



CIVIC ACTION AND ACCOUNTABILITY IN OPEN CONTRACTING

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A research report by Oxford Insights. Commissioned by Hivos' Open Up Contracting program.
February 2020

Colophon

June 2020

Photo cover: This photo is part of a coffee table book made to celebrate women in the July 30th 2018 elections in Zimbabwe, by Hivos' Women Empowered for Leadership (WE4L) program. WE4L is a 4-year program managed by Hivos and implemented with local partners in five countries in the Middle East and Southern Africa: Jordan, Lebanon Zimbabwe, Zambia and Malawi. In this program, women leaders and activists from Southern Africa and the Middle East collaborate to promote the equal participation of women in politics, public administration and civil society.

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EXECUTIVE SUMMARY

Citizen engagement and participation is a key ingredient for building accountability, driving improvements and innovation, and increasing trust between actors within the public contracting process. However, the direct results and benefits of this citizen engagement and participation, and the various strategies adopted by different open contracting initiatives to achieve these benefits, have not been thoroughly explored and compared.

Oxford Insights were commissioned by Hivos to explore the results and benefits of civic engagement and participation within open contracting initiatives from a variety of contexts worldwide. Our aim was to increase the evidence base to support practitioners in government or elsewhere deploying civic engagement and participation within their open contracting initiative. We adopted a comparative case study approach looking at five initiatives in five countries, using a combination of interviews and desk research. We then conducted cross-comparison analysis to draw out the key results, benefits, themes and develop practical recommendations.

Summary findings

- Kenya Involving multiple stakeholders in the design of an initiative is important to ensure their continued support.
- Honduras With guidance from central coordinators (CoST), citizens can self-organize to monitor infrastructure projects and demand greater transparency.
- Malawi The media can become an accessible participation platform for citizens, as well as a way for CSOs to educate. A strong and supportive relationship with media organizations can help make this possible.
- Afghanistan A mutually supportive relationship between grassroots activity and national-level lobbying helps encourage a cultural change in government.
- The Philippines Maintaining a strong base of support outside of the government can help an initiative stay independent and preserve the integrity of their work.

Across all Civic participation has, in some cases, resulted in institutionalization of citizen engagement in government. In other cases, it has at least helped CSOs influence decisions and processes.

Citizen participation can increase a CSO's reputation and helps them expand their operations through partnerships, both with the government and other CSOs or community organizations.

Government support is helpful but not essential for civic participation initiatives. Indeed, getting too close to the government can make a CSO more vulnerable to political changes. Maintaining organizational independence is just as important.

Summary lessons for practitioners

Managing data. The administrative burden of data management is consistently underestimated. Prioritizing team capabilities in this area is a must for long-term sustainability.

User specific design. Involving citizens in the design stage of new systems can make sure they meet citizen needs. But also it's important to think about government users as well; non-user-friendly systems can be a barrier to success.

Tracking progress. Identifying what to measure early on can make tracking progress much easier. This helps initiatives make a more convincing case for their impact further down the line. Defining a theory of change from the start can help.

INTRODUCTION

According to World Bank estimates, governments spend around USD\$9.5 trillion a year on contracts with private companies.¹ This spending is vital to supply the goods, public infrastructure, and services which citizens rely on every day. Yet often the details of government procurement are opaque. Even governments don't always know exactly what they are buying or selling, for how much, and who they are dealing with. Given the enormous monetary incentives involved, public contracting is also one of the most significant areas of risk for corruption in government.²

In response to high profile corruption scandals, and a desire for greater transparency around how money is spent for what results, 'open contracting' has emerged as a popular public sector reform in a wide variety of sectors. The proactive disclosure of contract information in accessible formats for the public, including through online platforms, is now becoming recognized globally as good procurement practice. In 2019, 70 member countries of the Open Government Partnership (OGP) had made procurement and/or open contracting commitments in their National Action Plans (NAPs).³

The Open Contracting Partnership (OCP) describes open contracting as a 'silo-busting' intervention that relies on the collaboration of multiple stakeholder groups including technologists, public officials, media, businesses, and civil society organizations. It aims to make the entire process of planning, awarding, and delivering these contracts open and transparent, primarily by 'shifting government contracting from closed documents and paper-based processes to digital services that are smart, fair, efficient and open-by-design'.⁴ According to OCP, key principles of open contracting include:⁵

1. **Affirmative disclosure** – the timely, current, and routine publication of information about the formation, award, execution, performance, and completion of public contracts. Information includes contract type-including licenses, concessions, permits, grants; bid documents, performance evaluations, guarantees, and auditing reports; information concerning contract formation; and information related to performance and completion of public contracts.

¹ World Bank. (2016). Despite progress, transparent and efficient government procurement rules remain a global challenge: WBG report. [online] Available at: <https://www.worldbank.org/en/news/press-release/2016/12/05/despite-progress-transparent-and-efficient-government-procurement-rules-remain-a-global-challenge-wbg-report>.

² For more on capturing the procurement process, see for example Dávid-Barrett, E. and Fazekas, M. (2019). Grand corruption and government change: an analysis of partisan favoritism in public procurement. European Journal on Criminal Policy and Research.

³ Open Government Partnership. (2019). Open Contracting and Procurement - Open Government Partnership. [online] Available at: <https://www.opengovpartnership.org/policy-area/open-contracting-procurement/>

⁴ Open Contracting Partnership Strategy 2019-2023. (2019). [online] Open Contracting Partnership. Open Contracting Partnership. p6. Available at: <https://www.open-contracting.org/resources/open-contracting-partnership-strategy-2019-2023/>.

⁵ Open Contracting Partnership. (2016). Global Principles - Open Contracting Partnership. [online] Available at: <https://www.open-contracting.org/what-is-open-contracting/global-principles/>.

2. **Government systems** – to collect, manage, simplify and publish contracting data in an open and structured format, ideally following the Open Contracting Data Standard (OCDS);
3. **Participation and monitoring** – an enabling environment, which may include legislation and capacity building, to promote opportunities for public consultation and monitoring of public contracting, from the planning stage to the completion of contractual obligations; and
4. **Feedback loops** – oversight authorities, including parliaments, audit institutions, and implementing agencies, can access and utilize disclosed information, act upon citizen feedback, and encourage dialogue between contracting parties and civil society organizations.

However, the approach and level of disclosure of contract information varies greatly across countries. As do the approaches and strategies used to promote civic engagement and participation within the open contracting process.

The role of civic engagement and participation in open contracting

For the purposes of this research, we define **civic engagement and participation** as a two-way interaction between citizens and government. Some commentators draw a distinction between citizen engagement, as a top-down mechanism vs. participation as a bottom-up mechanisms initiated by citizens.⁶ In our case studies, we have included both examples of engagement *and* participation, as ideally open contracting initiatives would ideally feature a combination of both mechanisms.

Citizen engagement	Citizen participation
Top-down, initiated by government	Bottom-up, initiated by citizens
Formal process	Informal process
Examples: participatory budgeting, needs assessment, feasibility assessment	Examples: neighborhood monitoring group, petitions, awareness campaigns

Growing evidence suggests that under the right conditions, citizen engagement and participation generally can help build public trust and legitimacy in government service delivery, strengthen social inclusion/empowerment, and improve development outcomes. As the World Bank acknowledges, citizen engagement and participation is highly context specific, influenced by a

⁶ CitizenLab. (2019). What is the Difference between Citizen Engagement and Participation? [online] Available at: <https://www.citizenlab.co/blog/civic-engagement/what-is-the-difference-between-citizen-engagement-and-participation/>.

range of social, political, economic, environmental, cultural, geographic, and other factors such as gender dynamics and citizens' capacity and willingness to engage.⁷

In the case of open contracting, citizen engagement and participation is claimed to reduce corruption risks and improve development outcomes through greater access to information ('open data') for monitoring and accountability. Ideally, engagement and participation should take place throughout all phases of the procurement cycle. For example, by involving citizens during assessment and planning phases, better services will be designed that meet user needs and therefore deliver better development outcomes. By disclosing contract information, irregularities can be highlighted and fixed. And by providing information about contract implementation in an open and accessible form, civil society, journalists, and other intermediaries (e.g. technologists) can detect red flags, monitor progress, and ultimately hold local and national governments to account.



Figure 1: Entry Points for Participation in Public Contracting⁸

To function effectively, citizen engagement and participation requires certain capacity and tools, often mediated by actors such as civil society organizations, media, academia/researchers, or technologists. Citizens need access to information in a format that can understand given country- or region-specific literacy and awareness levels, in order to be able to engage effectively with decision-makers. For example, technologists or civil society organizations may get involved to develop more user-friendly interfaces, or to run an awareness raising program educating citizens about contracting data and their rights, e.g. under freedom of information laws.

⁷ World Bank. (2014). Citizen Engagement. [online] Available at: <https://www.worldbank.org/en/about/what-we-do/brief/citizen-engagement>.

⁸ Marchessault, L. (2013). Open Contracting: A New Frontier for Transparency and Accountability. [online] Open Contracting. World Bank Institute and Open Contracting Partnership. Available at: https://www.open-contracting.org/wp-content/uploads/2016/02/OCP2013_Paper-NewFrontierforTransparency.pdf.

However, as the Open Contracting Partnership has pointed out, of the 259 relevant OGP procurement commitments, only six specifically included engagement with civil society or public participation.⁹ The bulk of procurement commitments are instead focused on internal systems changes, e.g. development of an e-procurement portal. This suggests a need for greater emphasis on and advocacy for the inclusion of citizen engagement and participation within the design of open contracting reforms to ensure the intended benefits flow back to citizens.

⁹ Opengovpartnership.org. (2020). OGP Explorer. [online] Available at: <https://www.opengovpartnership.org/explorer/all-data.html>.

RESEARCH OVERVIEW

Goal

The goal of this research was to identify and assess the factors and circumstances, including contextual and programmatic preconditions, where civic engagement and participation open contracting leads to specific benefits for government and civil society actors.

Our primary research questions were:

- How are open contracting reforms and the increased availability of data being used to realize **tangible results and benefits for actors in government and civil society?**
- What **contextual and programmatic aspects** in open contracting initiatives contribute to achieving concrete results and benefits, and how?
- What do stakeholders involved in, or impacted by, the implementation of open contracting processes experience as the **most significant impediments to effective implementation?**

To answer these questions, there are a number of sub-research questions we explore throughout our case studies, including:

- What types of results and benefits can be attributed to open contracting initiatives? Who are the primary and secondary beneficiaries? At what stage does change occur (intermediate vs long-term impact)?
- What was the specific contribution of citizen engagement and participation within the open causal chain? Who was able to participate, and who wasn't?
- What were the enabling factors or preconditions for success? Are there any commonalities we can draw between case studies e.g. capacity building, leadership support, standards etc.?

Research methodology

We used a 'theory of change' (ToC) approach based on primary qualitative research and secondary desk research.¹⁰ We selected this method because it is useful for mapping change processes within a program from input through to outcome, while promoting critical reflection about the contextual conditions that influence a certain change process. As Vogel (2012) notes, ToC models are increasingly being used in international development by a wide range of development agencies, civil society organizations, NGOs, and researchers, particularly in program design, monitoring and evaluation, and impact assessments.¹¹

¹⁰ For a detailed overview of our research methodology please see the 'Detailed research methodology' document attached in the research tool folder.

¹¹ See for example Vogel, I. (2012), 'Review of the use of 'Theory of Change' in international development', DFID http://www.theoryofchange.org/pdf/DFID_ToC_Review_VogelV7.pdf

To develop our theory of change, we conducted a rapid desk review of existing literature surrounding open contracting with a specific focus on the role of citizen engagement and participation. Based on this desk review, we identified some common contextual and programmatic factors which support open contracting results and benefits. These assumptions were then tested and challenged through the course of our interviews and analysis.

