

Independent Reporting Mechanism

Action Plan Review:
Estonia 2020-2022

Open
Government
Partnership



Independent
Reporting
Mechanism

Introduction

Starting in January 2021, the IRM began rolling out the new products that resulted from the IRM Refresh process.¹ The new approach builds on the lessons after more than 350 independent, evidence-based, and robust assessments conducted by the IRM and the inputs from the OGP community. The IRM seeks to put forth simple, timely, fit for purpose, and results-oriented products that contribute to learning and accountability in key moments of the OGP action plan cycle.

The new IRM products are:

1. **Co-creation brief** - brings in lessons from previous action plans, serves a learning purpose, and informs co-creation planning and design. This product is scheduled to roll out in late 2021, beginning with countries co-creating 2022–2024 action plans.
2. **Action Plan Review** - an independent, quick, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. This product is scheduled to roll out in early 2021 beginning with 2020–2022 action plans. Action Plan Reviews are delivered 3–4 months after the action plan is submitted.
3. **Results report** - an overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning. This product is scheduled to roll out in a transition phase in early 2022, beginning with 2019–2021 Action Plans ending implementation on 31 August 2021. Results Reports are delivered up to four months after the end of the implementation cycle.

This product consists of an IRM review of Estonia’s 2020–2022 action plan. The action plan is made up of three of commitments that the IRM has organized into four. This review emphasizes its analysis on the strength of the action plan to contribute to implementation and results. For the commitment-by-commitment data, see Annex 1. For details regarding the methodology and indicators used by the IRM for this Action Plan Review, see Section III: Methodology and IRM Indicators.

¹ For more details regarding the IRM Refresh, visit <https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/>

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Section I. Overview of the 2020-2022 Action Plan

Estonia's fifth action plan continues to pursue the long-term goal of open and inclusive policy-making at the national level and open government at the local level, while also addressing lobbying transparency and, for the first time, whistleblower protection. The IRM recommends encouraging the use of the new co-creation toolbox and whistleblower reporting system through large-scale awareness-raising and capacity building efforts.

Estonia's fifth action plan contains three commitments across three distinct areas, each consisting of two sub-activities. Commitments 1 and 2 aim to increase civic engagement in the co-creation of policies and to enhance government capacities at the national and local levels. Both directly continue from commitments in the fourth action plan. Commitment 3 addresses the regulation of lobbying practices and strengthening whistleblowing protections. For the purposes of this review, the IRM has un-clustered the activities under Commitment 3 into two separate commitments and analyzed them independently as Commitment 3.1 (lobbying regulation) and 3.2 (whistleblower protection).

Overall, the fifth action plan is well-structured, with concrete milestones. Like Estonia's previous plan, the fifth action plan offers targeted commitments that can improve government practice in the particular policy area and be achieved in the course of two years (in some cases, as part of longer-term initiatives spanning several action plans). The action plan aligns with the national anti-corruption action plan for 2021–2025 and the "Estonia 2035" strategy, which aims to position Estonia as a global reference point in open government, specifically in co-creative policy making through advanced digital infrastructure.¹ Estonia also plans to apply to OGP's Steering Committee during this action plan period.

Lobby transparency and whistleblower protection have been matters of public concern in Estonia. Commitment 3.1 addresses the lack of an established practice for ministries to publish meeting records with lobbyists. It calls for formulating recommendations for higher-level public officials on transparent communication with lobbyists and guidelines on avoiding conflicts of interest.² It also involves the recommendation for public officials to publish all meetings with lobbyists on a quarterly basis. Moving forward, the government could follow Transparency International (TI) Estonia's recommendation to expand lobbying regulations and guidelines to all relevant public sector institutions, including local administrations and the Parliament.³ The government could also consider adopting a mandatory lobby register to strengthen transparency mechanisms in public policy making.

AT A GLANCE

Participating since: 2011
Action plan under review: 2020–2022
IRM product: Action Plan Review
Number of commitments after clustering: 4

Overview of commitments:*

- Commitments with an open gov lens: 4
- Commitments with substantial potential for results: 2
- Promising commitments: 2

Policy areas carried over from previous action plans:

- Open policy-making
- Open government at the local level
- Lobbying transparency

Emerging policy areas:

- Whistleblower protection

Compliance with OGP minimum requirements for Co-creation:

- Acted contrary to OGP process: No

**For Commitment 3, the IRM has assessed the potential for results of the two un-clustered commitments separately, rather than for the commitment a whole. See Annex 1.*

Meanwhile, Estonian civil society organizations (CSO) have emphasized the importance of making whistleblowing safe during the COVID-19 pandemic and beyond.⁴ Estonia is obligated to transpose a new EU directive on whistleblower protection into national law by the end of 2021. Prominent whistleblowing cases in recent years⁵ have further signaled the need to regulate whistleblower protection and create secure channels for reporting wrongdoing. The IRM recommends accompanying the implementation of the whistleblower protection mechanism with large-scale awareness-raising and capacity-building activities. This could provide organizations the means to effectively act upon whistleblowers' reports, while ensuring the anonymity, safety and wellbeing of whistleblowers.

The policy areas covered in the plan were identified by stakeholders as priorities during the co-creation process.⁶ In several cases, governmental ministries and CSO stakeholders proposed similar commitments. For instance, both the Ministry of Justice and TI Estonia proposed measures for whistleblower protection (Commitment 3.2),⁷ whereas the Ministry of Finance and CSOs proposed continuing promoting open government practices in municipalities (Commitment 2).⁸ Not all CSO proposals ended up in the action plan, either because other CSOs and government institutions deemed the proposal to be difficult to align with the scope and timeframe of OGP action plans or due to the lack of financial resources in responsible institution to implement the idea.⁹ Taking up an IRM recommendation to include interest groups not involved in previous OGP processes, the Government Office and the OGP CSO roundtable met with associations of disabled people, youth and rural communities, and experts on elderly policies and transparency.¹⁰

The next section provides in-depth analyses and strategic recommendations for commitments 1 (online tool for co-creation) and 3.2 (whistleblower protection). Commitments 2 (open government in local municipalities) and 3.1 (regulation of lobbying) are not analyzed in greater detail. This is because these commitments currently lack a plan for broader institutionalization. However, these commitments could potentially see strong results if their implementation involves the integration of binding reforms and rules around their respective policy areas.

