

# **Independent Reporting Mechanism**

Action Plan Review:  
The Philippines 2023–2027

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Open  
Government  
Partnership



Independent  
Reporting  
Mechanism

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## Section I: Overview of the 2023–2027 Action Plan

*The Philippines' sixth action plan intends to open large government infrastructure projects to public monitoring and progress local-level access to justice and freedom of information efforts. Its commitments could go further to take advantage of the new four-year implementation period. Political transitions delayed the co-creation process, but multi-stakeholder engagement remained high, and an executive order institutionalized expansion of the multi-stakeholder forum.*

This report evaluates the design of the Philippines' sixth action plan, its first to span a four-year implementation period. Among its ten commitments, expanded engagement with broader government agencies led to new efforts on access to justice, elections, and Sustainable Development Goals (Commitments 2A, 2B, 4A, 4B, 5, and 8). Some of its other commitments carry over focus areas from the previous action plan, such as promoting access to information, enabling data transparency and digitalization, opening participation in local governance, and strengthening public-private partnership in development (Commitments 1, 3, 6, and 7). The action plan includes a cross-cutting focus on localizing open government efforts (Commitments 1, 2A, 7, and 8). The OGP process is led by the Department of Budget and Management (DBM), and its new Secretary showed greater support for PH-OGP.

The IRM identified three commitments as promising. Commitment 3 intends to launch a digital portal with real-time information on large government infrastructure projects, along with a public feedback mechanism to facilitate citizen monitoring and oversight of the projects' implementation. Commitment 1 continues to target passage of a national Freedom of Information Law but focuses on scaling up freedom of information efforts at the local level.

Its success will rely on fully pursuing both national and local reform, without allowing one to replace the other. Commitment 2A is one of the Philippines' first OGP commitments on access to justice, offering progress on existing government efforts to expand the Justice Zones program, in which localities enhance police, prosecutors, courts, and prisons' coordination on access to justice.

### AT A GLANCE

**Participating since:** 2011

**Number of commitments:** 10

#### Overview of commitments:

- Commitments with an open government lens: 10 (100%)
- Commitments with substantial potential for results: 1 (10%)
- Promising commitments: 3

#### Policy areas:

Carried over from previous action plans:

- Access to information
- Local open governance
- Data transparency and digitalization
- Public-private partnership

Emerging in this action plan:

- Access to justice
- Elections

#### Compliance with OGP minimum requirements for co-creation:

Yes

In June 2023, the government issued Executive Order No. 31, which institutionalized the expansion of the PH-OGP multi-stakeholder forum.<sup>1</sup> It broadened non-government representation to include civil society organizations (CSOs) representing women and youth and added thematic experts on issues such as environment and justice.<sup>2</sup> The order also mandated formal terms of reference, as well as dedicated staffing and financial resources.<sup>3</sup> Members of the new steering committee were onboarded in February 2024 after the action plan had already been finalized.

The co-creation timeline was approved in late 2022, but public consultations did not commence until mid-2023.<sup>4</sup> There was less preparatory work on engagement between civil society and government commitment holders than in the previous cycle.<sup>5</sup> The secretariat opened a call for commitment proposals in February–June 2023. This process was guided by an Agenda for Good Governance developed by the PH-OGP non-government secretariat and vetted by over 100 CSOs. It identified anti-corruption, protection of civic space, and access to justice as priority areas.<sup>6</sup> Civil society saw it as a useful advocacy framework but felt there could have been more opportunities to align its priorities and the commitment proposals.<sup>7</sup> During August through October, a consultation was organized in each of the major islands or regions and the national capital region, reaching over 305 participants,<sup>8</sup> along with one for youth.<sup>9</sup> In some cases, challenges included travel costs,<sup>10</sup> lack of prior familiarity with the policy areas discussed,<sup>11</sup> and a short time allocation for civil society feedback on each commitment.<sup>12</sup> However, broadened involvement of government agencies and CSOs resulted in a record 27 commitment proposals submitted by 21 agencies.<sup>13</sup> A November workshop with experts refined 14 shortlisted proposals.<sup>14</sup> Interviewed stakeholders considered this the most productive co-creation workshop and noted that this approach would have benefited earlier stages. Later that month, the PH-OGP steering committee reviewed the final design of commitments. Another two-week online public comment period was opened before the action plan was finalized in December.<sup>15</sup> Overall, face-to-face regional consultations and expert-guided workshops provided more dynamic and focused spaces for commitment design than the previous co-creation process. Representatives of the Department of the Interior and Local Government (DILG) noted that mechanisms for giving, receiving, and responding to feedback could be improved.<sup>16</sup>