Case selection criteria

To select our five focus cases, we worked closely with Hivos and expert advisors within the open data and open contracting community to identify and prioritize cases. The final selection criteria included:

- **Emphasis on civic engagement and participation** – across different stages of the open contracting cycle, with a focus on early stage engagement given the scant available evidence during this stage;
- **Indication of impact which can be validated** – e.g. from evaluation report, program documents, articles, secondary research, etc.;
- **Maturity of open contracting initiative** – cases at relatively mature enough stage of implementation to demonstrate some impact and provide underlying data for analysis;
- **Responsiveness** – responsive and engaged open contracting stakeholders from government, civil society, public oversight agencies willing to participate in research; and
- **Value to practitioners** – cases that could generate useful insights and lessons learned for practitioners at a less mature stage of implementation, and to focus on cases that have not already been extensively documented.

Other ideal (but not essential) criteria were:

- Technical compliance with open contracting data standard, e.g. OCDS;¹²
- 50% Hivos-supported programs; and,
- A focus on the infrastructure sector to enable cross-comparison.

To further categorize the cases, we divided the end-to-end contracting process into three broad types, based on the stages they represent in the procurement process: type 1 – needs assessment and budget setting; type 2 – tendering and award, and type 3 – contract implementation. Within each stage, we identified key participation activities and corresponding case studies. This enabled us to gather insights from across the contracting process.

¹² NB: As open contracting and the OCDS are still relatively new initiatives, we broadened our definitions slightly so as to be able to include similar initiatives from around the world.

Type	Stage in the procurement process	Example participation activity
1	Needs assessment and budget setting	Public hearings, open consultations
2	Tendering and award	Integrity pact monitoring, social witness, transparency initiatives
3	Contract implementation	Community based monitoring, transparency initiatives

A note on final selection

Due to a number of factors affecting our target countries for type 2 we were unable to gather sufficient information to create a case study. Instead we have focused on two CoST Initiatives whose activities span types 2 and 3.

Three cases out of five are, or have been, supported directly by Hivos (Makueni, CoST Malawi, CCAGG). Four cases are wholly or partly compliant with the open contracting data standard (OCDS) (Makueni, CoST Malawi, CoST Honduras and Integrity Watch Afghanistan).

The focus on infrastructure was an important factor in our selection process. High levels of public investment in this sector makes it particularly vulnerable to corruption, and therefore a significant target for civic action. Infrastructure is therefore a particularly ripe area for citizen participation and engagement. Focusing on infrastructure consistently enabled us to make more programmatic and contextual comparisons between cases.

No.	Stage in the procurement process	Engagement or participation activity	Project name	Case study location
1	Needs assessment and budget setting	Open consultation	Government of Makueni County Open Contracting Portal	Kenya (Makueni County)
2, 3	Tendering and award; contract implementation	The Infrastructure Transparency Initiative (CoST)	CoST Malawi	Malawi
		The Infrastructure Transparency Initiative (CoST)	CoST Honduras	Honduras
3	Contract implementation	Community based monitoring	Concerned Citizens of Abra for Good Government, Inc. (CCAGG)	The Philippines
		Community based monitoring	Integrity Watch Afghanistan	Afghanistan

The outlier in our final case study selection was Makueni County. Unlike the other cases, the focus of the initiative is not monitoring of infrastructure by CSOs, but rather the provision by the County government of an open contracting portal. The initiative is also very recent, with the portal only going live in December 2019. Nevertheless, we chose this case to illustrate the value of a collaborative approach between civil society and the government when it comes to designing an open contracting initiative. For practitioners in contexts where such a collaboration is possible from the outset, the Makueni case is a helpful guide for how to engage various stakeholders in the design process to create a user-centered open contracting initiative. In terms of longer term impacts of the project, Hivos will conduct further research in 2020 to assess the initiative's performance.

Limitations of research

As we quickly discovered during data collection, few initiatives yielded sufficient data for the kind of quantitative or comparative analysis required to support concrete statements around monetary costs and benefits, e.g. progress of projects over time, government savings as a result

of participation. This was due to insufficient data being available or accessible and/or projects not having reached a stage at which outcomes are evident.

With a relatively small number of in-depth case studies, this research cannot be considered a systematic review of the entire evidence base addressing all contexts where open contracting reforms have been adopted. This means we need to be careful about what findings can be considered generalizable to other settings, versus which features are context specific. To tackle this, we worked closely with our research advisors to contextualize our findings and validate our recommendations. We have also made the research methodology as open as possible, to encourage replication in other settings.

We use the Corruption Perceptions Index as a proxy for assessing changes in attitudes across the population. It is difficult to find evidence of major long term structural changes to infrastructure procurement as a result of citizen engagement and participation. Likewise we cannot conclusively claim any contribution of construction sector transparency initiatives or open contracting to the improved CPI rankings. References to CPI improvements in this report should be seen as either compounding factors or simply a proxy indicator for overall improvement.

Description of adapted Theory of change framework

The following diagram illustrates the causal chain flowing from inputs such as monitoring projects through to impacts such as improvement to the project. This ToC is generalized, based on a combination of existing ToCs and other secondary research.¹³

¹³ For full details of the methodology behind our development of this ToC, refer to the document 'Detailed research methodology' attached in the research tools folder.

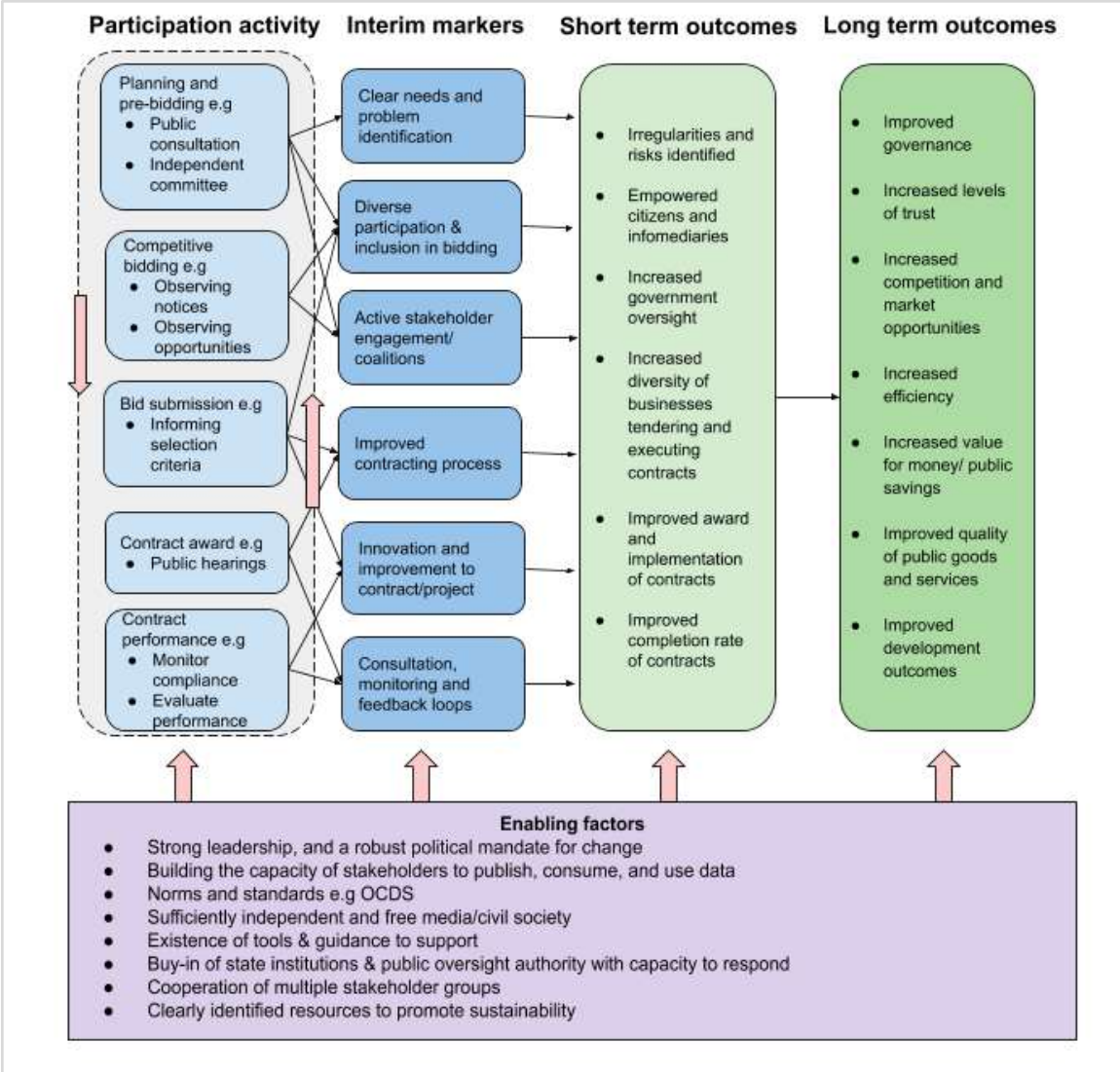


Figure 2: Illustration of our original Theory of Change

Inputs

Ideally, some form of citizen participation and/or engagement should take place throughout the entire procurement process, starting with understanding user needs, setting goals in collaboration with citizens and vendors, sharing data about contracting in ways that allow different actors to monitor performance, and providing mechanisms to solicit and respond to feedback.

Open data and supporting tools are a key ingredient for activating this feedback loop. It helps to inform analysis and information use; facilitates insights across contracting, payment, budget, planning and project management; enables automated tracking and business analytics; and enables the development of interconnected digital services. However, it is only valuable if citizens, infomediaries, businesses, and government actors are able to access and use the data.

Capacity building, standards, and tools that help actors use and act on data are therefore key enabling features of open contracting initiatives.

Results and impacts

OCP and others are careful to emphasize that getting to the desired impacts e.g. reduced corruption, better goods and services, etc. takes time and that progress does not occur in a linear fashion. However, we have identified some interim progress markers ('stepping stones') on the pathway to achieving eventual impact. These interim steps include changes in regulations, behaviors, knowledge, and processes.

Common interim markers we would expect to see include:

- clear problem identification;
- active stakeholder engagement;
- improved data infrastructure;
- enhanced data quality and completeness; and
- stronger consultation, monitoring, and feedback loops.

An equipped community of citizens and infomediaries (media, technologists, CSOs, researchers etc.) that consume and act on the newly available information about contracting should over time then produce more sustainable results. These short-term outcomes (1-3yrs) we would expect to see include:

- Irregularities and risks in public contracting identified;
- Empowered citizens and infomediaries acting on new information;
- Increased government oversight and capacity of public oversight authorities;
- Reduced costs to businesses for tendering and executing contracts;
- Increased diversity of businesses tendering and executing contracts;
- Improved award and implementation of public contracts; and
- Improved completion rate of public contracts.

Long-term change takes longer to emerge. The more citizens and infomediaries engage, the stronger the incentives for government to improve as they see the benefits and value of open contracting. As openness, feedback, and monitoring are embedded into the contracting system and becomes 'business as usual', OCP theorizes that the balance of interests shifts towards user-driven public goods and services. Some of the longer-term impacts (5yrs+) we would expect to see include:

- Improved governance e.g. by reducing fraud and corruption risks;
- Increased level of trust by business and citizens in the public contracting system;
- Increased competition and market opportunities for businesses;
- Increased efficiency and lower administrative burden;
- Increased value for money/public savings;
- Improved quality of public goods and services; and ultimately
- Improved development outcomes for citizens.

Finally, for an open contracting reform to be successful and deliver these types of impacts, lessons learned from the last 10 years¹⁴ suggest that a number of external and internal factors should be in place, including:

- Strong leadership, and a robust political mandate for change;
- Building the capacity of stakeholders to publish, consume, and use data;
- Enabling norms, policy, legislation and standards e.g. OCDS, specific legislation;
- Sufficiently independent and free media/civil society;
- Existence of tools & guidance to support;
- Buy-in of state institutions & public oversight authority with capacity to respond;
- Cooperation of multiple stakeholder groups; and
- Clearly identified resources to promote sustainability.

