated and utilized. On paper, agencies and local governments are supposed to conduct budget consultations with citizens, but in practice this has rarely happened. Bottom-up, participatory budgeting, therefore, has been rare.

DILG Secretary Jesse Robredo, a champion of participatory local governance, began laying the groundwork for budget reform in 2010 (F. Cruz, interview, July 14, 2015). As previously explained, he did so in a unique political context that was informed by the electoral incentives of the Aquino administration and its broader development strategy. In other words, although Robredo's leadership was influential the agenda was set before the Open Government Partnership was launched in the Philippines.

In 2012, Bottom-up-Budgeting (BuB) was formally adopted as a national program under the Human Development and Poverty Reduction Cluster (HDPRC) and GGACC. The DBM, which led the national action plan process, shared responsibility with the National Anti-Poverty Commission (NAPC) for implementing the BuB reform. However, it is DILG – with supervisory competences and people on the ground (Lim, interview, 21 September 2015) – that actually leads the implementation process. DILG, despite being involved in OGP, is not nearly as prominent in the initiative as DBM. It is linked to the national action plan cycle, and to other OGP processes, but it does not lead the open government agenda.

As noted above, BuB was included in the GGACC development plan. As such, although it was included in the first Philippine OGP national action plan, it did not derive from OGP. Its selection as an action plan commitment was very much influenced by the existing budget allocation – which indicates that it was already a government priority, prior

to its inclusion in OGP – by the government’s ability to monitor implementation, and by its practical feasibility (Lim, interview, September 21, 2015). In addition, ULAP (a sitting member of the Steering Committee), DILG (part of the GGACC on the Steering Committee), and the Jesse Robredo Institute of Governance at Dela Salle University, which represented a consortium of CSOs focusing on local governance, also supported BuB’s inclusion.

V.2 OGP and BuB

As far as implementation is concerned, there are four ways the OGP has been leveraged to inform the BuB program:

- 1) Provision of some oversight and monitoring;
- 2) Technical inputs that informed the design and implementation of BuB;
- 3) Promotion of the program at the local level; and
- 4) Validation for the Aquino administration, domestic and international.

We examine each of these in turn.

V.2.i Oversight Monitoring

The main thing OGP brought to the implementation of BuB was explicit oversight and monitoring. The OGP Steering Committee regularly checked the progress of BuB to see if the targets set in the OGP Action Plan were being reached, and this progress was then reported by the government. This process served as an incentive for the government to meet the BuB targets specified in the plan. The DBM, which monitors the whole government’s budget, added an extra layer of accountability for BuB implementation.

Further OGP inputs were also useful in this respect. For example, the OGP Commitment Report provided regular updates on the government’s performance on the BuB, measuring milestones according to completed projects and LPRAP preparations. The Independent Reporting Mechanism (IRM) mechanism of the OGP served as a crosscheck on the government’s report. Indeed, the first IRM report indicated discrepancies between what was reported by the government and what the stakeholders perceived on the ground, noting that while the government report says the “Local Poverty Reduction” commitment has been “fulfilled,” stakeholders only considered it to be “partially fulfilled.” Concerns and issues on the BuB were also discussed in the IRM, including “how to insulate the BuB projects from partisan politics” and having BuB project budgets verified as they are viewed as a “discretionary fund” or “pork barrel” (IRM Philippine Progress Report 2013). Recommendations for improving the implementation of the Philippines’ commitments to the OGP, including BuB, were also mentioned.

Despite these OGP tools and the problems they identified, which were discussed in OGP Steering Committee meetings, no follow-up actions were taken. Indeed, the monitoring was broad and general in scope. Because the monitoring tools only looked at

the overall targets (number of BuB plans submitted, number of BuB projects implemented, etc), as well as general accounts of relationships between CSOs and local government units (LGUs), there was not sufficiently granular information to inform BuB implementation at the local level. Indeed, it is unclear how these inputs informed Steering Committee discussions, and whether the recommendations provided in the OGP reports were actionable.