¹ Strategy "Estonia 2035" <https://valitsus.ee/strateegia-eeesti-2035-arengukavad-ja-planeering/strateegia>

² Group of States against Corruption (GRECO), Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies. Evaluation report: Estonia, 2018, <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680900551>

³ Interview with Carina Paju (TI Estonia), 2 March 2021.

⁴ Coalition to make whistleblowing safe during COVID-19, European Centre for Press and Media Freedom, <http://www.ecpmf.eu/coalition-to-make-whistleblowing-safe-during-covid-19/>

⁵ See, for example, EU Observer, "Whistleblower: Danske Bank gag stops me telling more", 19 November 2018, <https://euobserver.com/justice/143430>

⁶ Government Office, Summary of ideas received through the public crowdsourcing campaign (unpublished).

⁷ Interview with Carina Paju (TI Estonia), 2 March 2021.

⁸ Interview with Kaie Kungas (Ministry of Finance), 20 April 2021.

⁹ Interview with Ott Karulin (Government Office), 26 April 2021.

¹⁰ The meetings mainly resulted in these groups' improved awareness of their participation opportunities in the OGP process but did not yield concrete proposals for commitments. According to the representative of the CSO roundtable who participated in the meetings, most of the policy problems raised in the meetings were too complex to be addressed in the form of specific commitments within a two-year timeframe. Interview with Alari Rammo (Network of Estonian Nonprofit Organizations), 12 November 2020.

Section II. Promising Commitments in Estonia's 2020-2022 Action Plan

The following review looks at the two commitments that the IRM identified as having the potential to realize the most promising results. This review will inform the IRM's research approach to assess implementation in the Results Report. The IRM Results Report will build on the early identification of potential results from this review to contrast with the outcomes at the end of the implementation period of the action plan. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

Key criteria used for selecting the promising commitments included the clarity of objectives, foreseen change in the respective policy area compared with the status quo, and the potential sustainability of the expected positive results. Commitment 1 continues the efforts to increase civic engagement in the co-creation of policies by releasing and testing the first usable version of the online co-creation tool (developed during the previous action plan). It goes further by also piloting a new toolbox of co-creation methods. This constitutes an important step toward integrating various types of policy initiatives and different parts of public policy making into one transparent and collaborative process. For Commitment 3.2, the Ministry of Justice aims to create a secure mechanism for whistleblowers to report wrongdoing, abuses, or harm. This is important given that whistleblower protection is currently unregulated in Estonia. As Estonia transposes the EU directive on whistleblower protections, this commitment could provide public sector institutions with a common tool for employees to use to report possible wrongdoings.

Two commitments are not analyzed in depth in this Action Plan Review. Under Commitment 2, the planned open government workshops in local municipalities could encourage best practice sharing among the municipalities.¹¹ However, the responsible ministries have not yet articulated how the outcomes from these activities will be sustained beyond carrying out the training events,¹² so it is not clear to what extent this commitment would create binding or institutionalized changes in local authorities' governance practices.¹³ That said, this commitment also entails developing a model that systematizes possible collaboration formats between local-level authorities and communities. If the Ministry of Interior and local municipalities develop a mechanism for mandating or encouraging the implementation of this model in local-level policy making, this commitment could significantly improve civic participation. For there to be a substantial impact on local public governance practices, the IRM also recommends going beyond pilots by integrating more binding mechanisms of change.

Finally, Commitment 3.1 involves implementing guidelines for good practice in lobbying for higher-level public officials with decision-making authorities and recommendations for public officials to publish quarterly information on all meetings with lobbyists. This commitment is unlikely to see institutionalized changes in government practice because, as clarified to the IRM by the Ministry of Justice, it will not entail consequences or sanctions for breaches.¹⁴ However, the recommendation to publish quarterly information on all meetings with lobbyists is a positive step. The Ministry of Justice and the Government Office plan to develop a common template for public officials to present this information. The ministry also plans to mobilize Estonia's existing corruption prevention network and possibly TI Estonia to monitor the implementation of the good practice.¹⁵

Table 1. Promising commitments

Promising Commitments
<p>1. Increase co-creative policy-making capacity within government authorities. Building from previous action plans, the Government Office aims to develop an online tool for policy co-creation and publish and test a toolbox of co-creation methods. This commitment could be a significant step toward a government-wide transition to a more collaborative policy-making model built around the concept of co-creation.</p>
<p>2. Support the implementation of whistleblower protection regulations. The Ministry of Justice aims to develop a common digital tool that whistleblowers can use to report breaches of law, fraud, corruption, and other types of wrongdoing securely and confidentially. This commitment could be a significant step toward institutionalizing whistleblower protection in Estonia, in line with the EU directive.</p>

Commitment #1: Increasing co-creative policy-making capacity within government authorities (Government Office)

Partners: Ministry of Justice, Centre of Registers and Information Systems, Ministry of Economic Affairs and Communications

CSO collaborators: Estonian Cooperation Assembly

For a complete description of the commitment see Commitment 1 in the action plan:

<https://www.opengovpartnership.org/documents/estonia-action-plan-2020-2022/>

Context and objectives:

This commitment continues the government’s and civil society’s efforts to increase civic participation in public policy making, which Estonia has continuously prioritized in its action plans. The commitment combines two streams of activities, that is, developing an online tool for policy co-creation, and publishing and testing a toolbox of co-creation methods. The first continues the previous action plan’s work on developing a novel online tool that would integrate the currently scattered phases of lawmaking into one transparent and seamless co-creation process. Both governmental and civil society stakeholders have reiterated a need for a digital solution to facilitate citizens’ access to policy-making processes, in particular in the early phases of policy development.¹⁶

As previous attempts to revamp existing online participation tools have not increased citizen participation,¹⁷ Estonia’s fourth action plan contained an ambitious goal of creating a new online tool that would provide a space for co-creation from the very first steps of an emerging policy idea.¹⁸ The fourth action plan resulted in the preparation of a prototype of the co-creation tool. The tool is meant to serve as the following: 1) a limited-access “text editor” workspace for policy makers and selected stakeholders to co-create policy drafts and 2) a public interface that enables all citizens to participate in different phases of policy making and track the status of policy initiatives.¹⁹ In March 2021, the governmental task force coordinating the development of the tool began testing the text editor with real users.²⁰