We used this ToC as a framework to see how the different reforms compared. Through interviews and desk research, we examined the causal chains within each reform/initiative (currently represented by arrows in the diagram), enabling factors, barriers to progress, and lessons learned. This allowed us to reflect on the pathway from citizen engagement and participation activity, through to impact. From this, we developed the within case, and across case analysis.

Replicability

We have released our key tools, the ToC framework indicators and accompanying coding framework, under a creative commons license. This ToC framework was developed from open source materials. The coding framework provides an easy way to document information from primary and secondary sources. This research can therefore be replicated by an individual with the right contacts in other circumstances.

¹⁴ See for example Open contracting lessons from 15 countries. (2016). [online] Open Contracting. Hivos, Article 19, and Open Contracting Partnership. Available at: <https://www.open-contracting.org/wp-content/uploads/2016/12/OC-HivosArticle19-synthesisreport.pdf>.

CASE STUDY FINDINGS: A COMPARATIVE VIEW

The following section contains our across case descriptive analysis of the five case studies. Each initiative demonstrates a unique response to an environment of corruption and mismanagement in public procurement, with a particular focus on infrastructure. These cases were chosen for their inclusion of citizens in public procurement to create lasting structural change. However, their approaches often differ considerably in response to cultural or contextual factors. Notable differences, which will be explored below, include attitudes towards open data, methods of civic participation, and focus areas in the procurement cycle.

Case study summaries

Type 1: Kenya

The sub-national government of Makueni County in Kenya recently launched its own open contracting portal. Their goals were to improve efficiency, transparency, and inclusive public service delivery to Makueni residents.

This initiative is by far the most recent of our case studies, as the portal only went live to the public in December 2019. This makes it hard to measure the impact of the open data the portal offers on government and on civil society as yet. However, the case illustrates the value of civil society participation in the design of open contracting initiatives, with a variety of stakeholders being consulted as the initiative developed.

Types 2 and 3: Malawi and Honduras

The Construction Infrastructure Transparency Initiative (CoST) is a global initiative that promotes transparency and accountability in infrastructure procurement. There are 19 CoST initiatives worldwide which work to improve infrastructure procurement through the four core CoST Principles: 1) multi-stakeholder working, 2) disclosure, 3) assurance and 4) social accountability.¹⁵ Each initiative differs slightly in response to local context and constraints.

For example, areas of interest in the procurement cycle differ as well. CoST Honduras focuses in particular on tenders and scope changes, and CoST Malawi focuses on the bidding and award process. Further comparative details are outlined in the impact sections below.

Type 3: Philippines and Afghanistan

The following type 3 initiatives both began with a focus on citizen monitoring. They are the oldest case studies in this report: Integrity Watch Afghanistan (IWA) was started in 2003 and the Philippines initiative, Concerned Citizens of Abra for Good Government (CCAGG), in 1986. IWA has since branched out to monitor schools, trials and extractives. They have also used their standing to lobby the government for more structural changes to, for example, national data

¹⁵ CoST. (2020). Our approach | CoST – Infrastructure Transparency Initiative. [online] Available at: <http://infrastructuretransparency.org/our-approach/>

disclosure. CCAGG has kept its initial focus on citizen monitoring for Abra but developed into an authority that also deals with a number of local and community issues, such as dispute settlement.

All case-studies are found on the [resources page](#) of Hivos' Open Up Contracting website.



Kenya: Makueni County

Find the complete case-study [here](#)

WEF Global Competitiveness Index (/100)	Freedom of the World (/100)	Corruption Perceptions Index (/100)	Global Open Data Index (%)	Population (mil)	GDP per capita (USD)
54.1	48	28	15%	48	1,857.2

Context

Makueni County is a sub-national government in Kenya. Although Kenya struggles with corruption, the National Ethics and Corruption Survey of 2018 places Makueni County at 38 out of 47 counties on incidences where a bribe was demanded, indicating the county may be one of the least corrupt.

In 2018 an executive order was published requiring all public entities to publicly disclose details of tenders and contract awards, and the national government created a platform, the Public Procurement Information Portal (PIIP) for this purpose. Concurrent to this Makueni County initiated their own portal, having identified a need to present citizens of Makueni with a locally specific and relevant portal for increased transparency in the entire process, and reduce the signal to noise ratio for those looking for Makueni county contracts online.

Initiative

The Governor of Makueni County, HE Prof Kivutha Kibwana wanted the initiative to address information asymmetry on public contracts, address bid integrity and secure value for money. This led to the implementation of the initiative to present the public with a locally specific and relevant portal allowing Makueni to reduce the signal to noise ratio for those looking for Makueni County-specific contracts.

With support from Hivos and Development Gateway Makueni County in December 2019 implemented open contracting with a public portal that presents the contract lifecycle information and data using the Open Contracting Data Standard.

This initiative is the strongest example of government-led civic engagement among these case studies.

Features

The initiative in Makueni is government-led with a very high level of political support and leadership. The County also took a highly collaborative approach

	<p>when working with stakeholders across civil society and the government to design the initiative. The County government was able to leverage Makueni's existing accountability structures, including the Project Monitoring Committees (PMCs). These PMCs are made up of citizens from the local area, and were already responsible for monitoring infrastructure projects when the project was initiated.</p>
Outcomes	<p>The County government engaged with non-state actors through at least 4 stakeholder meetings across 2019 as the project was being designed.</p> <p>The portal went live to the public in December 2019 at opencontracting.makueni.go.ke. More than 140 contracts in compliance with the Open Contracting Data Standard have already been uploaded. Based on available web analytics data, by the end of January 2020, the website had recorded almost 400 visits, the majority from Kenya-based users.</p>
Enabling factors	<ul style="list-style-type: none"> ● The commitment and leadership of the Governor and the County Executive Makueni County's existing accountability structure ● An enabling legal framework ● The availability of partners such as Hivos and Development Gateway ● A fairly free and independent media that reported corruption issues frequently
Barriers	<ul style="list-style-type: none"> ● The project faced internal resistance by some Procurement Officers ● There were also communication problems between the various committees tasked with aspects of the initiative



Honduras: CoST Honduras

Find the complete case-study [here](#)

WEF Global Competitiveness Index (/100)	Freedom of the World (/100)	Corruption Perceptions Index (/100)	Global Open Data Index (%)	Population (mil)	GDP per capita (USD)
52.7	46	26	N/A	9.4	2,521.2

Context

Before CoST's entry into Honduras, close connections between politicians, criminal networks and private construction companies, combined with large investment in infrastructure projects, exposed the Honduran infrastructure sector to graft and leakage. This resulted in poor construction quality and delayed projects. Moreover, the level of public information about government contracts on large-scale infrastructure was very low. The new government of President Juan Orlando Hernández, elected in late 2013, invited the Construction Transparency Initiative (CoST) to begin work in Honduras in summer 2014.

Initiative

CoST Honduras follows the approach common to CoST chapters across the world. This has four elements:

- a **multi-stakeholder group**, composed of representatives of government bodies and civil society organizations, to lead the initiative;
- lobbying for increased **disclosure** of contracting information;
- on-the-ground **assurance** of individual projects, often led by citizens trained by CoST and using open contracting data; and
- **social accountability**, or the provision of training in infrastructure issues to civil society and media so that they can raise issues publicly.


CoST Honduras releases annual assurance reports focusing on selected projects. They use these occasions to reflect on the government's progress on transparency issues, and to advocate for further change.

CoST initiatives focus on empowering citizens to participate by monitoring projects and open data, so that they can hold the government and contractors to account. We understand that CoST Honduras' assurance work and reporting has encouraged the government to introduce new requirements for consultation and participation, but it is not clear how far-reaching or widely-adopted these are.

<p>Features</p>	<p>CoST Honduras enjoys strong support from and close relationships with central government officials, including within the presidency. They have also built strong relationships with government bodies who have attracted staff committed to increasing transparency and reducing corruption, such as INVEST-Honduras, the body that oversees major infrastructure investments.</p> <p>Beyond CoST Honduras’s relationships with the government, they are firmly focused on empowering citizens. An important part of this is ensuring that skills and learning can be shared among community members, without needing sustained support and direction from CoST staff. This includes identifying the ‘most empowered’ or ‘most committed’ individuals within communities.</p> <p>An executive decree in 2015, lobbied for by CoST, mandates that government bodies must publish all data listed in the CoST Infrastructure Data Standard. Where bodies follow this disclosure requirement, this provides open contracting information that community monitors and other transparency advocates can use to measure the progress and quality of infrastructure projects.</p>
<p>Outcomes</p>	<p>CoST Honduras has successfully lobbied for the introduction of new transparency laws. A 2015 executive order mandated that all government entities publish contracting data on an open data platform for infrastructure projects: the Sistema de Información y Seguimiento de Obras y Contratos de Supervisión (SISOCS), or Information and Monitoring System for Works and Supervision Contracts. Problems that CoST’s assurance teams have noticed while assuring projects have also resulted in better safety practices or even updated regulations. For example, following one of CoST’s assurance reports, the government introduced requirements that all new projects should consider the resettlement needs of any affected community.</p> <p>More widely, our interviewees reported that CoST’s work has led to an apparent ‘culture change’ in government, with officials becoming more accepting of information requests. This is reflected in CoST’s disclosure indicators. In their first assurance report, they accessed 85% of the available data points about infrastructure contracts. This rose to 95% by their fifth report.</p>
<p>Enabling factors</p>	<ul style="list-style-type: none"> ● Central government support ● Strong public reputation ● The ability to mobilize the press. ● Relationships with other transparency-focused citizen groups. ● Clear communication with citizen monitors

Barriers

- Government resistance to data disclosure
- Resource and capacity issues
- Over assiduousness in pursuing irregularities in contracts, damaging relationships with government

 Malawi: CoST Malawi Find the complete case-study here					
WEF Global Competitiveness Index (/100)	Freedom of the World (/100)	Corruption Perceptions Index (/100)	Global Open Data Index (%)	Population (mil)	GDP per capita (USD)
43.7	64	31	5%	19.7	351.1
Context	<p>Following its return to multi-party democracy in 1994, successive Malawian governments have undertaken important steps to combat corruption. Malawi now has a strong legal framework to tackle corruption. However, there is little follow through from government officials; the framework is 'active but not operational' and proactive data disclosure is low. Corruption in infrastructure is also a particularly pressing problem, as exemplified by the notorious 'cashgate' scandal of 2013, where government officials were involved in the siphoning of more than US\$32 million from public infrastructure projects over the course of six months. Infrastructure remains poor, and the World Bank notes that public scandals such as Cashgate are viewed by many as merely the tip of the iceberg.¹⁶</p>				
Initiative	<p>CoST Malawi also follows the approach common to CoST chapters across the world, listed above. This includes a multi-stakeholder group, lobbying for increased disclosure of contracting information, on-the-ground assurance of individual projects, and social accountability, or the provision of training in infrastructure issues to civil society and media. CoST Malawi releases regular assurance reports that monitor selected projects and information disclosure from procuring entities in the government. They use these assurance reports to draw attention to the importance of infrastructure development and data disclosure.</p> <p>CoST Malawi focuses on empowering citizens to participate by monitoring projects and open data so that they can hold the government and contractors to account. CoST Malawi's work has not yet resulted in an adoption of more formal civic engagement methods by the government.</p>				
Features	<p>CoST Malawi is notable for their strong media engagement and effective use of media platforms. They have focused on training the country's media in</p>				

¹⁶ Bridges, K. and Woolcock, M. (2017). How (Not) to Fix Problems That Matter Assessing and Responding to Malawi's History of Institutional Reform. [online] Available at: <http://documents.worldbank.org/curated/en/349361513957973588/pdf/WPS8289.pdf>.