V.2.ii Source of Technical Inputs

Another way in which OGP influenced BuB was through the provision of technical inputs that informed the program's design. Specifically, the peer learning support mechanism of OGP, through which members of the DBM were able to take a study tour visit to Brazil, gave members of the administration an experience of participatory budgeting elsewhere (Lim, interview, September 21, 2015). The study tour thus served as an input that government reformers were able to leverage in order to improve the design of the existing BuB program in the Philippines. The tour also motivated reformers to make BuB as successful as possible.¹⁹

V.2.iii Promotion of BuB at the Local Level

OGP also provided a platform through which proponents of BuB could promote the program and seek more stakeholder support. In several regional fora, for example, OGP was presented to LGUs and local CSOs as a way of encouraging local participation. The ULAP representative on the Steering Committee reports that being able to promote BuB as part of a broad international effort like OGP was a useful way to secure some buy-in (Medina-Guce, interview, June 10, 2015; Soliman, interview, July 30, 2015). OGP provided a way to make open government concrete to stakeholders at the local level, and helped implementers secure on-the-ground backing for BuB, not the least because, in the Philippines, efforts that either receive international recognition or stem from international sources are sometimes considered above the fray of partisan politics, and are hence more trustworthy.

V.2.iv Validation

Similarly, the OGP award that the Philippine government received for BuB in 2014 helped the administration respond to criticism that BuB was being used as a partisan constituency-building platform (IRM Report 2013). This international recognition validated the government's efforts, and insulated it against allegations of impropriety that had been levied by CSOs and opposition groups. Still, it is important to note that questions on BuB's effectiveness, especially regarding citizen empowerment and accountable implementation of anti-poverty projects, are not yet resolved. Still, OGP inputs have allowed the government to deflect criticism of its intentions and implementation of the program, and given powerful members of the administration another tool with which to burnish their good governance credentials for political gain.

¹⁹ More information on the study tour experience is available in Annex 2.

Clearly, various OGP inputs factored into BuB. Indeed, OGP was leveraged, particularly by the government, for monitoring purposes, for technical advice, in order to secure support at the local level, and as a validation tool. Despite these modest contributions, OGP was by no means integral to the achievement of BuB. The program could have very well been achieved even without any input from OGP. In fact, on the ground where BuB was implemented, OGP was almost entirely ancillary.

This is because BuB, as a government program outlined in the GGACC plan, overseen by DBM, and implemented by DILG and LGUs, had a structure and design that was isolated from the high level monitoring of commitments that came with OGP. Overlaps in membership between agencies and organizations involved in both BuB and OGP did not penetrate to decision-making processes at the local level, where most BuB problems and issues occur. The local chief executives and LGUs that engaged in BuB were incentivized to participate in various ways, few of which involved OGP.²⁰ The wide array of actors at the local level, with their varying levels of appreciation, commitment, and capacity vis-à-vis open government reforms, makes it difficult for an international partnership like OGP to be a factor. In the interplay of actors in the complex process of reform that happens during the implementation of an open government program like BuB, the presence and relevance of international cooperation is restricted to the national level.

Further, as noted previously, BuB was already on the administrative agenda prior to its inclusion in the OGP national action plan, and satisfied a longstanding demand of many CSOs, few of which were engaged with OGP mechanisms. The leadership of specific actors and departments within government was key for BuB, and for its inclusion in OGP, but OGP did little to help reformers navigate the politics of this specific reform initiative; neither did it reshape the balance of power surrounding participatory budgeting.

²⁰ See Annex 3 for additional detail.

VI. Rethinking the Philippines' OGP Journey

How, if at all, has OGP enabled reformers working on open government in the Philippines to promote accountable, open, and responsive governance? Have the causal mechanisms associated with OGP, including the empowerment of reformers, coalitions that rebalance power balances, and learning to navigate political context more effectively, been at play in the Philippines?