The fifth action plan will release and test the first usable version of the co-creation tool and prepare the development of the public engagement functionalities, to be continued in the next action plan. By the end of this action plan, the government plans to have a fully functional text editor in use, whereas the development of the public interface would continue into the next action plan. In parallel, the Government Office and ministries’ public engagement coordinators

will compile and publish a toolbox of co-creation methods in the form of an online handbook, testing selected methods on two pilot initiatives and summarizing the results in the handbook alongside guidelines for implementation. The Government Office plans to update the toolbox regularly based on lessons learned from implementing the methods in actual policy-making processes.²¹

According to the action plan, the public increasingly expects to be able to participate in the co-creation of policies instead of simply commenting on proposals the government has put forward.²² However, democracy experts note that despite public expectations, co-creation is still an emerging phenomenon in Estonia and not yet a widespread practice in public sector organizations.²³ This commitment focuses on improving public officials' skills and knowledge in policy co-creation. The Government Office will aggregate methods and best practices in co-creation (both in offline and online contexts) and provide guidelines to policy makers for designing co-creation processes and selecting methods fit for the purpose.²⁴ The Government Office and Ministry of Rural Affairs will test these methods in real-life policy co-creation processes. The Government Office will also conduct an interactive co-creation process with youth, combining individual and collective online activities to solicit young people's input to the annual action plan of the "Estonia 2035" strategy.²⁵ The Ministry of Rural Affairs will use a co-creation approach to engage stakeholders to examine the functioning of the ministry's diverse policy advisory bodies to increase the effectiveness of stakeholder engagement in these bodies.

The two streams (the digital tool and the co-creation toolbox) form a coherent cluster of activities that aim to provide public officials with an infrastructure and tools for co-creating policy in collaboration with stakeholders. With its focus on co-creation and citizen engagement, this commitment addresses a clearly perceived need around the OGP value of civic participation.

Potential for results: Substantial

This commitment takes a step-by-step approach to changing the role of citizens in public policy making. In the long run, engaging citizens as co-creators could improve the quality and depth of public input to policy and bring more diverse stakeholders into decision-making processes. The Ministry of Justice's analysis of the policy-making practice in 2018 found that government institutions' public engagement practices have improved over the years, but in about 20 to 25 percent of cases, stakeholders are still not engaged in the early phases of policy drafting when they could have the greatest influence on the content of policy initiatives.²⁶ In around half of the cases, opportunities for citizen input in the later phases of policy drafting are limited to the formalistic possibility to comment on fully formulated policy drafts on the Information System of Draft Acts. According to the same source, about one-fourth of the analyzed policy initiatives had actively engaged citizens, sourcing public input both in discussing the policy problems and possible solutions and using various channels to reach diverse stakeholders. This indicates ample room for redesigning public engagement processes to allow for more substantial public input throughout the policy cycle. On the other hand, there are signs of new approaches being adopted. The development of the "Estonia 2035" national strategy in 2018–2020 serves as a flagship initiative in terms of policy co-creation, as it involved close to 17,000 citizens in discussing the national priorities²⁷ through various forms of participation, from workshops, conferences, and informal discussions in the annual open-air Opinion Festival to online and offline public opinion surveys.²⁸

This commitment does not foresee major legal reforms but is nevertheless ambitious, seeking to catalyze a government-wide transition towards a more collaborative policy-making model built around the concept of co-creation.²⁹ It will do so by creating better digital opportunities for citizens to access key information about policy initiatives and participate in policy development without needing to navigate between various government institutions and information systems. At the same time, the government expects the co-creation-centric design of the system to encourage public officials to engage stakeholders already in the early stages of policy development.³⁰ The toolbox and guidelines on co-creation methods could support public officials in adopting new practices to transition to a co-creative policy-making model, provided that sufficient resources are allocated to disseminating and promoting use of the toolbox.

The potential results of this commitment also encompass the policy outcomes from the two planned co-creation pilots. One of them engages youth in updating the "Estonia 2035" strategy. As the first step, participants can play an online game to experience how different decisions may lead to different futures.³¹ In the end, they will be able to make proposals for improving the quality of life in Estonia. Next, youths will discuss the proposals with their teachers and peers in classes using a methodology proposed by a group of partner organizations involving youth and educational organizations. From the discussions, the participants will select the best proposals to be sent to the Government Office. The Government Office then plans to engage experts and public officials to select the most promising ideas and conduct public discussions of the selected ideas. As the final step, the Government Office will present the ideas to the government and responsible ministries and discuss how to incorporate the proposals into the next annual action plan for the "Estonia 2035" strategy.³² This pilot could therefore result in youth being able to influence concrete policy changes at the national level.

The potential outcomes of the other pilot pertain more to the methodology of policy making than policy content. The Ministry of Rural Affairs coordinates stakeholder engagement through a number of advisory bodies with varying purposes, some mandated by law, others established by the minister, and so on. However, the ministry lacks a systematic overview of how effectively these bodies work in soliciting input from stakeholders. In partnership with researchers from the Center for Applied Anthropology, the ministry plans to engage various stakeholders in auditing the results of the advisory bodies and improving the setup of these bodies to increase the effectiveness of stakeholder participation. As a result, the ministry plans to document its experience in the form of guidelines for conducting such audit processes in close collaboration with stakeholders that other government bodies could use as a model.

In sum, this commitment takes concrete steps to increase the level and impact of citizen participation throughout the policy cycle and to reduce the fragmentation of information on participation opportunities, which has been a persistent issue in Estonia.³³ The main strength of this commitment lies in its focus on making it easier for citizens to follow policy processes and making it more convenient for public officials to develop policies in collaboration with other institutions and the public. Civil society stakeholders believe the digital co-creation environment may spur substantial changes in the policy-making practice in the long term, if there is institutional will to follow through with the current plans.³⁴ Actual changes in government practice also depend on public officials' understanding of how to implement co-creation in these officials' daily work. The toolbox on co-creation methods along with guidelines for implementation could therefore further reinforce the positive results of this commitment.

Opportunities, challenges, and recommendations during implementation

Providing a digital working environment for stakeholder engagement and building public officials' skills could induce actual change in policy-making practices. To fully realize the potential of this commitment, the government should foster the actual use of the new digital resources. The results will also strongly depend on the institutional will to change the current policy-making routines and allow for more external input and inter-institutional collaboration. Some civil society stakeholders have cautioned that implementation may run into problems such as lack of funding or inability of different institutions to cooperate.³⁵ It may be especially challenging to effectively integrate the information systems and work processes of the executive government and the Parliament due to their institutional differences and distinct routines.