	<p>effective infrastructure and corruption reportage in order to increase public awareness of infrastructure issues. They translate their assurance reports into vernacular and serialize key projects live on the radio. They have also launched an innovative SMS citizen engagement campaign where citizens can text in their questions and concerns about infrastructure projects. The relevant government officials will then answer questions live on air. They work closely with the National Industry Council to strengthen the legal framework and enforce data disclosure.</p>
Outcomes	<p>CoST Malawi launched a platform for data disclosure in 2017 (based on SISOCS), but are still waiting for legislative reforms before it can become fully operational. They have also successfully lobbied the government to bring about legislation to strengthen the disclosure laws; the Public Procurement and Disclosure of Assets Act (PPDA) was introduced in 2017 and will be gazetted and fully operational in 2020.</p> <p>Training for media organizations has improved how construction issues are reported, and helped CoST champion their values across the country. Citizen awareness of infrastructure issues has also increased, as has their engagement in CoST Malawi outreach programs such as the SMS scheme. Citizens view CoST Malawi as a ‘big brother’ and regularly call up to report infrastructure issues. Through their assurance reports, CoST Malawi has successfully drawn government attention to several corrupt or mismanaged projects. The central government has also taken forward several of their recommendations to improve the bidding process.</p>
Enabling factors	<ul style="list-style-type: none"> ● Multi-stakeholder working ● Political support ● Resilience of the CoST volunteers ● Civil Society relationships ● Support from CoST
Barriers	<ul style="list-style-type: none"> ● Lack of procurement expertise among the public ● Low private sector engagement ● Political shifts in Central Government ● Policy and Legislative Environment ● Inconsistent funding ● Limited organizational capacity has resulted in weaker feedback mechanisms



Afghanistan: Integrity Watch Afghanistan

Find the complete case-study [here](#)

WEF Global Competitiveness Index (/100)	Freedom of the World (/100)	Corruption Perceptions Index (/100)	Global Open Data Index (%)	Population (mil)	GDP per capita (USD)
N/A	27	16	12%	38.5	571.0

Context

Following the US-led coalition's invasion of Afghanistan in 2001, the USA began a wide program of 'reconstruction'.¹⁷ Billions of dollars in foreign aid entered the country, without oversight of how it was spent. Political and tribal leaders used the disbursement of funds to maintain and enhance their power. Corruption in relation infrastructure contracts became a serious problem.

Integrity Watch Afghanistan (IWA), set up in 2005 funded by international donors including the Norwegian government and Integrity Action. They began training community volunteers to monitor infrastructure projects in 2007.

Initiative

IWA have been using civic participation in community-based monitoring of infrastructure to collect data on infrastructure projects across the country.

IWA trains community members to analyses contracts for infrastructure projects and to assess the quality of those projects. Where monitors identify problems, IWA lobby contractors to solve them or raise issues with 'sectoral monitoring groups'. These are coordinated by IWA, and contain representatives of relevant ministries, the media and civil society organizations. Since 2007, IWA has expanded this community-based monitoring (CBM) method beyond infrastructure. IWA also lobbies the national government to introduce policies that will increase transparency and reduce corruption.

While there has not yet been a formal adoption of civic engagement in the country, IWA represents citizens' interest as a trusted advisor to the central government.

Features

The most notable element of IWA's approach is the mutually supportive relationship between monitoring on individual projects and lobbying at the national level. IWA see themselves as transmitters of citizen voices to the

¹⁷ Whitlock, C. (2019). Built to Fail. *The Washington Post*, 9 December 2019. <https://www.washingtonpost.com/graphics/2019/investigations/afghanistan-papers/afghanistan-war-nation-building/>

	<p>central government. IWA trains citizens who then do the monitoring and feed back data to the central IWA office. IWA then uses this data and insights to conduct further research and lobby government entities. However, citizen monitoring has not seemed to rely on open data in the sense of online portals on which data is released under OCDS principles. Citizens and IWA have made requests to government entities to receive contract information. The new OCDS-based open data portal AGEOPS was launched in 2018, but citizen-based monitoring of infrastructure has been running since 2007.</p> <p>IWA have consistently strong core funding, currently under the Tawanmandi program, with other various European contributors including SIDA and DFID.¹⁸ This has allowed them a strong degree of operational independence, as opposed to being tied to funding for specific projects.</p>
<p>Outcomes</p>	<p>There have been improvements in two indicators that IWA uses to measure their progress:</p> <ul style="list-style-type: none"> ● the 'fix rate', or the percentage of problems in infrastructure projects that are resolved after being identified, rose from 20% in 2010 to 87-89% in 2019; ● the 'access to information' percentage, or the percentage of successful requests for information on specific projects, rose from 75% in 2015 to 100% in August 2019. <p>CBM has a positive effect on the quality of infrastructure projects.</p> <p>Within the government, IWA reports that a much more positive attitude towards transparency is developing in some areas of central government. Citizens, too, are apparently becoming readier to trust the central government.</p>
<p>Enabling factors</p>	<ul style="list-style-type: none"> ● Independence from government - not at the mercy of political shifts ● Maintaining good relationships with government officials. ● Reputation as a prominent and trusted advocate for procurement reform and transparency. ● Research-driven 'evidence-based advocacy' captures and sustains influence at the national level. ● Long term funding ● Powerful board with authority over the organization's executive (rare in Afghanistan) ● Fostering grassroots efforts.

¹⁸ British Council. (2014). Tawanmandi: Strengthening Civil Society in Afghanistan. Terms of Reference. [online] Available at: <https://www.britishcouncil.org/sites/default/files/terms-of-reference-sector-advisors-tawanmandi.pdf>

Barriers

- Government resistance to data disclosure and other reforms
- Geographical factors, specifically the disconnect between the center and the periphery.
- Security concerns for citizen monitors
- Some contractors were too powerful for communities to influence



The Philippines: Concerned Citizens of Abra for Good Government (CCAGG)

Find the complete case-study [here](#)

WEF Global Competitiveness Index (/100)	Freedom of the World (/100)	Corruption Perceptions Index (/100)	Global Open Data Index (%)	Population (mil)	GDP per capita (USD)
61.9	61	34	30%	106.6	3,103.6

Context

In 1986, a new democratically elected government under President Aquino made tackling corruption and boosting local infrastructure a priority. It launched the Community Employment Development Program (CEDP), and invited civil society organizations (CSOs) to monitor the implementation of the program's infrastructure projects.

Concerned Citizens of Abra for Good Government (CCAGG) was one of the CSOs invited to participate in monitoring in 1987. CCAGG were based in Abra, one of the Philippines' poorest provinces. CCAGG members had previously been involved in election monitoring through the National Movement for Free Elections, as well as local volunteering work with the Catholic Church.

Initiative

CCAGG uses community-based monitoring to gather data about infrastructure project delivery and hold the local government to account. CCAGG monitors visit construction sites and conduct a technical inspection, as well as a social impact assessment. CCAGG monitored 100 CEDP projects in 1987, and by 2006 had monitored over 600 projects worth US\$7million. It is also involved in other monitoring activities, including mobilizing communities for a forest management project in the 1990s.

As CCAGG predates the Open Contracting Partnership, they do not make use of the OCDS or any other similar data standard. The overall role of open data (in the sense of data that is freely accessible to the public) in their initiative is low, as CCAGG mainly gets the information they need on project budgets and technical specifications directly from the Department of Public Works and Highways (DPWH). They have done some work to publicize government projects to local communities via local media, but this does not involve the sharing or analysis of open data in the conventional sense.

	<p>Civic engagement at the bidding stage was institutionalized in the Philippines Government through the 2003 Procurement Reform Act (GPRA).¹⁹ However, it is not clear whether this was as a result of CCAGG's work and they do comment that their presence at the bidding stage has not had much effect.</p>
Features	<p>CCAGG monitoring was able to identify corrupt projects in Abra. One of their landmark achievements was to facilitate the investigation and suspension of 11 engineers over their embezzlement of public funds. Citizen participation in the contracting process has become more institutionalized over time, with CCAGG invited to observe the bidding stage as well as to conduct monitoring after award.</p> <p>CCAGG's work to get citizens more involved in local government has meant citizens have higher levels of citizen engagement in community politics. CCAGG also reported that local officials' attitudes to citizen monitors had improved over time, and that citizens viewed infrastructure projects as more responsive to their needs.</p> <p>However, continued poverty and political violence in Abra have limited structural change, with 75% of national and provincial roads in the province still unpaved as of 2012. In addition, access to information for the general public remains low. CCAGG also stated that their presence as observers in the bidding process has had little effect on corruption at that stage of procurement.</p>
Outcomes	<p>CCAGG takes a grassroots approach by building capacity in the local community and empowering citizens to know their rights. It has also maintained independence from the government, with a firm stance against bribery.</p> <p>CCAGG's close relationship with the Catholic Church was critical to its success. The local church commanded respect, and its support for CCAGG's work gave them credibility and helped win over local officials. CCAGG also used the diocese-owned newspaper and radio station to promote its work, and to put pressure on local officials that withheld documents.</p>
Enabling factors	<ul style="list-style-type: none"> ● Favorable policy environment ● Positive attitude from the central government towards citizen monitoring ● Support from the Catholic Church in Abra

¹⁹ Government of the Philippines (2003). Republic Act no. 9184: Government Procurement Reform Act. Available at: https://publicofficialsfinancialdisclosure.worldbank.org/sites/fdl/files/assets/law-library-files/Philippines_Government%20Procurement%20Reform%20Act_2003_en.pdf, p. 9

	<ul style="list-style-type: none">● Effective media use● Strong sense of community volunteerism● Strong internal leadership
Barriers	<ul style="list-style-type: none">● Hostility from officials and contractors in Abra● Fund-raising, while maintaining independence● Not all CSOs enjoy the same access to information as CCAGG● Background conditions of poverty and disorder in Abra

Comparative analysis

Context

Using our Theory of Change, coupled with a mix of case study and comparative political science methodologies, we identified contextual factors that 1) had effects across each of the case studies and 2) had the most impact on the programmatic changes. Unless otherwise cited, all information comes from our interviewees.

Power relations in society. Working in societies where significant power is held by individuals or organizations outside of the central government has been a challenge in many of these cases. In these circumstances citizens, even those armed with information, have been less able to hold the government to account.

In context: In both Honduras and Afghanistan, our interviewees' comments on certain government bodies' reticence to open up information reflects that weak state governance, where power is held by strong tribes or gangs, is a significant barrier to systemic change. In the Philippines, we were told that weak central government control over remote regions meant that at the start of the CCAGG project power was concentrated in the hands of a few families in the province who maintained armed militias. This presents a significant challenge to social accountability. However, many cases have overcome these barriers by identifying alternative sources of power in society. For example, CCAGG have made progress by using the network and connections of the Catholic Church.

Shifting political will. All case studies have mentioned a significant change in political or social structures as the catalyst for their initiative. Such a change brings old structures into the spotlight, including corruption. Capitalizing on the momentum of public opinion and government upheaval to push through initiatives and gain government buy-in has been important for the initiatives.

In context: The major political shifts that acted as a catalyst for change was commonly a change to multi-party democracy in government from (Philippines, Malawi) a change in political leader (Honduras) or, for Afghanistan, the aftermath of war. Both Afghanistan and Honduras saw new transparency laws one year after the change in presidency. CCAGG was born out of a community development program launched by the new government to tackle poor rural infrastructure and corruption.

State of corruption. All initiatives that we assessed have arisen in response to endemic corruption in infrastructure procurement and delivery. As of 2019, the countries from which these initiatives originated score well below average (90/180) on Transparency International's

Corruption Perceptions Index.²⁰ Many cases have reported significant resistance to their reforms from across central or local government, and the balance of incentives to tackle corruption among different government stakeholders varies across the cases.

In context: Significant corruption scandals have given momentum to some initiatives, most notably IWA (aid funding) and CoST Malawi ('cashgate'). In Kenya, the initiative was championed by Makueni County's Governor, and both local bureaucrats and elected politicians bought into the initiative – although the administrative pressures on procurement officers did present a challenge in implementing the reform. The government of Afghanistan, on the other hand, is reportedly trying to 'manage' rather than end corruption. In Malawi, there is a strong legal framework in place that could help to solve corruption. However, in practice, government motivation is still low and the effects have yet to be fully realized.