To answer these questions, this study has traced the actions and decisions taken by key actors in the Philippines throughout the country's OGP experience, as well as through the implementation of the Bottom-up-Budgeting reform. It argues that, all things considered, the use of OGP to advance progress towards open governance has been limited across all three of these mechanisms, especially the latter two. By comparing national level reform efforts (the institutionalization of the open government agenda) to a particular, multilevel reform (BuB), the study has explored the ways in which stakeholders have (or have not) leveraged OGP inputs to advance their work.

In both instances, government reformers used technical inputs provided by OGP, as well as the national action plan cycle and the oversight process, to inform some open government activities. They used OGP to leverage pre-existing reform agendas, and in doing so sought to burnish their good governance credentials, consolidate political advantages, and obtain external recognition. In this light, OGP's contribution has been more marginal than transformative. OGP neither rebalanced power dynamics, nor substantively helped local actors learn to navigate more effectively the politics of open government. Where complex reforms like BuB are concerned, OGP processes were barely relevant, especially in terms of implementation.

Indeed, on the institutionalization of open government agenda, this study finds that OGP was leveraged primarily in contributing to the expansion of the scope of open government reforms in the Philippines through its technical support and international recognition, and as a means to introduce the discourse of good governance among potential pro-reformers in the government. The Aquino administration did not use OGP substantially to expand the scope of the open government agenda to include other potential areas and issues beyond the "Straight Path" framework. Political calculations seem to have enabled and limited the contribution of OGP inputs to the country's journey.

The study also finds that the Aquino administration used OGP to sustain its open government agenda through the monitoring mechanism, formulation of action plans, and presence of GGACC cluster member department heads or personalities in the Philippine-OGP Steering Committee. There remains a question as to whether efforts to use the national action plan cycle to embed the country's bureaucracy in the open government journey will prove effective beyond the current administration.

CSO participation in the open government agenda was limited to discussing topics already set by the GGACC. This participation has also been largely confined to groups

that are already affiliated or linked to the Aquino government. When they did participate in OGP, CSOs were motivated by the possibility of obtaining access to international networks and expertise, and by the prospect of improving their credibility. OGP has not, however, enabled CSOs to collaborate more effectively with the government (as many other mechanisms already exist for that), nor has it contributed to their ability to more successfully navigate local politics. CSOs were unable to use OGP to affect prevailing power dynamics in the open government agenda.

Similar trends play out in the case of BuB. OGP inputs like national action plan cycles, IRM reviews, technical inputs, and international awards play some role in helping public officials advance their plans, but beyond the national level, OGP plays little role. As an established government priority, BuB already had mechanisms for dealing with issues and problems. The Steering Committee, outside of DILG and DBM, did not inform or bolster such mechanisms, reinforcing the conclusion that the Aquino government has used OGP primarily in order to further its priorities, rather than take on or substantially reshape new ones. To sum up, how have the causal mechanisms associated with OGP's theory of change played out on the ground in the Philippines?

VI.1 Improving Navigational Skill?

OGP has primarily been used as a validation and monitoring mechanism, both at the national level institutionalization of open government and in the actual implementation of BuB. The Steering Committee helped give an extra push to the efforts of the Aquino administration to really institutionalize the reforms it needed to build in its good governance framework (Lim, interview, July 2, 2015). It served a similar function at the national and local levels in BuB. However, OGP did not substantially improve the ability of reformers to learn and to pursue reforms – reform efforts were already well underway, and nothing very novel came out of OGP, although some OGP-like learning exchanges and technical advice did supplement existing plans.

VI.2 Empowering (Some) Pro-Reform Leaders?

OGP also provides, at least for a select group of reformers within the Aquino administration, GGACC, and conventional national and local spaces of power, a space for limited dialogue in which they can engage in an ideational tug-of-war (T. Hamada, personal interview, July 21, 2015). In this space, stakeholders have had the opportunity to engage each other on issues that are related to the values and principles of open government. This has helped this select group of stakeholders refine the issues and challenges of open government, as we have seen throughout the discussion of institutionalization, and also, to an extent, that of BuB. Note, however, that the issues and agenda discussed within this space remain limited to what the Aquino administration was willing to target, and did not address elements of a fundamental, institutional reform agenda.