A civil society stakeholder described the final result as a “recovery action plan.” Commitments were largely determined by feasibility considerations, with little room for innovation beyond existing government projects,<sup>17</sup> and were prioritized based on relevance to the Marcos administration’s Philippine Development Plan.<sup>18</sup> Several commitments replicate ongoing initiatives. For instance, Commitment 7 continues subnational activities to engage stakeholders to participate in resource governance, while Commitment 8 does not go beyond the established framework for progressing the Sustainable Development Goals, and some of its milestones were completed before the implementation period. Some commitments also overlook the root causes of their policy problems—as with Commitment 4A, which intends to accredit CSOs to verify and certify voters lists, but does not address capacity constraints among election officers, local civil registrars, and courts of justice. Given the four-year implementation period, to achieve lasting open government results, the IRM recommends revisiting the commitments’ targets during the midpoint refresh process.

Additionally, the steering committee put 13 commitment proposals onto a “waiting list”<sup>19</sup> that could be adopted during the refresh process. To raise these proposals’ ambition levels in the interim, they intend to provide opportunities for the proposers to “incubate” their ideas, with support for improvement, exposure to learning opportunities, and access to relevant resources.<sup>20</sup> This showcases the PH-OGP secretariat’s strategic approach to the new action plan timespan, aiming to retain the interest of stakeholders who might otherwise disengage from this OGP cycle.

Overall, amid recovery from the COVID-19 pandemic, two divisive national elections, political transitions, and shrinking civic space, both government and non-government stakeholders involved in the co-creation process were unable to contribute to their maximum capacity.<sup>21</sup> Going forward, the DBM will establish a PH-OGP Project Management Office (PMO) to orient new personnel, potential commitment holders, and stakeholders on OGP practices and standards. In the longer term, leveraging the expertise and experience of the new steering committee representatives can attune the commitments to the needs of a broader constituency.

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<sup>1</sup> Executive Order No. 31, “Institutionalizing the Philippine Open Government Partnership and for Other Purposes,” Malacañang Palace, (20 June 2023), <https://www.officialgazette.gov.ph/2023/06/20/executive-order-no-31-s-2023>.

<sup>2</sup> Executive Order No. 31.

<sup>3</sup> Claire Bautista (Department of Budget and Management/PH-OGP Government Secretariat), interview by IRM researcher, 5 February 2024; Sandino Soliman (Caucus of Development NGO Networks/PH-OGP Non-Government Secretariat), interview by IRM researcher, 1 March 2024.

<sup>4</sup> “The 6<sup>th</sup> NAP Development Schedule,” PH-OGP Government Secretariat, [https://drive.google.com/drive/folders/1YIRkyPrR2CHTbjlVgQBZhKbBcW0\\_1\\_PW](https://drive.google.com/drive/folders/1YIRkyPrR2CHTbjlVgQBZhKbBcW0_1_PW).

<sup>5</sup> Soliman, interview; Olie Lucas (Unang Hakbang Foundation), interview by IRM researcher, 6 March 2024; Catherine Ruiz (Kaabag sa Sugbo Foundation), interview by IRM researcher, 8 March 2024.

<sup>6</sup> Patricia Sarenas (Chair of PH-OGP Non-Government Steering Committee), interview by IRM researcher, 12 February 2024; Ruiz, interview; Czarina Medina-Guce (Ateneo de Manila University), interview by IRM researcher, 12 March 2024.

<sup>7</sup> Soliman, interview; Lucas, interview; Ruiz, interview.

<sup>8</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, December 2023, [https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines\\_Action-Plan\\_2023-2027\\_December.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines_Action-Plan_2023-2027_December.pdf), 210.

<sup>9</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 15.

<sup>10</sup> Raizsa Mae Anayatin (Mindanao Caucus of Development NGO Networks), interview by IRM researcher, 12 February 2024.

<sup>11</sup> Ruiz, interview.

<sup>12</sup> Sheryll Grace Aromin, John Axl Acordon, Luchvez, Lovely Palisoc, and Cedic Del Rosario (Department of Budget and Management), interview by IRM researcher, 15 April 2024.

<sup>13</sup> *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership; Bautista, interview.

<sup>14</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 15–17.

<sup>15</sup> See Annex G in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 211.

<sup>16</sup> Richar Villacorte and Pearl Clemente (Department of the Interior and Local Government), interview by IRM researcher, 5 April 2024.

<sup>17</sup> Medina-Guce, interview.

<sup>18</sup> Medina-Guce, interview.

<sup>19</sup> See Annex E in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 192–94.

<sup>20</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 17.

<sup>21</sup> Ruiz, interview.