Culture of broken service delivery. Interviewees have reported that consistently low standards of infrastructure and service delivery can leave citizens with little awareness of the standards they should expect in their area. We heard that citizens did not realize how much money they had received for infrastructure because they'd never seen the results of those funds. Several cases have reported that a lack of citizen interest in anti-corruption initiatives has been a significant barrier to their work, as corruption appears to have become a fact of life.

In context: This was particularly true for CCAGG, who report that the people of Abra were 'very surprised' to know that such a big amount of money had come to Abra in 1986-7 and felt that they had been 'shortchanged' by the government. CCAGG call this a 'discovery' for the people. Without seeing the results of effective or uncorrupt infrastructure development, there may be little incentive to support anti-corruption initiatives.

Geographical challenges. Geographical constraints have been a barrier to implementation for IWA and CCAGG. These countries still face logistical and infrastructural constraints accessing projects in remote regions.

In context: IWA face significant difficulties accessing remote regions across Afghanistan's mountainous terrain. This is similar in the Philippines, who are also limited by the distance of Abra province from the capital Manila. Travel takes upwards of a day and means that they find it difficult to have effective interactions with the central government. This may have affected their choice of citizen monitoring as a solution. CoST Malawi, CoST Honduras and Makueni County do not directly mention the geography of their countries as a particular challenge. This seemed to be less of an issue for CoST Malawi, CoST Honduras and Makueni County as it wasn't explicitly mentioned in any of our stakeholder interviews.

²⁰ Transparency International e.V (2016). Research - CPI - Overview. [online] Transparency.org. Available at: <https://www.transparency.org/research/cpi/overview>.

Civil society freedom. Calling out corruption can put civil society groups at risk if they do not have sufficient legal protections. In addition, many initiatives made use of the media to raise awareness or to challenge corrupt officials. Free and independent media can therefore be an important factor in the success of open contracting reforms, and press freedom or lack thereof may influence when initiatives choose to engage with the media to advance their cause.

In context: In the Philippines, CCAGG faced hostility from local government officials and from contractors, but were able to point to the legal role of citizen monitors in the Community Employment Development Program (CEDP) to assert their legitimacy. Civil society freedom and an enabling civic space is therefore important to the success of citizen participation in open contracting; a legal framework that is less favorable could lead to organizations being silenced or even threatened.

In the Philippines, CCAGG successfully used the local newspaper and radio to put pressure on local officials when they refused to release documents for use by citizen monitors.²¹ In Malawi, CoST has trained the media directly to report on the contracting process using open data, and in Honduras, CoST used the media to publicize stories of corruption such as the Road Fund controversy.²²

²¹ 'Securing a project's specifications was often challenging. Sumangul indicated that the local district office "would not give us the program or works even if the national development agency instructed them to. There were government officials who were angry with us and said we were meddlers and faultfinders..." The citizen group tackled the problem head-on. Members approached officials and reminded them of legal rules and regulations. They also solicited the help of the media and the Church in rallying public opinion against recalcitrant civil servants.' Rushda M. (2013), 'Power at the Grassroots', Innovations for Successful Societies, Princeton University, p. 10.

²² *La Prensa* (2017). Con decreto ejecutivo, Gobierno interviene Fondo Vial de Honduras. <https://www.laprensa.hn/honduras/1088325-410/decreto-ejecutivo-gobierno-fondo-vial-honduras->

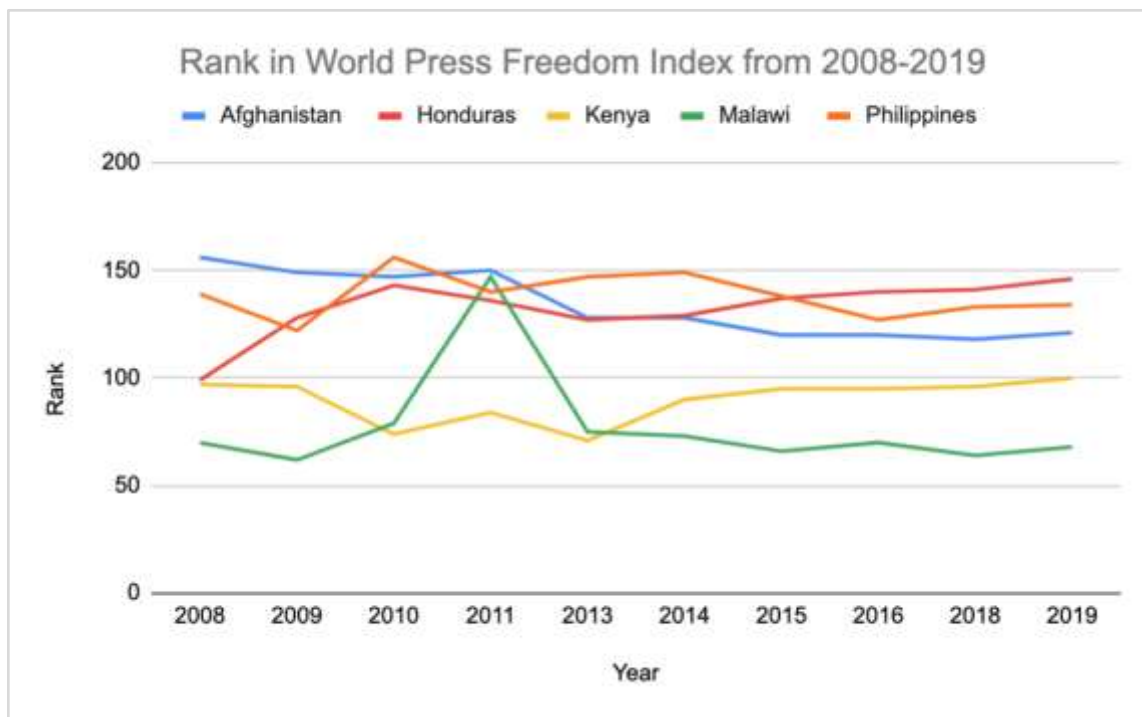


Figure 3: Reporters without Borders (RSF), World Press Freedom Index²³

However, with the exception of Malawi, which has recovered from a sharp decline in press freedom in 2011, most countries have seen their rank in the World Press Freedom Index plateau over the last 10 years, with some countries such as Honduras even seeing a decline in press freedom. This suggests that press freedom may be constrained at times, which could undermine the initiatives.

Impacts

We also assessed the impact of civic participation initiatives using our Theory of Change as a guide.

It is difficult to find evidence of major long term structural changes to infrastructure procurement as a result of citizen engagement and participation, or indeed otherwise. This is true not just for this project, but common across transparency reform initiatives in general. Whereas quantitative data collection and analysis can make assessing improvements more straightforward, using softer or more qualitative indicators make progress more difficult to assess because the trajectory isn't always linear or clear-cut. Indeed, each initiative has different goals and their progress is neither linear nor concurrent with one another. However, there has certainly been progress. For the government, this is primarily in strengthening legal structures surrounding procurement and

²³ RSF. (2019). 2019 World Press Freedom Index | Reporters Without Borders. [online] Available at: <https://rsf.org/en/ranking/2019>.

disclosure. For civil society, we identified evidence of citizen empowerment through training and a better understanding of their rights to speak out.

Indeed, all countries have seen an improvement in the Corruption Perceptions Index from 2008-2018 (see figure 4). The Philippines demonstrates the most significant rise at 13 points. Their rank also rose during this period from 141 to 99 out of 180.²⁴

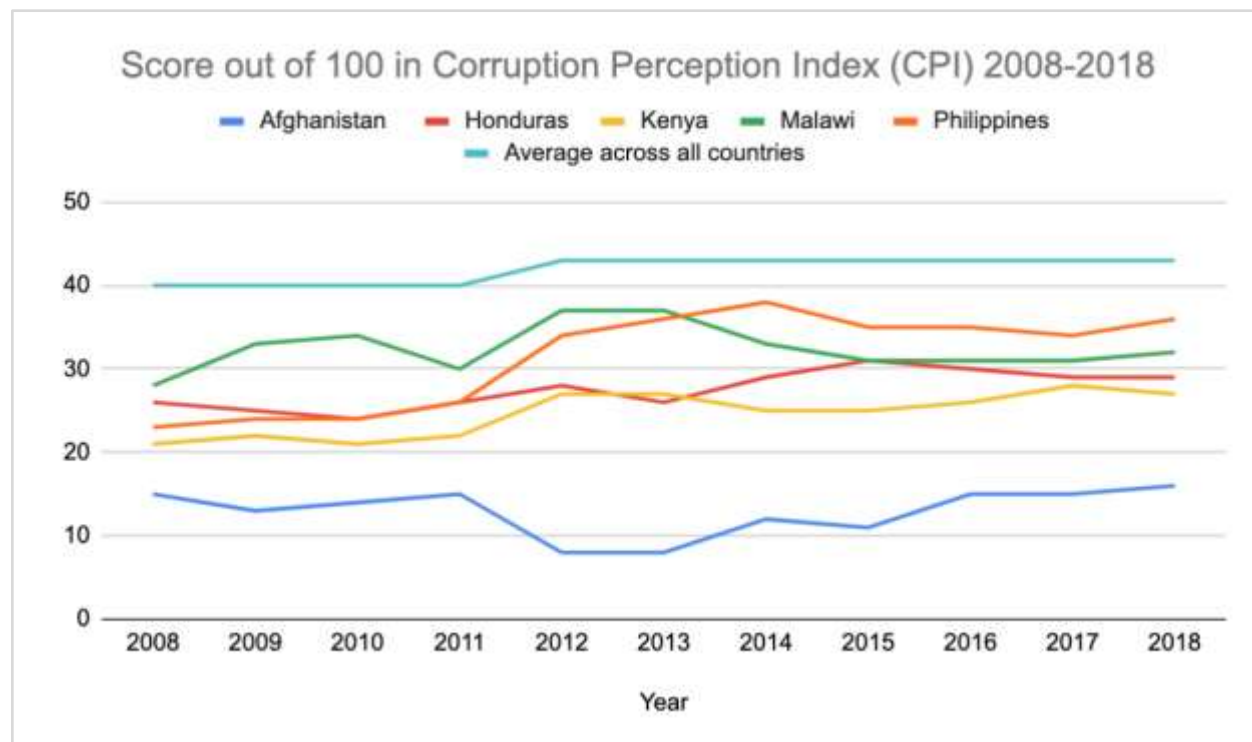


Figure 4: Transparency International, Corruption Perceptions Index²⁵

Evidence of impact on the overall quality of infrastructure projects is also patchy, especially as some of the initiatives we studied (Kenya, Philippines) operate at a sub-national level so might not have much bearing on projects outside their region.

Impacts on Government

There is strong evidence of (legal) changes as a result of civic participation. All these cases see increasing the breadth and strength of the legal structures, or their power of enforcement, as a key measure of success. All but the Philippines have evidence of impact in this area. A key win has been in access to information laws (Afghanistan, Malawi) and regulations enforcing compliance from across government (Honduras, Malawi). In Kenya, civic engagement was key to the design of the initiative, with civil society groups and business leaders all part of the consultation process.

²⁴ As noted above, changes to the CPI are only used as a proxy to assess progress.

²⁵ Transparency International e.V, 2016

While each case takes a different approach to their lobbying efforts, each is supported by their record of civic participation. IWA, for example, actively developed their lobbying efforts after cultivating a record of effective monitoring in local communities, using their reputation to act as a transmitter for citizen voices. They are now civil society observers on the National Procurement Commission. For many interviewees, the real fight against corruption still happens at the senior level of central government. Civic participation is a way to gain momentum for pushing changes there. An interesting outlier in this case is CCAGG. Their success is localized to Abra, and their relationship to local government is direct and personal, and the initiative has not resulted in any legal or structural changes to procurement nationwide.