VI.3 Solving Collective Action Problems?

Finally, one more phenomenon observed from exploring the two themes covered in this study has been the creation of a new space in which a limited number of CSOs can better participate in national-level open government processes. However, as was also observed with regard to the two themes, this space has yet to welcome other CSOs, especially their discourses and dispositions toward government reform in the Philippines (F. Magno, personal communication, July 28, 2015), and the presence of OGP has not really transformed the capacity of government and a broad network of CSOs to reduce the cost of meaningful collaboration.

This case therefore finds that, in the context of the Philippines, where the Aquino administration had laid the foundations of an open government agenda largely in response to decades of democratic decadence, OGP was a latecomer to the good governance framework (articulated by Aquino's "Straight Path"). As demonstrated by the BuB experience, OGP provided only an additional push to the radical changes that were already happening in the budgetary process at national and sub-national levels. If anything OGP served only to magnify and emphasize ongoing reform efforts, rather than jumpstart or improve them. It was a parallel, rather than transformative, reform agenda.

VII. Recommendations for Key Stakeholders

a) OGP Support Unit

In essence, the OGP experience in the Philippines is an offshoot of the work that is being done by the OGP Support Unit – an international body meant to spread and mainstream the principles of open government around the world. It therefore has the potential to encourage the Philippines to maximize its membership in OGP by providing assistance that enhances open government-related initiatives.

The country's favorable policy context gives the Support Unit the opportunity to proactively push the Philippine government for more substantial reforms. This would then enable the Support Unit or the members of the Steering Committee in the Philippines to assist the next administration by offering guidance and direction in institutionalizing OGP.

b) Philippine-OGP Steering Committee Members

What have been shown in this report are the parallels between the OGP platform and the Aquino administration's "Straight Path" framework for good governance. Despite these similarities, the limited effect of OGP has given the administration little opportunity to institutionalize more substantive reforms. On the other hand, government officials who are part of the Philippine-OGP Steering Committee have failed to use OGP to set the future directions for open government in the Philippines.

The effect of international recognition can also translated into a more meaningful and sustainable engagement with the Philippine government on open government by institutionalizing a policy that forces it to be on par with or to follow international norms and standards on open government. OGP can, in fact, serve as way for local stakeholders to get concrete assistance or support to advance more substantive reforms through regularizing and institutionalizing local government and local civil society participation in OGP processes. As actors capable of influencing those processes, Steering Committee members are key to this potential.

c) CSOs and Other Stakeholders

The participation of CSOs and other stakeholders, as shown in this paper, is only structured by what the government-led Philippine-OGP Steering Committee was able to facilitate. This limited participation is also seen in the weakness of CSOs to engage their counterparts, especially on matters of capability, whether material or ideational. CSO composition in the OGP platform is also influenced by proximity to central government.

CSO participation can be enhanced by expanding good governance reforms to include issues that address policy and structural flaws that hinder responsive and accountable governance. This would entail opening the OGP platform to various other CSOs and actors. To achieve this end, civil society participation may opt not only to refer

to people's organizations (POs) and NGOs but to other actors as well, like academe, the church, social movements, the media, and even political parties. Their substantive participation will pluralize and radicalize the ideational and even discursive articulations within the Philippine-OGP Steering Committee by providing new narratives and perspectives on good governance issues in the Philippines. This can be done by getting involved with various aspects of the OGP platform such as deliberation, formulation, implementation, and monitoring of OGP initiatives.

d) More Openness in the Open Government Partnership in the Philippines

Lastly, the Philippine case shows that the stakeholders – OGP Support Unit, the Philippine-OGP Steering Committee, CSOs, and others – all have important roles to play in the larger OGP experience around the world. The success of the open government agenda in the Philippines, as a whole, should not just depend on the Aquino administration and friendly CSOs. The proactive participation of other actors means opening the OGP to allow other possibilities to take shape. By engaging print or broadcast media, for instance, the concepts, values, and even discourses of good governance or open government can reach the general public more easily. For example, the Philippine-OGP Steering Committee may opt to explore ways of allowing the media to have a proactive role in OGP, enabling it to be a tool in engaging the general public on open government.