For this commitment's objectives to be met, the IRM recommends that the responsible agencies devote specific attention to the following aspects:

- **Ensure close collaboration between different institutions while developing and testing the online policy co-creation tool.** It is crucial to allocate sufficient time and resources for the task force leading the project to thoroughly engage all government institutions in the development process to understand their specific needs and secure their interest in using the system.
- **Engage stakeholders in defining additional priority policy processes whereby the selected co-creation methods could be tested.** In addition to the two planned pilots, the government could invite stakeholders to jointly select a few high-priority policy processes and make use of the co-creation toolbox to design the process. This would allow for a more thorough testing of the methods and guidelines in various real-life processes while also improving the outcomes of these policy processes by enabling more substantial stakeholder input.
- **Promote the use of the co-creation toolbox by public officials.** Simply making the toolbox available online might not ensure the actual use of its methods. This commitment involves conducting pilots to test a few selected methods, but it is equally important to plan dissemination, training, and counseling activities to assure the use of the methods beyond the pilot cases. The Government Office foresees collaboration with ministries' public engagement coordinators³⁶ in creating and implementing the toolbox.³⁷ For the purpose of scaling up and sustaining the results of the commitment, the IRM recommends planning concrete activities that the engagement coordinators could undertake in their organizations to encourage their colleagues to use the toolbox in their work. This could include disseminating information about the toolbox via their organizations' internal communication tools, organizing tutorials, inviting the pilots to share their experience, and providing individual counselling and tailor-made support to public officials in implementing the co-creation methods.
- **Strengthen the engagement coordinators' capacity to assist co-creation and public engagement processes in government agencies.** As part of Estonia's previous action plan, the Government Office facilitated regular meetings and exchange of experience between engagement coordinators to reinvigorate their existing collaboration network. As a result, the engagement coordinators developed a shared view of their role and tasks in facilitating public engagement in their organizations.³⁸ As the next step, the IRM recommends that the Government Office contact ministries' top managers to discuss what support it could provide to increase the capacity of engagement coordinators to fulfill their role and how ministries themselves could

support the work of engagement coordinators. This may include a common agreement to allocate more working time that the coordinators could spend on public engagement-related tasks along with securing opportunities for training and professional development.

Commitment #3.2: Supporting the implementation of whistleblower protection regulations (Ministry of Justice)

CSO collaborators: Transparency International Estonia

For a complete description of the commitment, see sub-commitment 3.2 in the action plan: <https://www.opengovpartnership.org/documents/estonia-action-plan-2020-2022/>

Context and objectives

With the exception of the first action plan, Estonia's OGP action plans have not included many commitments related to fighting corruption. This has been due to a deliberate decision to address these issues in the framework of a separate anti-corruption strategy that guided the national anti-corruption policy from 2013 to 2020. This action plan contains two commitments related to public accountability and anti-corruption. One involves developing a digital tool that whistleblowers can use to report breaches of law, fraud, corruption, and other types of wrongdoing securely and confidentially.

Transparency International (TI) Estonia proposed this commitment to address its long-term concern about the lack of mechanisms for whistleblower protection in Estonia and to support the ongoing process of transposing the European Union's (EU) new directive on whistleblower protection into the national legislation.³⁹ The EU directive foresees measures for protecting individuals who report on breaches of EU law in areas such as public procurement, anti-money laundering, tax fraud, product safety, environmental protection, public health, and so on, while encouraging EU member states to extend the same regulation to issues beyond EU law.⁴⁰ It also obliges public authorities and private companies with more than 50 employees to establish secure internal reporting channels that guarantee the confidentiality of whistleblowers. In addition, organizations are obliged to set up internal procedures for processing whistleblower reports, inform whistleblowers of receiving their report within seven days, provide feedback to them within three months, diligently follow up on the reports, and designate an impartial person or department to handle the reports.⁴¹

Estonia plans to transpose the directive by the end of 2021 as part of the new national anti-corruption action plan for 2021–2025.⁴² The Ministry of Justice has proposed adopting a new horizontal law that would be broader in scope than the EU directive and regulate whistleblowing in any area, not limited to EU law. This commitment forms part of the government's work on setting up a national system for whistleblower protection in line with the directive. Since the Ministry of Justice is drafting the new regulation outside the framework of the OGP action plan, the ministry designed this commitment to support the enforcement of the regulation by developing a digital tool for whistleblower reporting that any organization could adopt for free. As part of the commitment, the ministry will analyze the technological alternatives, deliver the tool, produce training material on whistleblowing for public officials, and prepare guidelines to assist the implementation of the reporting tool in organizations. Providing such a reporting tool centrally goes beyond the obligations the EU directive imposes. Through this commitment, the Ministry of Justice aims to reduce the costs that public sector organizations and private

companies would incur when developing secure reporting channels of their own.⁴³ This addresses a major need for businesses, which have expressed concerns about their ability to carry the costs of complying with the new regulation.⁴⁴

Several recent whistleblowing cases reported in the media have revealed the need to ensure that safe channels exist for reporting unlawful and corrupt behavior and that whistleblowers' reports are effectively dealt with. In some cases, whistleblowers have experienced harassment and retaliation by their employers. For example, the name of Howard Wilkinson, whistleblower on money laundering at the Danske Bank, was leaked to the media without his consent.⁴⁵ Illar Lemetti, a former secretary-general of the Ministry of Rural Affairs, was fired from his job after reporting concerns of the minister's possible conflict of interest to the prosecutor's office.⁴⁶ Keegan McBride, who raised suspicion of misuse of EU research funding at the Tallinn University of Technology, reported harassment by the university's management.⁴⁷

Estonia has so far lacked specific legislation governing whistleblower protection, which has been a barrier to early detection of problems such as administrative misconduct. Many cases of wrongdoing both in the public and private sector have likely gone unreported due to lack of awareness, regulations, or reporting mechanisms. For example, a 2016 survey found that 51 percent of citizens and 28 percent of entrepreneurs who had experienced corruption did not report this, whereas only 1 percent turned to law enforcement.⁴⁸ The Police and Border Guard Board hosts a hotline for reporting corruption cases and reports a slow increase in the number of allegations received over the years, despite considerable annual fluctuations.⁴⁹ Although this may show citizens' gradually increasing willingness to report wrongdoing, the scope of the hotline is only limited to cases of corruption. This commitment will provide means for individuals to report corruption as well as other types of wrongdoing. It also provides guidance to public and private organizations on implementing a secure and confidential reporting system. Because the implementation of the reporting tool will be supported by a new regulation that establishes requirements for proper follow-up on information received from whistleblowers, this commitment contributes to advancing the OGP value of public accountability, albeit in combination with steps taken outside the scope of the OGP action plan.