There is anecdotal evidence of attitudinal changes in government, but this is harder to measure. Several cases see legal changes as a step towards creating wider attitudinal changes among government. They feel that legal changes set practices in place that become the norm and reduce anxiety from government entities about the consequences of data release or affecting competition or infrastructure plans. However, there is no evidence for this correlation. Attitudinal changes are very hard to measure, and where there is evidence, it is anecdotal. In Kenya, the (local) government has a positive attitude towards reform and this governmental attitude seems to precede the initiative in Kenya, as it was the government itself who was the initial agent of reform. CoST Honduras reports that the government is still resistant to anti-corruption regulation, seeing disclosure, for example, only as extra work.

Both confrontational and cooperative approaches to government relations have helped civil society organizations hold government to account. CCAGG has adopted a confrontational attitude to local government and contractors. They use local radio platforms as a medium to call individuals to account live on air. CoST Malawi is using the radio for a different purpose: as a public platform for the government and citizens to interact. There, citizens submit questions or concerns about infrastructure projects and government entities are invited to answer live on air. This is part of CoST Malawi's strong 'no blame' culture, whereby they focus on the institutional problems with infrastructure procurement rather than calling out individuals for corrupt practice. Both initiatives have reported success from their approach, although it is important to note that CCAGG is provincially focused and targets contractors, whereas Cost Malawi operates nationally.

CCAGG, CoST Honduras, and IWA appear to prioritize developing private relationships with government entities and individuals. More research is needed to unpick the relative benefits of public lobbying, or demonstrating the value of civic participation by example, against cultivating private relationships in government for the purpose of promoting it as an idea.

Civic participation has, in some cases, resulted in an institutionalization of citizen engagement in government. The strongest example is Kenya, where the design of the reform initiative involved consultations with civil society stakeholders. This engagement leveraged existing structures in Makueni County for citizens to get involved in procurement: the Project

Monitoring Committees (PMCs). In the Philippines, citizen engagement in the monitoring process was part of the CEDP from the beginning, and precipitated CCAGG's involvement in monitoring. Over time, the role of CSOs has been further institutionalized, with them now acting as observers in the bidding process as well as being part of monitoring.

In other cases, civic participation has at least helped organizations influence decisions and processes. For Malawi and Afghanistan, we have not seen any formal citizen engagement processes arising as a result of civic participation initiatives, such as social witness schemes, integrity pact monitoring, active disclosure of bidding data, or direct engagement of citizen monitors. Many cases cite their organization's involvement in key government procurement or anti-corruption bodies as evidence that perceptions of citizen engagement are rising. They are relied upon to act as "middlemen" for public voices. IWA, for example, say that they represent citizens by their inclusion in the National Procurement Commission. CoST Malawi say the same about their inclusion in the Public Sector Reform Commission, and also note that the government is becoming increasingly willing to engage in civic participation activities. It will be interesting to monitor whether this type of proxy engagement develops into more formal arrangements over time.

Most initiatives have been successful in implementing some data standards for government disclosure. In Afghanistan the National Projects Authority started publishing the data regarding the contracts of Islamic Republic Government of Afghanistan compliant with the Open Contracting Data Standard in 2018. In Kenya, Makueni County's public portal also uses the Open Contracting Data Standard, and although it has only been live since December 2019, it already has over 140 contracts uploaded in keeping with the standard.

In 2018, the Malawian Parliament passed a revised Public Procurement and Asset Disposal Act that provides a legal mandate to disclose data in the CoST Infrastructure Data Standard format. CoST Honduras has seen the Executive Decree 02-2015 issued by the Government of Honduras that mandated the publication of information following the CoST Infrastructure Data Standard in a proactive manner. COALIANZA, the body that oversees public-private partnership, began publishing procurement data according to the OCDS in 2018,²⁶ with ONCAE, the national procurement agency, following the next year.²⁷ CCAGG precedes the Open Contracting Partnership and thus are not pursuing any data standards.

However, proactive data disclosure from the government is still low. The possible exception is Kenya: Makueni County's portal has only been online since December 2019, but already has

²⁶ The World Bank (2018). Honduras launches new PPP disclosure portal. *World Bank Blogs*. <https://blogs.worldbank.org/ppps/honduras-launches-new-ppp-disclosure-portal>

²⁷ *Open Contracting Partnership* (2019). Rapid Reflections: May 2019. https://docs.google.com/document/d/1_V8J-jmZpdCt60Ln-0mUdTwlhwuxJ-fU2QZUj1LMY7g/edit

over 140 contracts uploaded. For the CoST initiatives that do focus on open data, more consistent compliance or reactive disclosure are still the primary goals. There is still little enthusiasm for open data and both cases report reluctance from government entities. CoST Malawi note that this is likely because they are getting used to the new standards and regulations. However, the proportion of information published proactively on the infrastructure-focused SISOCS portal has risen since its introduction in 2015 according to CoST Honduras's assurance reports, and it is planned that the portal will publish according to the new Open Contracting for Infrastructure Data Standard (OC4IDS).²⁸ CCAGG, on the other hand, focuses on cultivating a relationship with the government that enables them to receive the private data disclosures necessary for their monitoring work. We hear that this is given proactively.

Impacts on civil society

There is anecdotal evidence of an attitudinal change among citizens towards government, corruption and infrastructure procurement. All cases mention that they have seen citizens become more aware and trusting of the government as a result of civic participation. They report that citizens feel more empowered and take more opportunities to engage in democratic activities, such as council meetings or consultations. CCAGG has, for example, seen their trainees go on to participate more regularly and constructively in other community government spaces. CoST Honduras have seen that citizens are beginning to self-organize their own approaches and responses to apparently problematic projects. This is not actively measured by any initiative, but can be seen reflected in the evident increase in Corruption Perceptions Index (CPI) scores for all countries.

Citizen training has increased momentum for these initiatives, but also for a change in attitudes towards infrastructure and corruption. Training citizens is a major focus of all these initiatives, and in particular for case type 3. Both CCAGG and IWA focus heavily on creating and delivering training programs that will reach the largest number of citizens, for example, training community leaders to learn and also pass on their knowledge. The network that this creates has been instrumental in helping them monitor infrastructure projects in rural, remote, or dangerous areas. CoST Honduras has trained 500 citizens to monitor projects and 175 to use SISOCS, reducing pressure on their team. CoST Malawi also says that the quality of infrastructure queries sent in by citizens to their SMS platform has increased. This helps them to demand direct actions from government entities. Training citizens also helps to build an educated, empowered public that will exert pressure on the government and hold them accountable. In Makeni County, we found no solid evidence of citizen training.

Media training has increased the quality of reporting. Several cases have trained the media in, for example, an understanding of corruption issues, red flags for corrupt practices, and the technical details of construction, as well as good practice for reporting research. A more

²⁸ Fernz, B. (2019). The #OC4IDS: A new standard for infrastructure transparency. Open Contracting Partnership: <https://www.open-contracting.org/2019/04/17/the-oc4ids-a-new-standard-for-infrastructure-transparency/>

educated media helps to educate and inform the public about corruption issues, increasing uptake of participation opportunities. This is particularly true for CoST initiatives, who rely on the media to spread the contents of their assurance reporting and other messaging to the public. CoST Malawi has seen the quality of construction reporting increase as a result of multiple media awards and training programs. This has helped them increase their reputation with the government and engage more citizens in their SMS engagement campaigns. CoST Honduras also trains journalists and offers media awards; journalists who have graduated from the Social Accountability School have gone on to report on issues like a new toll road creating new financial burdens and reducing mobility for local communities.²⁹ In the long term, training the media enables larger scale citizen education, helping to build communities of individuals who can analyse open data and hold the government to account.

Access to open data has increased, but many are still facing difficulties publishing data. All initiatives except CCAGG focus heavily on data disclosure. IWA report that at least one third of their activities are related to promoting open data. This includes promoting data disclosure in government, and collecting and publishing data where possible. Both IWA and CoST Honduras maintain a public database of infrastructure projects. However, several cases are finding it difficult to publish their data. IWA are facing cultural, religious and security barriers in data release, and CoST Malawi is facing legal barriers to making their IPI platform operational. The portal in Makueni County, Kenya, has only been live since December 2019, but already has a number of government contracts uploaded. However, there are problems with the size of the workload for procurement officers that must upload the data, as they also need to comply with the data standards for the national portal, the Public Procurement Information Portal.

Citizens are engaging more with open data, but progress is still slow. Data interpretation from citizens seems to be in the early stages for all initiatives, despite differences in time frame. All cases who have an open data focus have mentioned the need for more intermediaries to analyse their data. CoST Honduras is training citizens as well as media and government to engage with their Sistema de Información y Seguimiento de Obras y Contratos de Supervisión (SISOCS), or Information and Monitoring System for Works and Supervision Contracts, database. In a reversal of this flow, IWA captures data collected by citizen monitors in a central database approach, demonstrating the varied ways that citizens might engage with data. This data is then used in research projects and lobbying efforts.

Citizen participation increases a CSO's reputation, and helps them expand their operations through partnerships. The Philippines play a central role in their local community. Part of this includes building the capacity of organizations like them to support and continue their work. They are requested to run and support training for a number of similar CSOs. This helps them

²⁹ Open Contracting (2019). Bedrock for better public infrastructure in Honduras. *Open Contracting Stories*. <https://medium.com/open-contracting-stories/bedrock-for-better-public-infrastructure-in-honduras-1e39526100a5>;

build a community of likeminded stakeholders and will likely increase the sustainability of their initiative. IWA have also credited their reputation to their function as a 'transmitter' of citizen voices. In addition to their relationships with the government, IWA have developed strong partnerships with other CSOs, even signing a MoU with OCP, IW, and NPA in 2016.

Barriers

Aside from the consistent barriers of government resistance and corruption, we have identified the following barriers from across our case studies. Unless cited, all information is from interviewees. More detail can be found in the full case studies where an initiative is mentioned.

Volunteer-led working. All initiatives use volunteers to varying degrees, and consistently speak to the value and energy that they bring to the cause. CoST Malawi has only one paid member of staff and credits its success with the support of its volunteers. However, volunteer-led working can result in high turnover and loss of knowledge, as well as resourcing and capacity issues. One key lesson from CoST Honduras was that it is important to give ongoing support to volunteers, particularly in terms of tracking their progress.

Managing open data. The administrative burden of managing open data is consistently underestimated. All case studies have mentioned both the issues of manpower and the technical skills to analyse the data they collect. In Kenya, Procurement Officers in Makueni County had to deal with the workload of uploading data to the county portal as well as the national portal, as for the moment the two are not interoperable. CoST Malawi mentions that they are unable to develop functional feedback mechanisms as they simply don't have the capacity. Similarly, they cannot gather insights from the submissions from their SMS campaigns. CCAGG report that they haven't been able to do an impact evaluation due to lack of resources.

Relationships with the government. Many initiatives have reported that developing relationships with key officials in government, such as in procurement departments or senior ministers, has proven to be important in many cases for bringing about structural change to public procurement. However, buy-in can be localized and there is a risk of being sucked into the system. For example, CCAGG has had little impact on the government outside of their monitoring activities. This differs significantly from IWA, who have strong government relations throughout. There are a number of factors that may contribute to this, including their remote location and specific skill set, and also their private relationship with the government. They depend on the data releases to complete their work and may be wary of damaging that relationship by calling wider government processes to account. CCAGG themselves warn against too much cooperation. CoST Malawi also say that since their champion (the Vice President) recently fell out of favor with the President, government officials seem reluctant to work with them because of this association. They link this reluctance to the fact that CoST Malawi was surprisingly excluded from civil society consultations to create the new National Corruption Strategy (2019). More research would be needed to explore this question fully, but we can see that most other cases operate well without relying on private relationships.

Maintaining independence. Many cases stressed the importance of maintaining independence as a way to operate successfully in a corrupt environment. At the start, CCAGG volunteers would not even accept food from the contractors that they visited. The area where this aim proves most difficult is in finding the right funding. CCAGG's strong independence policy meant that the group sustained itself through small community fund-raising activities and all of its members were unpaid volunteers. However, this was a challenging strategy to maintain due to high volunteer turnover. Eventually, they did start soliciting donor grants from e.g. the World Bank and UNDP, likely seeing success because of their international reputation. IWA has also seen success by accepting donor grants for central program fund only. This gives them the freedom to choose where to allocate the money. Maintaining financial independence is difficult but a long term attitude to funding can help.