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Jovelito Cadungog, BuB Regional Coordinator, DILG VII
Floridita Cayron, Bord Member, UPALL, Rajah Park Hotel
Rolita Balane, President, SUMAKA, Rajah Park Hotel
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Annexes

Annex 1. Methodological Note

The data used in this research were gathered through the use of archival research (AR), key informant interviews (KII), and focus group discussions (FGD). The usage of AR, KII, and FGD was done according to the availability and accessibility of data, and ability to comply with the analytical needs and imperatives of the use of “process tracing” in the research. For the availability and accessibility of data, PODER surveyed and accessed first those available public and official documents—two official documents released by the government and seven reports released by the steering committee members—that concern OGP and OGP in the Philippines. The use of archival research allowed the researchers to systematically identify useful primary (including secondary) documents for the research through downloading materials from the official websites of the Philippine government and Open Government Partnership, and accessing data from the government offices themselves. KII (14 interviews) and FGD (seven community leaders) were used strategically by creating questions that aimed to fill informational gaps identified in the AR. PODER used KIIs and FGDs in the latter part of the research to ensure that all information in the data gathering was accessed and retrieved. The information gathered was analytically used in the research to identify and understand the interface, shifts/adjustments, and outcome regarding the OGP platforms and OG reform in the Philippines.

Annex 2. BuB and the Study Tour

Among the things Philippine officials learned about implementing the BuB on their trip to Brazil was the methodology or manner by which projects to be funded are prioritized in the budgetary process. The attendees were able to learn three possible methods: direct vote, assembly, and online voting. From these three methodologies, they chose to adapt the assembly method in the Philippines' BuB program. This was seen as something that CSOs in the country were accustomed to, given the citizen participation mechanisms already in place (Lim, interview, September 21, 2015). This methodology is currently embedded in JMC No. 3 as the "CSO Assembly" (Lim, interview, September 21, 2015). CSO Assembly is a mechanism in the BuB that fosters dialogue and openness in citizen participation in the budgeting process through open participation in the discussion and deliberation of those items (projects, programs, etc.) that are to be funded in the budget. What makes the process adopted in Philippines different from the assembly method in Brazil is that in the Philippines there is joint decision-making between LGUs and citizens regarding the prioritization of projects, as well as the participation of the national government, through the DILG and DBM, in implementing the BuB and the budgetary process that follows it, respectively (Lim, interview, September 21, 2015). Furthermore, the BuB process was conducted and activated entirely at the local level in Brazil. Aside from informing the design of the BuB, those who took part in the study tour also considered the experience a form of motivation to bring BuB up to par with its counterparts around the world, like that in Brazil.

Annex 3. BuB on the Ground in Mandaue City and Cebu City

OGP processes and inputs were not integral on the ground when it came to the actual implementation of BuB in specific localities. The BuB program has its own structure that is independent and separate from the monitoring and oversight done by the OGP. Overlaps in membership did not penetrate decision-making processes in resolving ground-level problems and issues. Even when getting the buy-in of stakeholders, the OGP was hardly a factor. LGUs, particularly local chief executives (LCEs), have different reasons for engaging BuB, as discussed in the annex. In Cebu City, the LGU chose to engage in BuB following its guidelines because they knew that BuB would give them access to additional funds. In Mandaue City, BuB is seen as something that provides focus. It is seen as a tool for addressing the perennial poverty-related problems in that area that would otherwise be hard to address due to the lack of budget and other pressing issues (Calipayan, interview, September 2, 2015).

Even before the creation of the OGP Action Plans, BuB was considered a priority program by the administration. It forms part of the core agenda of turning the “budget into a political tool for reforms.” The political and governance landscape was thus already favorable for adopting and implementing BuB. There was already an existing demand from CSOs from the onset for open and participatory government. With the country’s vibrant civil society having engaged in various levels of government even before the current administration, mobilizing CSOs to engage the budget was not a challenge as long as resources and processes were available, which the BuB provides.