Potential for results: Substantial

If implemented as planned, this commitment could encourage more whistleblowers to report wrongdoing in government as well as the private sector thanks to having better access to channels for securely submitting their allegations. Yet the commitment's outcomes in this respect are difficult to measure because data about the number of whistleblowing cases in Estonia have not been collected so far. There is also no information on the number of public or private organizations that have already set up whistleblower reporting and protection systems.⁵⁰ Some prominent public enterprises (e.g., Riigi Kinnisvara,⁵¹ Eesti Energia,⁵² Tallinna Veski⁵³) and private companies (e.g., Circle K⁵⁴) have established internal reporting processes. At the same time, the results of a small non-representative survey EY conducted in 2018 indicate that whistleblower protection systems and hotlines are not common practice among public and private organizations.⁵⁵

As the new EU directive becomes national law, all medium and large organizations have a legal obligation to adopt secure hotlines for whistleblowing. However, the executive director of TI Estonia believes that unless a secure technological solution is made available, many organizations with fewer resources could end up creating reporting channels that do not fully

protect the anonymity of whistleblowers.⁵⁶ According to the plans, the Ministry of Justice would fund the development of a secure digital tool for reporting misconduct and offer it to any organization for free.⁵⁷ Both TI Estonia⁵⁸ and the Chamber of Commerce and Industry⁵⁹ expect this commitment to reduce the administrative burden and costs of public and private organizations in complying with the requirements of the directive. Hence, as a result of the commitment, public resources would be saved by adopting a common tool instead of developing numerous separate solutions. In addition, both public and private organizations are likely to implement their whistleblowing systems faster and with less friction.

Indirectly and in the long term, this commitment could also contribute to citizens' increased trust in government institutions by enabling early exposure and prevention of corruption. However, the effects would not be immediate, as the relationship between actual or perceived corruption and trust in public institutions is not linear. For instance, over the past five years, public trust in the national government has fluctuated from 37 percent in 2016 to 57 in 2017 and from 54 percent in 2018 to 43 in 2019.⁶⁰ Trust in local authorities has been more stable, ranging from a low of 53 percent in 2016 to a high of 63 percent in 2018. In 2020, both indicators were above the EU average, with 46 percent trusting the national government and 58 percent trusting local government.⁶¹ At the same time, the actual number of registered corruption crimes has dropped from 550 in 2016 to 72 in 2019,⁶² and Estonia's score in Transparency International's Corruption Perceptions index has steadily improved from 70 in 2016 to 75 in 2020.⁶³

On its own, this commitment's potential for results would be moderate. However, in conjunction with the anti-corruption strategy and the government's activities in adopting the national regulation on whistleblower protection that do not fall within the scope of the OGP action plan, this commitment could contribute to a highly institutionalized change in public accountability and corruption prevention. The law will provide the legal obligation to diligently process and respond to whistleblowers' reports, and the government has taken a holistic approach to creating measures to enforce the law. Therefore, the reporting mechanism that emerges from this commitment could significantly change the practice of reporting wrongdoing in public administration and holding public officials to account. As the law also applies to the private sector, this commitment could help prevent fraud and corruption in society more broadly. The commitment is even more relevant in light of the COVID-19 pandemic, which has increased societies' vulnerabilities to violations of law and rights in areas of public procurement, work safety, or delivery of health services.⁶⁴

Opportunities, challenges, and recommendations during implementation

This commitment's basis in a strong legal mandate, along with a strict deadline imposed by the EU, increases the commitment's chances of being completed by the end of the action plan term. However, as the EU directive does not explicitly require governments to provide a common reporting solution for organizations subject to the law, certain risks that could limit completion remain, for example, a lack of resources. At the same time, even if the government succeeds in delivering the technological solution, its adoption by public (and private) organizations may be a challenge on its own. In addition to putting a secure reporting channel in place, the new regulation requires public and private sector organizations with more than 50 employees to devise effective procedures for investigating the information received through the channel and to provide full confidentiality and employment protection for whistleblowers. Such procedures are critical to ensuring this commitment's actual impact on public accountability. However,

setting up new work processes and ensuring organizational will to address the issues raised by whistleblowers is a much larger challenge than is setting up an electronic reporting channel.

When implementing the commitment, the IRM recommends that the Ministry of Justice give the following aspects priority to achieve better results:

- **Devote resources to raising organizations' awareness of the benefits of whistleblowing and mechanisms of whistleblower protection.** The commitment foresees producing training materials and guidelines to assist the implementation of whistleblower protection systems. In addition to that, the IRM recommends allocating resources to raising public awareness of the role and rights of whistleblowers and encouraging individuals to report cases of unlawful or unethical behavior.
- **Foster the enforcement of the whistleblower regulation and promote the use of the reporting solution among local municipalities.** Corruption and conflict of interest are significant problems in Estonian municipalities,⁶⁵ which is related to local administrators' low awareness of the issue.⁶⁶ Because the majority of Estonian local governments have fewer than 50 employees and fewer than 10,000 inhabitants, the EU directive gives the government the right to exempt such local municipalities from the obligation to establish procedures for internal reporting and follow-up.⁶⁷ The IRM recommends that the government not grant this exemption. In case the exemption is nevertheless granted, the government could actively promote the local municipalities to voluntarily adopt such channels and procedures.
- **Regularly monitor and assess the results.** The anti-corruption strategy 2021–2025 envisages conducting an assessment of the actual implementation of the whistleblower regulation once it is adopted. The planned regulatory changes provide an opportunity to launch a mechanism for regular monitoring of whistleblowing in the public and private sector. The IRM supports the TI Estonia experts' recommendations that the government should start collecting data about whistleblowing cases at least in the public sector and use the assessment results as a basis for adopting additional measures to support the enforcement of the regulation in different sectors and levels of government.⁶⁸
- **Publish data on whistleblower cases.** In the coming years, the Ministry of Justice plans to centrally collect data on whistleblowing cases in accordance with the EU directive (which sets a reporting obligation to member states) and to assess the implementation of the new law currently being developed.⁶⁹ The IRM recommends making these data publicly available, to the extent that privacy requirements permit.