Enabling factors

Strong leadership & political mandate. It is unsurprising that political support, in its various forms, has played a significant role in the development of these initiatives. In Kenya, leadership for the initiative came from the Governor of Makueni County, at the local government level. However, the national government also provided a favorable anti-corruption agenda as a backdrop for Makueni County's reforms, as all sub-national governments were soon required by law to upload procurement information to the Public Procurement Information Platform (PPIP). Makueni County also had a strong political mandate for civic inclusion in the design of the initiative due to the already existing Project Monitoring Committees that supervised project implementation, which were comprised of local citizens. In the Philippines, CCAGG was kickstarted by a central government mandate to involve CSOs in the Community Employment Development Program (CEDP), which was begun to improve local infrastructure. However, political support that is less structural can be difficult to utilize. CoST Malawi frequently mention their political 'champion', the Vice President, who advocates for their work across government. He was out of favor for several years and this affected their work. However, it did not stop their work. Interviewees from CoST Malawi report that political support in this manner is helpful, but not necessary.

However, it is unclear from our research whether political support is enabling or cosmetic. It is difficult to tell what reporting is true, and what strays into 'open washing', where a government maintains the outward appearance of being transparent while maintaining existing corrupt practices. An interesting question for further research could be whether it is better to be less connected to the system and build accountability structures outside of the government that force them to change.

Developing partnerships with the government. Several cases were started or accelerated by close partnerships with particular state entities or civil society organizations. Makueni County in Kenya is the strongest example. As the personal initiative of the county governor the initiative has experienced a high level of political will from inside the Makueni County government, and

brought together both stakeholders inside government and those in civil society. Honduras also experienced a mid-term increase in funding and status within the government from its association with INVEST-Honduras, the body that oversees major infrastructure investments. CoST Malawi was initially hosted by the National Construction Industry Council (NCIC) and has found their assistance in enforcing data disclosure from government entities helpful. While this is not a necessary feature of success, evidence from our interviews suggests that it does help to accelerate the early development of an initiative. Afghanistan is a notable outlier here. In an environment with very high levels of corruption, IWA has benefited from remaining independent.

Local or CSO partnerships. Successfully partnering with the local source of political and cultural capital has been a significant ongoing enabling factor for several cases. CCAGG has benefited greatly from the support of the Catholic Church. They have also helped to support a number of other NGOs across the Philippines by sharing their training materials, strengthening the network of CSOs in the country. IWA has also cultivated relationships with other similar CSOs and NGOs in Afghanistan to combine their lobbying power in government. As with all partnerships, however, it is important to maintain independence enough to preserve the values of the initiative.

Building capacity of citizens. For the purposes of encouraging civic participation and engagement in the procurement process, this is arguably the most important enabling factor. All initiatives have reported that training citizens and civil society organizations has radically improved the effectiveness of their campaigns. Training topics have ranged from general rights and advocacy (PHL) to the technical aspects of construction (AFG) to using open data for reporting (HND). CCAGG and IWA in particular stress the importance of continuous engagement in developing engaged citizens and communities. In two of the cases, specific mention was made of the role of women within the community. In Honduras, CoST felt that women were the best placed to pass on skills to other community members. In the Philippines, CCAGG found that female monitors were less likely to be subject to harassment when carrying out their work, so they also chose to target women in their training.

Using the media. Successful use of the media to develop public discourse around infrastructure procurement has been very effective in Malawi and the Philippines. Both initiatives use the media to educate and inform citizens about infrastructure, procurement and corruption issues, as well as to put public pressure on the government to respond to citizen concerns. National media has picked up issues raised by CoST Honduras in its assurance reports. In one case, this led to the restructuring of a corrupt government body. CoST also trains journalists on infrastructure procurement issues through its Social Accountability School.

Having tools & guidance for support. Having guidance from partner organizations such as CoST or Transparency International has been helpful during initiation. The presence of norms and standards was not directly cited by any interviewees as an enabling factor. Acceptance of such standards, such as the Open Contracting Data Standard (OCDS) or the CoST Infrastructure Data Standard (IDS), is rather a goal. However, they are evidently being used as a tool to make the

process of open data disclosure easier for government entities. Honduras and Malawi have also mentioned the benefits of having support from assurance professionals for their annual assurance reports.

Lessons for practitioners

Setting up

Public corruption scandals can provide momentum for open contracting reform initiatives. Almost all of these initiatives were borne either out of or alongside a new reformist political regime. CCAGG in the Philippines was formed in 1987, after President Corazon Aquino came to power in 1986 through the People Power Revolution. Honduras joined the Infrastructure Transparency Initiative (CoST International) in August 2014, just nine months after the election of President Juan Orlando Hernández. Times of change or upheaval in government can create political moments to push for an initiative, provided the prevailing party is sympathetic. That said, 'Commitments are nice but action is what really counts'.³⁰ Verbal commitments, and even legislation are often not enough to ensure follow through from governments. Buy-in and active engagement from the government will be vital.

At the same time, however, gaining government support has not necessarily been the most important factor in our case studies. Indeed, gaining government buy-in directly may not be the most effective way to get change. It is important to simultaneously look to the grassroots movements and gain public buy in. IWA has only been so successful through its simultaneous approach of engagement of citizens and the government. Indeed, 'a collaborative partnership between government, civil society and the private sector is often referred to as the "golden triangle"'.³¹ In a 2016 report, Hivos notes that the most successful and sustainable changes come from meaningful partnerships between civil society, government, and private citizens.³²

Deciding early on in the initiative what progress to measure can help to make the case later on. If progress is measured consistently across the life of the project, success can be demonstrated more easily. Hivos recommends that 'In countries with lower disclosure and low data and tech capabilities, infomediaries can step up and demonstrate the benefits of better disclosure and joined up contracting data with their own initiatives and prove the concept to the government'.³³

Additionally, identifying where corruption sits and what kind of corruption it is early on can save time, resources, and money. There is no one-size-fits-all approach, so planning carefully around geography, infrastructure, and culture will be important to the success of initiative. IWA, for

³⁰ Open Contracting Lessons from 15 Countries, (2016). *Hivos*.

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

example, often struggles to instill change in municipal governments because of a lack of infrastructure in more rural areas and centralized power within the national government.

Sustainability

For long-term success of the project, engaging citizens is paramount. Marrying local activism alongside national lobbying can help to achieve long-term meaningful change. In order to achieve this, it's important to assess how it's easiest for citizens to have a voice and build that into the initiative. In the Philippines, for example, CCAGG engaged respected radio and newspapers as channels for transparency and citizen engagement.

Further, it's not enough to engage communities and stakeholders once, at the beginning. Make sure to maintain relationships with communities and stakeholders to encourage sustainable change. In interviews in Afghanistan, for example, participants were critical of NGOs who they felt had abandoned them after a project was over. Through these partnerships, build recommendations incrementally after learning more about the local context.

Finally, it's also important to consider the value of open data throughout the entire process, as well as the data's afterlife. Using open data throughout the process can help train and engage wider audiences. Other initiatives can also use the data and learn from it. Makueni County in Kenya has had great success in opening up their data, and ensuring it is of a high and usable standard.

Managing the team

Funding

Retaining independent funding is essential. Due not only to the risk of corruption, but the reputational risk due to distrust that many citizens already have in these areas, it's important to be careful where money comes from. It's also helpful to persuade funders that long-term program support is essential for effecting change. IWA has such a good reputation because they have managed to stay independent from the government and its corruption scandals. When CCAGG was struggling for long-term funding, they purposefully sought out funders who had strong anti-corruption reputations.

Resourcing

A lack of expertise can be a barrier to sustainability and growth, so it's important to continue building team capacity. Support volunteers with training and ongoing engagement. It's also worth bearing in mind that volunteers can have a high turnover rate, so it is worth considering investing in paid or retained staff. When investigating Open contracting lessons from 15 countries, Hivos noted that amongst the initiatives they explored, one of the most consistently cited barriers to

sustainability was a lack of resources. Monitoring work can be demanding and burdensome and the resources to train and maintain staff are paramount.³⁴

Regarding open data, the administrative burden of managing open data is also consistently underestimated, as this is a high-skilled job, so organizations need the funding, time, and skills to be able to train community volunteers. Prioritizing team capabilities in this area is a must for long-term sustainability. Further, disclosure does not automatically mean that the data will be used or understood.³⁵

Training

We've learned from these projects that training citizens is an end in itself; it strengthens democracy and awareness, if nothing else. It will empower and educate citizens, and allow them to know they can expect more from their governments. In this sense, building capacity from the bottom up is vital, as is continuous engagement, even after training, to ensure community backing. Leaving citizens feeling abandoned can further entrench feelings of distrust or disenfranchisement. Also bear in mind that some minimal levels of technical expertise will be necessary for the initiative to succeed.

Building relationships

Building and maintaining relationships will be key to success of any initiative. It's first important to identify local power holders and assess who might be sympathetic to the cause, and those who might prove to be a barrier to success. For example, in Makueni County, some procurement officials were resistant to change because they thought that the extra work in disclosing data would be too burdensome.

Allies should be supported. Choose stakeholders to target carefully. In many of the case studies we've examined, women have been invaluable players as respected members of the community; try to think carefully about how to engage and work with them. In terms of pre-existing relationships, it's vital to analyse them carefully and determine which ones should be maintained and which ones should be changed. As new systems are designed, think about government users; non-user-friendly systems will be a barrier to success. To get around the issue mentioned above, Makeuni County developed a joint committee to ensure that the system would be appropriate and user-friendly.

In terms of wider engagement, it's worth carefully analysing the sequencing of activities. There are other ways to gain traction in government besides building relationships directly. Besides, getting too close to government officials can leave you more vulnerable to political shifts. Consider building pressure through the media, as CCAGG did in the Philippines, or partnering with other organizations in the same space. In some instances, it might be worth engaging the

³⁴ Ibid.

³⁵ Ibid.

media to get them onside before going to the government. At the same time, however, it's worth staying sensitive to mismanagement of infrastructural projects versus intentional corruption, as different solutions will be needed in each case. Overzealousness in identifying corruption can damage relations with the government. Interviewees in Honduras cited that some participants can get overly zealous about identifying corruption in contracts, even when there are legitimate reasons for the change. Calling out structural problems rather than individuals can help to build a culture of good practice.

TOWARDS A NEW THEORY OF CHANGE?

Opportunities for comparative insights

With a relatively small number of in-depth case studies, this research cannot be considered a systematic review of the evidence base addressing all contexts where open contracting reforms have been adopted. We intentionally selected a variety of representative case studies that illustrate different contexts and reforms, with the aim of identifying patterns and trends that seem to apply across contexts using descriptive analysis.

Through applying our theory of change framework, we identified a number of patterns across our case studies. Overall, we found mixed degrees of support for the causal assumptions within our original ToC. Areas where evidence was strong suggested this could be a common or generalizable feature across contexts, whereas areas where evidence is mixed or weak suggests either high degree of divergence in context or programmatic design, or lack of data to support the finding. For example we found:

Moderately strong evidence for:

- Functioning feedback loops as an interim change, such as ongoing reporting by assurance teams, or local monitoring groups connected to national level advocacy;
- Irregularities and risks identified in the public procurement process as a direct result of citizen monitoring, as a mid-term impact;
- Citizens and infomediaries taking action to hold government to account through access to open contracting data as a mid-term impact, through for example media reportage or filing cases;
- Building stakeholder capacity as an enabling factor, for example through training citizen monitors, journalists, and data publishers;
- Strong leadership and a political mandate as an enabling factor, apparent through national legislation or executive level support;
- Technical guidance/support as an enabling factor, including in platform development, data standards and management, and technical requirements.