Annex 4: FGD Documentation | September 1, 2015, Rajah Park Hotel, Cebu City

The FGD's objectives were to capture the narrative implementation of BuB in Cebu City and Mandaue City (story/timeline of BuB implementation in both areas; results and outputs so far in these areas; quality and scale of CSO participation; extent of LGU support and its openness to the program; relationship between LGU, CSOs, and BuB coordinators), and specifically to validate the answers given by participants in separate previous interviews and engage them in reflecting on a comparison of the two cases.

The following is a summary of the participants' answers from the FGD.

Narrative/Timeline of BuB Implementation Cebu City

Implementation of the first BuB in Cebu City was rushed. The first meeting for BuB happened in January 2013 and the projects implemented had no concrete results. These included all attributions, livelihood programs, and trainings, and it was national/local government agencies who implemented it. Only one project, the Salintubig, has been left unfinished.

For the 2014 BuB implementation, the CSO Assembly was convened in October 2013 and this time more or less about 100 CSOs attended the assembly. This was also when the LPRAT members were elected. A month after the CSO Assembly, the LPRAP workshop was held. Projects amounting to P50 million were identified, but the plan – the LPRAP – was not signed by the mayor. LPRAT members followed up with the City Planning Office about this and even set up a meeting with him, but the plan remained unsigned. Nevertheless, it was still submitted to RPRAT. The RPRAT meeting was conducted during the first quarter of 2014. There, two LPRATs were submitted: the first without the mayor's signature, and the other from another CSO Assembly and LPRAT workshop conducted by the LPRAT point person of the mayor. Although the RPRAT accepted both plans, they were disqualified for being non-compliant with the JMC guidelines. Because of this, the mayor resolved not to get himself too involved with the BuB implementation and loosened up a bit on CSOs.

For the 2015 implementation, CSO Assembly was again held in October, with more than 50 CSO participants, invited by DILG, coming from the different sectors: urban poor, senior citizens, women, farmers, and PWDs. CSOs were able to lobby their projects and the felt needs were identified using the problem tree. Afterwards, solutions were identified. LPRAT members were again elected, and the LPRAP workshop conducted. The LPRAT was signed by all signatories including the mayor and was approved in the RPRAT. For this year's implementation, however, the budget was reduced from P50 million to P24.4 million, because of the controversy that the BuB fund is PDAF.

Mandaue City

Planning for the 2013 BuB implementation took place in 2012, with very few CSOs – only those accredited CSOs from the academe and business sector, and the Pantawid Pamilya beneficiaries – able to attend.

It was only with the second round of BuB (2014 implementation) that CSOs realized that BuB is a good program. For this year's implementation, the SUMAKA, a women's organization, and the Pantawid Pamilya were included in the planning.

SUMAKA, a popular organization, considered involving more CSOs in the BuB. It then initiated, in consultation with the LGU, a People's Summit so to enable more CSOs to join the BuB. SUMAKA had a two week discussion with the city administrator and the mayor in February 2014, supported by the LGU. In October 2014, the People's Summit was held back-to-back with the CSO Assembly. The People's Summit had CSO attendees from all 27 barangays of the city, with 300 CSOs and 408 participants from eight sectors.

Factors Affecting Implementation

The participants raised a number of factors that affected BuB implementation in their respective areas. These are: politics/partisanship, the personality (open-mindedness) of the leader, LGU's adherence to guidelines, and CSO unity/composition.

Factors Affecting Effectiveness

The factors affecting the effectiveness of the BuB, meanwhile, included the opening up of government, including the capacity of CSOs; the completion rate and implementation of projects, which also covers the menu for projects and the requirements for implementation; and responsiveness.

What Participants Think of BuB

The participants think that BuB is worth pursuing as projects needed in the community are identified. Even if the budget is small, these projects can be sure that it is for them, and that many people will benefit from it. One participant stated that "half of the bread is better than nothing." All the participants agreed that BuB should be continued and that the problems they have now are just birth pains.