¹¹ As part of this commitment, the Ministry of Finance plans to conduct eight workshops to improve local governments' awareness of open government, aiming to reach 48 out of the 79 Estonian local municipalities. Interview with Kaie Kungas (Ministry of Finance), 20 April 2021. The Ministry of the Interior plans to involve five municipalities in a development program to improve their skills in co-creation and civic engagement. E-mail interview with Marten Lauri (Ministry of the Interior), 19 April 2021.

¹² Interviews with Kaie Kungas (Ministry of Finance) and Marten Lauri (Ministry of the Interior).

¹³ The Ministry of Finance has preferred a step-by-step approach to planning the activities to adapt to issues that municipalities consider relevant at a given moment. Interview with Kaie Kungas (Ministry of Finance), 20 April 2021.

¹⁴ Mari-Liis Sööt and Kätlin-Chris Kruusmaa, Ministry of Justice, e-mail, 27 April 2021.

¹⁵ The anti-corruption network is composed of 1–2 public officials in each ministry responsible for coordinating the implementation of the national anti-corruption law and strategy

¹⁶ Assessment of Commitment 4 in the IRM End-of-Term Report 2016-2018:

<https://www.opengovpartnership.org/documents/estonia-end-of-term-report-2016-2018/>

¹⁷ Ibid.

¹⁸ Interview with Ott Karulin (Government Office), 26 April 2021.

- ¹⁹ IRM Transitional Results Report 2018–2020, https://www.opengovpartnership.org/wp-content/uploads/2021/05/Estonia_Transitional_Report_2018-2020_EN.pdf
- ²⁰ E-mail from Karmen Vilms (Ministry of Justice), 9 February 2021.
- ²¹ E-mail from Ott Karulin (Government Office), 8 March 2021.
- ²² Estonia 2020-2022 Action Plan, Commitment 1.2: <https://www.opengovpartnership.org/documents/estonia-action-plan-2020-2022/>
- ²³ See, for example, Kristina Reinsalu (2020), Koosloome võimalused ja õppetunnid, Riigikogu Toimetised 42/2020, <https://rito.riigikogu.ee/wordpress/wp-content/uploads/2020/12/Reinsalu.pdf>, and Keiti Kljavin, Johanna Pirrus, Kaija-Luisa Kurik and Ingmar Pastak, Urban activism in the co-creation of public space, Estonian Human Development Report 2019/2020, <https://inimareng.ee/en/urban-activism-in-the-co-creation-of-public-space.html>
- ²⁴ Interview with Ott Karulin (Government Office), 26 April 2021.
- ²⁵ Ibid.
- ²⁶ Government Office, “Kaasamise ja mõjude hindamise uuring: lõppraport” 2018, https://vv.riigikantselei.ee/sites/default/files/riigikantselei/strateegiaburoo/kaasamise_ja_mojude_hindamise_uuringu_raport_2018.pdf
- ²⁷ Government Office, Strateegia “Eesti 2035”, Aluspõhimõtted ja sihid, <https://www.valitsus.ee/strateegia-est-2035-arengukavad-ja-planeering/strateegia/aluspohimotted-ja-sihid>
- ²⁸ Government Office, Strateegia „Eesti 2035“ toimunud üritused, <https://vv.riigikantselei.ee/et/valitsuse-toetamine/strateegia-est-2035/strateegia-est-2035-toimunud-uritused>
- ²⁹ Interview with Ott Karulin (Government Office), 10 November 2020.
- ³⁰ Interview with Karmen Vilms (Ministry of Justice), 6 November 2020.
- ³¹ Government Office, Strateegia “Eesti 2035”, Koosloome ja partnerid, <https://valitsus.ee/strateegia-est-2035-arengukavad-ja-planeering/strateegia/koosloome>
- ³² Interview with Ott Karulin (Government Office), 26 April 2021. The action plans are official documents adopted by the government, which are revised annually.
- ³³ Assessment of Commitment 4 in the IRM End-of-Term Report 2016–2018, <https://www.opengovpartnership.org/documents/estonia-end-of-term-report-2016-2018/>
- ³⁴ Interview with Alari Rammo (Network of Estonian Nonprofit Organizations), 12 November 2020.
- ³⁵ Ibid.
- ³⁶ All Estonian ministries have appointed one or more of their employees to serve as the ministry’s public engagement coordinators. This function, however, is usually only one of their many working tasks.
- ³⁷ E-mail from Ott Karulin (Government Office), 8 March 2021.
- ³⁸ The role involves planning public engagement processes, training new civil servants in the basics of public engagement, quality control of ministries’ public engagement processes, sharing engagement-related information and best practices within the ministry, collecting feedback from participants, facilitating non-governmental stakeholders’ communication with public officials, and helping them formulate proposals to the ministry (Transitional Results Report 2018–2020, Section 2.4, https://www.opengovpartnership.org/wp-content/uploads/2021/05/Estonia_Transitional_Report_2018-2020_EN.pdf).
- ³⁹ Interview with Carina Paju (TI Estonia), 2 March 2021.
- ⁴⁰ Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, <http://data.europa.eu/eli/dir/2019/1937/oj>
- ⁴¹ Ibid.
- ⁴² The anti-corruption action plan is available at https://www.korruptsioon.ee/sites/www.korruptsioon.ee/files/elfinder/dokumentid/korruptsioonivastane_tegevuskava_16.02.pdf
- ⁴³ Legislative intent of drafting a Whistleblower Protection Act, Information System of Draft Acts, 20 July 2020, <https://eelnoud.valitsus.ee/main/mount/docList/9118fc0c-c5b3-4e71-a7b8-988da0a1aa1d>
- ⁴⁴ Estonian Chamber of Commerce and Industry, The Whistleblower Protection Directive brings additional responsibilities to companies, 27 August 2020, <https://www.koda.ee/en/news/whistleblower-protection-directive-brings-additional-responsibilities-companies>
- ⁴⁵ National Whistleblower Center, <https://www.whistleblowers.org/whistleblowers/howard-wilkinson/>
- ⁴⁶ ERR News, Government releases rural affairs ministry Secretary General Illar Lemetti, 25 November 2019, <https://news.err.ee/1006713/government-releases-rural-affairs-ministry-secretary-general-illar-lemetti>
- ⁴⁷ ERR News, TalTech warned new superiors against whistleblower, 30 September 2019, <https://news.err.ee/986937/taltech-warned-new-superiors-against-whistleblower>
- ⁴⁸ Ministry of Justice, Corruption in Estonia 2016, survey report, https://www.korruptsioon.ee/sites/www.korruptsioon.ee/files/elfinder/dokumentid/korruptsiooniuuring_loplik.pdf
- ⁴⁹ Police Corruption Crime Bureau, Overview of Activities in 2018-2019, <https://www.politsei.ee/files/Korruptsioon/Trykised/kokkuvote-2018-2019.pdf?01efaab76a>
- ⁵⁰ E-mail from Carina Paju, TI Estonia, 26 April 2021
- ⁵¹ Code of Ethics of employees of Riigi Kinnisvara AS, <https://www.rkas.ee/en/company/ethics>
- ⁵² TI Estonia, Vihjeandmise mehhanism ettevõttes: tööriistakast, 2019, http://www.transparency.ee/cm/files/lisad/vihjeandmine_erasektoris_kve2019.pdf
- ⁵³ Tallinna Vesi, Eetilised äritavad, <https://tallinnavesi.ee/ettevote/juhatus/eetilised-aritavad/>