Mixed evidence for:

- Diverse and inclusive stakeholder engagement and coalition building as an interim impact, with some cases indicating narrow participation or lack of disaggregated data on participants;
- Actual improvements to the contracting process as an interim impact, with some initiatives having little influence on the bidding stage;
- Increased government oversight as a mid-term impact, with a lack of ongoing monitoring and reporting, with some interviewees claiming the reform was more 'cosmetic';
- Improved implementation of contracts as a mid-term impact, with substandard results in terms of performance of contractors on the delivery of infrastructure projects;
- Improved quality of public goods and services as a long term impact, with some specific improvements reported by interviewees, but difficult to validate objectively;
- Improved development outcomes as a long term impact, with several cases reporting increased participation and engagement of civil society with government (beyond even their project). However, corruption and conflict/fragility remain a hindrance in several contexts;
- Following norms and standards as an enabling factor, with some older initiatives in the process of adopting the OCDS (so the impact of that is not felt);
- Strong independent & free media/civil society as an enabling factor, with several contexts ranking low on the World Free Press Index;
- Sustained resourcing of the open contract initiative as an enabling factor, with several initiatives staffed by volunteers or involved in local fundraising (as opposed to government or external sources of ongoing funding).

Weak evidence of:

- Clear needs and problem definition through citizen participation, as very few initiatives promoted citizen engagement and participation during this stage of the procurement life cycle;
- Improved project completion rates of contracts, with only anecdotal evidence offered on improved completion rates in two cases;
- Improved governance and levels of trust in government as a long term impact, with only slight changes to the perception of corruption score in all cases, and culture change in government representing a long term challenge;
- Increased value for money/public savings, with claims purely anecdotal and a lack of quantifiable data to verify.

Little or no evidence of:

- Diverse participation in the bidding stage as an interim impact. Only one of our selected case studies provided data on participation rates and diversity. For similar reasons, there was little evidence of increased diversity of businesses tendering for and executing contracts;

- Improved award of contracts, improved competition and market opportunities, and increased efficiency of the procurement process (end to end). In our case, this may be due to our selection of interviewees and interview protocol, which did not probe into the business or competition benefits.

In addition, we identified a number of common insights outside of our original ToC, which causes us to revisit some of our original assumptions around enabling factors and the way change happens in open contracting initiatives:

Timescales for impact are often longer than expected: the majority of our case studies were only able to demonstrate interim or process level changes such as streamlining the procurement process, as opposed to longer term changes such as improved quality of services and reduced corruption levels. This is especially true for project-funded open contracting initiatives which tended to be over-optimistic in setting their goals, and were not always resourced to sustain or measure long term changes. There was, however, some qualitative (albeit weak) evidence of increasing trust between actors and changing attitudes towards the importance of citizen engagement and participation.

Proactive open data publication not yet embedded: one of our key inputs within our ToC was the proactive and ongoing publication of open contracting data. However, we found a very mixed approach towards open data across our case studies, with some initiatives (e.g. Philippines) not following the technical definition of open data and exhibiting low awareness and knowledge of the requirements, to Makueni County which is taking a deliberate attempt to implement the OCDS. For the other cases in between, we discovered a degree of ambivalence and frustration among government data publishers which suggested lack of incentives and perhaps adequate resourcing. Thus, proactive open data publication should be seen as a goal in itself, as well as a necessary input.

Initial commitment to open contracting including legislative changes may be shallow (verging on 'open washing'), and does little to counter widespread corruption and patronage systems. Political commitment to open data and procurement reform was originally one of our enabling factors. Whilst we found this to be a common factor in the majority of our case studies, it did not necessarily produce the expected long term results of good governance and reduced corruption. This suggests that whilst political support can be instrumental in 'kick-starting' a reform e.g. Afghanistan, Philippines, the nascent reform needs to be embedded through empowering public oversight institutions, a strong independent media, and addressing incentive systems (a very long term task).

The role of intermediaries is critical, as translators, brokers, and educators. In our original ToC the prime actors were citizens and the government, while other stakeholders such as the media were positioned as external enabling factors. However throughout the course of our interviews, we discovered that intermediary actors such as journalists, academics, technologists

and NGOs actually play a central role in facilitating the feedback loops between citizens and government. That might be through raising citizen awareness of their rights or government commitments, translating technical contracting language to information ordinary people can grasp, developing an online portal where citizens can access open contracting data, or reporting on alleged discrepancies. Without these activities, it is difficult to imagine how any form of citizen engagement or participation activity would automatically function. Their role is so instrumental, that it should be incorporated more centrally into any theory of how open contracting data creates impact.

Limitations for comparative insights

While possible to draw some general patterns and insights that applied across contexts based on our modest case study sample, there are some limitations in our research methods (e.g. sample size) and access to data, which limit our ability to extend case specific insights to other contexts.

One challenge when identifying generalizable lessons about the impact of civic participation in open contracting, was the **complex, multi-faceted nature of this type of reform**. While civic engagement and participation was a common feature within all of our case studies, the form and content of the legislative and policy framework supporting open contracting was unique in each case study. Sometimes it was a central government reform as part of a larger reform package, in others a local level/district agenda, or in others a regional/sector reform e.g. CoST. When an open contracting initiative was part of a larger reform package, it was difficult to isolate its specific contribution towards long term impacts such as reduced corruption or increased trust in government. Likewise, when civic engagement and participation as an approach was combined with other interventions such as creating an online portal or a public oversight mechanism e.g. Ombudsman, it becomes difficult to isolate the specific contribution towards change.

In addition, as the design of each intervention and the underlying conditions were different in each case study, it was not possible to conduct the type of rigorous causal comparison that would allow us to confidently claim attribution of certain programmatic features towards enabling specific changes. Further research would need to be conducted based on selecting similar interventions in similar contexts in order to try and isolate the contribution of e.g. via a most similar design approach. The similarity of cases could control for alternative explanations and isolate the probable cause for the outcome.

Evidence gaps and questions for further research

Our experience with these case studies revealed a number of areas where there are remaining evidence gaps, which may warrant future research. As anticipated, there was a general lack of quantitative data available, which would enable practitioners to understand the pre and post intervention impact, for example by comparing the cost of the intervention versus the impact in terms of efficiency gains or cost savings. Specific data gaps we encountered included:

- comparable baseline data across cases (necessary to measure before and after effect);
- project monitoring data to measure changes over time, e.g. number of people trained to participate and utilize data;
- participant and beneficiary data (disaggregated), e.g. percentage and total number of people engaged in development and bidding process (including women, youth, indigenous, and disability); utilization rates of feedback mechanisms; open contracting data portal site visit and downloads;
- increased availability of quality open contracting data (pre- vs. post-reform);
- rate of public contracts being completed on time; and
- actual government expenditure data to compare the investment in procurement systems over time and any improvements in efficiency or savings over time.

In addition to these data gaps, these case studies stirred up a number of broader questions for future research, including:

- Is it better to work closely with the government, or to be less connected to the system to build outside pressure?
- What programmatic features can civic participation initiatives use to overcome different contextual factors in their environment?
- Once there is an established culture of open data disclosure, how do initiatives go about ensuring its usage and demonstrating the benefits of open data?
- Can the private sector suppliers, not just individual citizens, play a specific role in open contracting initiatives? If so, how?
- How can CSOs move from citizen participation to institutionalizing more formal citizen engagement within government?

As mentioned above, accessing or analysing quantitative data from these initiatives for the purpose of this research was difficult. A deeper dive into, perhaps, a smaller number of case studies with a focus on uncovering the available data may reveal more concrete evidence of impact.

Another issue is that these initiatives often have difficulties measuring their progress consistently due to capacity issues. This makes assessing their impact more difficult, especially when, as we have seen here, they see gradual progress over the course of many years. Connecting with early stage initiatives to support them in developing a baseline study and methods of measuring impact may help future researchers assess the impact of civic participation over time in greater depth. We see promising signs of this kind of research engagement with Makeni County in Kenya, who have developed their portal alongside Development Gateway and Hivos.

ANNEX 1: DEFINITIONS

Open contracting	<p>is a recent public sector reform introduced to increase transparency and reduce corruption risks around public procurement and contracting. Its community principles, as collated by the Open Contracting Partnership, include:³⁶</p> <ul style="list-style-type: none"> ● Affirmative disclosure – the timely, current, and routine publication of information about the formation, award, execution, performance, and completion of public contracts. Information includes contract type-including licenses, concessions, permits, grants; bid documents, performance evaluations, guarantees, and auditing reports; information concerning contract formation; and information related to performance and completion of public contracts. ● Government systems – to collect, manage, simplify and publish contracting data in an open and structured format, ideally following the Open Contracting Data Standard (OCDS); ● Participation and monitoring – an enabling environment, which may include legislation and capacity building, to promote opportunities for public consultation and monitoring of public contracting, from the planning stage to the completion of contractual obligations; and ● Feedback loops – oversight authorities, including parliaments, audit institutions, and implementing agencies, can access and utilize disclosed information, act upon citizen feedback, and encourage dialogue between contracting parties and civil society organizations. <p>It is part of a broader package of reforms aimed at improving access to contracts, and advancing digital management of procurement processes (e.g. via e-procurement system).</p>
Open data	is data that’s available to everyone to access, use and share ³⁷ .
Transparency	is the capacity of outsiders to obtain valid and timely information about the activities of government or private organizations.

³⁶ Open Contracting Partnership. (2016). Global Principles - Open Contracting Partnership. [online] Available at: <https://www.open-contracting.org/what-is-open-contracting/global-principles/>.

³⁷ <https://theodi.org/article/what-makes-data-open/>

Civil Society (CS)	here refers to the organizations responsible for or pursuing collective action around shared interests, purposes and values, distinct from government and commercial for-profit actors.
Civic participation	here refers to locally / CS organized use of citizen's voices to challenge or engage with government procurement.
Civic engagement	We refer to here as a more formalized process of citizen involvement in the procurement process.

ANNEX 2: PROGRAMMATIC FEATURES

We have broken down each initiative into constituent parts to assess what features each case type addresses.

Type	Programmatic features	Type 1	Type 2 & 3	Type 3
Training	Citizens: Technical training for monitoring (e.g. basic engineering principles, how to use a program of works, etc.)		HND,	PHL, AFG
	Citizens: Training to understand infrastructure procurement and delivery process, including how to identify corruption		MWI, HND	AFG
	Civil Society: Training to understand infrastructure procurement, delivery or corruption		MWI, HND	AFG, PHL
	Government: Training to understand infrastructure procurement, delivery or corruption	KEN	MWI, HND	
Data collection and use	Infrastructure monitoring, including using data to check that projects meet technical specifications and are within budget; and collecting new data about the progress of projects		HND	AFG, PHL
	Lobbying governments to: disclose more data; take action on the basis of scrutiny of existing data; take action on the basis of data collected during monitoring		HND	AFG
	Public disclosure of data collected, including to highlight irregularities or corruption	KEN	HND, MWI	AFG
	Internal reporting: reports for use by the organization such as impact assessments or assurance reports		MWI, HND	AFG

Building relationships	With government bodies, e.g. local procuring entities or with central government		MWI, HND	PHL, AFG
	With the media		MWI, HND	AFG
	With local communities	KEN	HND	AFG, PHL
	With other CS organizations, e.g. through sharing resources, mentoring and training		HND	AFG, PHL
Advocacy	Pushing for legal or regulatory changes		MWI, HND	AFG
	Pushing for attitude changes among both citizens and government		HND	AFG
	Advocating for widespread implementation of data disclosure principles		MWI, HND	AFG
	Pushing for officials and contractors to comply with existing regulations		MWI, HND	PHL, AFG

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ANNEX 4: LIST OF ADVISORS

Organization	Name	Role
Open Data Charter	Ania Calderon	Executive Director
Development Gateway	Taryn Davis	Senior Associate
Open Contracting Partnership	Kathrin Frauscher	Deputy Executive Director
Hivos - Africa region	Stephanie Muchai	Country Engagement Developer
Open Contracting Partnership	Bernadine Fernz	Head of Infrastructure
Hivos - Open Contracting	Vivien Suerte-Cortez	Program Manager
Development Gateway	Charlene Migwe	Consultant