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- ⁵⁴ Police Corruption Crime Bureau, Overview of Activities in 2018-2019, <https://www.politsei.ee/files/Korruptsioon/Trykised/kokkuvote-2018-2019.pdf?01efaab76a>
- ⁵⁵ Ernst & Young Baltic, 2018, Pettuseriskide uuring Eestis 2018, https://www.korruptsioon.ee/sites/www.korruptsioon.ee/files/elfinder/dokumentid/ernstyoung.pettuseriskide_uuring_eestis_2018.pdf
- ⁵⁶ Interview with Carina Paju (TI Estonia), 2 March 2021.
- ⁵⁷ Ibid.
- ⁵⁸ Carina Paju (TI Estonia), OGP Civil Society Roundtable meeting on 22 October 2020.
- ⁵⁹ Estonian Chamber of Commerce and Industry, The Whistleblower Protection Directive brings additional responsibilities to companies, 27 August 2020, <https://www.koda.ee/en/news/whistleblower-protection-directive-brings-additional-responsibilities-companies>
- ⁶⁰ European Commission, 2020, Standard Eurobarometer 93, <https://europa.eu/eurobarometer/surveys/detail/2262>;
- ⁶¹ Standard Eurobarometer 92: Rahvuslik aruanne, 2019, <https://europa.eu/eurobarometer/surveys/detail/2255>
- ⁶² Ministry of Justice, Kuritegevus Eestis 2019, <https://www.kriminaalpoliitika.ee/kuritegevuse-statistika/korruptsioon.html>
- ⁶³ Transparency International, Corruption Perceptions Index, <https://www.transparency.org/en/cpi/2020/index/est>
- ⁶⁴ Coalition to make whistleblowing safe during COVID-19, European Centre for Press and Media Freedom, <http://www.ecpmf.eu/coalition-to-make-whistleblowing-safe-during-covid-19/>
- ⁶⁵ National Audit Office of Estonia 2017, Implementation of the Anti-corruption Act in local governments, <https://www.riigikontroll.ee/DesktopModules/DigiDetail/FileDownloader.aspx?FileId=14072&AuditId=2428>
- ⁶⁶ ERR News, Korruptsiooniga võitlusel saavad suurema tähelepanu vilepühjad ja lobistid, 1 December 2020, <https://www.err.ee/1192117/korruptsiooniga-voitlusel-saavad-suurema-tahelepanu-vilepühjad-ja-lobistid>
- ⁶⁷ This right is established in Article 8 of the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.
- ⁶⁸ Interview with Carina Paju (TI Estonia), 2 March 2021.
- ⁶⁹ Mari-Liis Sööt and Kätlin-Chris Kruusmaa, Ministry of Justice, e-mail, 27 April 2021.

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation as former IRM reports. It is intended as an independent quick technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. This approach allows the IRM to highlight the strongest and most promising commitments in the action plan based on an assessment of the commitment per the key IRM indicators, particularly commitments with the highest potential for results, the priority of the commitment for country stakeholders and the priorities in the national open government context.

To determine which reforms or commitments the IRM identifies as promising the IRM follows a filtering and clustering process:

Step 1: Determine what is reviewable and what is not based on the verifiability of the commitment as written in the action plan.

Step 2: Determine if the commitment has an open government lens. Is it relevant to OGP values?

Step 3: Commitments that are verifiable and have an open government lens are reviewed to identify if certain commitment needs to be clustered. Commitments that have a common policy objective or commitments that contribute to the same reform or policy issue should be clustered and its “potential for results” should be reviewed as a whole. The clustering process is conducted by IRM staff, following the steps below:

- a. Determine overarching themes. They may be as stated in the action plan or if the action plan is not already grouped by themes, IRM staff may use as reference the thematic tagging done by OGP.
- b. Review objectives of commitments to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
- c. Organize commitments by clusters as needed. Commitments may already be organized in the Action Plan under specific policy or government reforms or may be standalone and therefore not clustered.

Step 4: assess the potential for results of the cluster or standalone commitment.

The filtering process is an internal process and data for individual commitments is available in Annex I below. In addition, during the internal review process of this product the IRM verifies the accuracy of findings and collects further input through peer review, the OGP Support Unit feedback as needed, interviews and validation with country-stakeholders, and sign-off by the IRM’s International Experts Panel (IEP).

As described in the filtering process above, the IRM relies on **three key indicators** for this review:

I. Verifiability

- “Yes”: Specific enough to review. As written in the action plan the objectives stated and actions proposed are sufficiently clear and includes objectively verifiable activities to assess implementation.

- “No”: Not specific enough to review. As written in the action plan the objectives stated and proposed actions lack clarity and do not include explicit verifiable activities to assess implementation.

*Commitments that are not verifiable will be considered “not reviewable”, and further assessment will not be carried out.

II. Does it have an open government lens? (Relevant)

This indicator determines if the commitment relates to open government values of transparency, civic participation or public accountability as defined by the Open Government Declaration, the OGP Articles of Governance and by responding to the guiding questions below. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:

- **Yes/No:** Does the commitment set out to make a policy area, institutions or decision-making process more transparent, participatory or accountable to the public?

The IRM uses the OGP Values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:

- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will government create or improve opportunities, processes or mechanisms for the public to inform or influence decisions? Will the government create, enable or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association and peaceful protest?
- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable a legal, policy or institutional frameworks to foster accountability of public officials?

III. Potential for results

Formerly known as the “potential impact” indicator, it was adjusted taking into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, this indicator was modified so that in this first review it laid out the expected results and potential that would later be verified in the IRM Results Report, after implementation. Given the purpose of this Action Plan Review, the assessment of “potential for results” is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:

- **Unclear:** the commitment is aimed at continuing ongoing practices in line with existing legislation, requirements or policies without indication of the added value or enhanced open government approach in contrast with existing practice.

- **Modest:** a positive but standalone initiative or changes to process, practice or policies. Commitments that do not generate binding or institutionalized changes across government or institutions that govern a policy area. For example, tools like websites, or data release, training, pilot projects
- **Substantial:** a possible game changer to the rules of the game (or the creation of new ones), practices, policies or institutions that govern a policy area, public sector and/or relationship between citizens and state. The commitment generates binding and institutionalized changes across government

This review was prepared by the IRM in collaboration with Maarja Olesk and overseen by the IRM's International Experts Panel (IEP). The current IEP membership includes:

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

For more information about the IRM refer to the **"About IRM" section of the OGP website** available [here](#).

Annex I. Commitment by Commitment Data¹

Commitment 1: Increase co-creative policy-making capacity within government authorities

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Substantial

Commitment 2: Increase co-creative policy-making capacity within local governments

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Modest

Commitment 3.1: Develop and implement guidelines for good practice in lobbying

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Modest
- This commitment has been un-clustered from Commitment 3 (Increasing the transparency of policy-making)

Commitment 3.2: Support the implementation of whistleblower protection regulations

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Substantial
- This commitment has been un-clustered from Commitment 3 (Increase the transparency of policy-making)

¹ Editorial notes:

1. For commitments that are clustered: the assessment of potential for results is conducted at the cluster level, rather than the individual commitments.
2. Commitment short titles may have been edited for brevity. For the complete text of commitments, please see Estonia's action plan: https://www.opengovpartnership.org/wp-content/uploads/2020/10/Estonia_Action-Plan_2020-2022_EN.pdf

Annex 2. Minimum Requirements for Acting According to OGP Process

According to OGP's Procedural Review Policy, during development of an action plan, OGP participating countries must meet the "Involve" level of public influence per the IRM's assessment of the co-creation process.

To determine whether a country falls within the category of "involve" on the spectrum, the IRM assesses different elements from OGP's Participation & Co-creation Standards. The IRM will assess whether the country complied with the following aspects of the standards during the development of the action plan, which constitute the minimum threshold:

1. **A forum exists:** there is a forum to oversee the OGP process.
2. **The forum is multi-stakeholder:** Both government and civil society participate in it.
3. **Reasoned response:** The government or multi-stakeholder forum documents or is able to demonstrate how they provided feedback during the co-creation process. This may include a summary of major categories and/or themes proposed for inclusion, amendment or rejection.

The table below summarizes the IRM assessment of the three standards that apply for purposes of the procedural review. The purpose of this summary is to verify compliance with procedural review minimum requirements, and it is not a full assessment of performance under OGP's Co-creation and Participation Standards. A full assessment of co-creation and participation throughout the OGP cycle will be provided in the Results Report.

Table 2. Summary of minimum requirements to act according to OGP Process

Key:

Green = Meets standard

Yellow = In progress (steps have been taken to meet this standard, but standard is not met)

Red = No evidence of action

<i>OGP Standard</i>	<i>Was the standard met?</i>
A forum exists. The State Secretary established the Open Government Development Committee with a mandate to oversee the co-creation and implementation of OGP action plans. ¹	Green
The forum is multi-stakeholder. The committee includes representatives of government institutions, local municipalities and non-governmental organizations ² .	Green
The government provided reasoned	Yellow

response to stakeholders' comments on the draft action plan. Only public agencies gave feedback, but no comments were received from the public consultation.³ At the same time, the government did not publish the initial proposals collected through the public crowdsourcing campaign before drafting the action plan, nor a response explaining how the proposals were used in the action plan development. However, the government did discuss the proposals with the proposers in a seminar on 10 June 2020 and selected the final commitments jointly with the CSOs who proposed them.⁴

¹ The committee's tasks have been described on the Government Office's OGP website: <https://www.riigikantselei.ee/valitsuse-too-planeerimine-ja-korraldamine/valitsuse-too-planeerimine/avatud-valitsemise-partnerlus> and in the committee's meeting minutes of 3 December 2019: <https://www.riigikantselei.ee/media/308/download>

² The committee composition is available on the Government Office's OGP website: <https://www.riigikantselei.ee/valitsuse-too-planeerimine-ja-korraldamine/valitsuse-too-planeerimine/avatud-valitsemise-partnerlus>

³ A summary table of comments and responses is available on the public website of the Information System of Draft Acts: <https://eelnoud.valitsus.ee/main/mount/docList/e5560b3b-1ae0-448e-bfea-efb4895d8e2?activity=2#!SyJmqxf>

⁴ The explanatory memorandum to the action plan (available at <https://eelnoud.valitsus.ee/main/mount/docList/e5560b3b-1ae0-448e-bfea-efb4895d8e2?activity=2#!SyJmqxf>) states that the Government Office received nine proposals through the public crowdsourcing campaign from 20 May to 4 June 2020. It includes the list of organizations that gave input but gives no information on the content of the ideas. According to the point of contact to OGP at the Government Office (e-mail on 8 March 2021), the Government Office did not publish the proposals because it had not asked for the proposers' permission to publish them. However, all proposals were discussed in a seminar on 10 June 2020 with the proposers, representatives of ministries, and the OGP civil society roundtable. The seminar resulted in an agreement on the ideas to be included in the action plan.