## Section II: Promising Commitments

The following review looks at the three commitments that the IRM identified as having the potential to realize the most promising results. Promising commitments address a policy area that is important to stakeholders or the national context. They must be verifiable, have a relevant open government lens, and have modest or substantial potential for results. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

**Table 1. Promising commitments**

Promising Commitments
<b>1. Localizing the freedom of information program:</b> This commitment continues efforts to pass a national legislation and local ordinances on freedom of information and onboard government institutions onto the e-FOI portal.
<b>2A. Expanding and enhancing Justice Zones:</b> This commitment intends to pass national legislation or local ordinances to institutionalize support for Justice Zones or localities that commit to enhance police, prosecutors, courts, and prisons coordination on access to justice. It also plans to continue expanding the number of Justice Zones nationwide.
<b>3. Leveraging digital information to monitor and evaluate infrastructure projects:</b> This commitment plans to relaunch a portal that will open the public’s ability to monitor and evaluate big-ticket government infrastructure projects.

### **Commitment 1: Localizing the freedom of information program**

Presidential Communications Office’s Freedom of Information Program Management Office (PCO-FOI-PMO), Department of the Interior and Local Government (DILG), Youth Alliance for Freedom of Information (YAFOI), and Makati Business Club (MBC).

For a complete description, see Commitment 1 in [the Philippines’ 2023–2027 action plan](#).

### **Context and objectives**

This commitment is a continuation and recalibration of efforts to pass legislation on freedom of information (FOI) that have spanned all the Philippines’ OGP action plans.<sup>1</sup> Beyond the OGP process, attempts to pass the bill in parliament have stalled since 1987. The government’s first FOI directive was issued in 2016,<sup>2</sup> providing for public disclosure from the executive branch—albeit with major exceptions.<sup>3</sup> During the previous action plan, local government units began their first concerted effort to pass FOI ordinances. This commitment aims to rebuild and scale up the momentum of the implementation of the FOI program by intensifying its localization. While advocacy and lobbying for the passage of a comprehensive national FOI Law is still included, there is more emphasis on pushing for the passage of local FOI ordinances and a local FOI ordinance handbook, developing a monitoring framework for their implementation in different local government units, improving the centralized FOI portal, and embedding FOI practices in national and local government processes.

During co-creation, balancing opportunities to institutionalize FOI at the local level proved to be challenging, with pressure from civil society advocates to focus on the passage of a national FOI Law.<sup>4</sup> The PH-OGP Steering Committee opened consultations to the 14 basic sectors identified by the National Anti-Poverty Commission, allowing the commitment holder—the Presidential

Communications Office’s Freedom of Information Project Management Office (PCO-FOI-PMO)—to broaden engagement with CSOs.<sup>5</sup> Stakeholders recommendations were incorporated into the commitment, reflected in its efforts to make the e-FOI portal more accessible to persons with disabilities, include e-FOI performance analytics in the government dashboard (e.g., number of requests accepted, denied, and pending requests), use AI technology to redesign the portal and increase its efficiencies, and most importantly, adopt a two-pronged approach that consolidates advocacy efforts toward the localization of the FOI program while stakeholders continue lobbying the passage of the FOI Law.<sup>6</sup> The commitment holders did not consult many local government units, which would be beneficial for future co-creation processes.

**Potential for results: Modest**

Overall, the commitment focuses on a fundamental need to strengthen the Philippines’ FOI regime. It could make progress on local ordinances, as well as the implementation framework, attitude of government institutions, and public awareness. However, its modest targets do not reflect the longer four-year implementation time frame and could go further to address existing policy gaps in public access to information.

The commitment includes several milestones on the e-FOI portal, although these may not be sufficient to address key gaps in FOI policy and enforcement. It aims to onboard 932 government institutions to the e-FOI portal and conduct 200 orientation trainings and 100 consultation meetings on FOI policies (Milestone 1). These activities would contribute to other targets, such as enriching the e-FOI portal capability with AI technologies (Milestone 2), improving the client satisfaction survey mechanism (Milestone 3), and facilitating the exchange of knowledge and best practices (Milestone 9). These milestones could improve user experience and processing time but do not fully take advantage of the four-year implementation period as the e-FOI portal had already onboarded 590 institutions, and the targets of reducing FOI request processing time (from 7 to 4 days) and increasing success rate (from 58% to 61%) represent marginal ambition. The commitment holder described the planned improvement to the client satisfaction survey as simply adding an open-ended prompt to collect qualitative feedback from end users.<sup>7</sup>

The commitment also includes a milestone to pass the FOI Law (Milestone 4). If successful, this legislation could offer more structural solutions. In the absence of this legislation, administrations have made increasing attempts to block public scrutiny of documents such as officials’ Statements of Assets, Liabilities, and Net Worth, anomalous government transactions, and contentious state programs and projects.<sup>8</sup> For the executive, exceptions to the FOI directive were updated in 2021<sup>9</sup> and 2023<sup>10</sup> to exclude certain categories of information, as well as any “other exceptions to the right to information under laws, jurisprudence, and rules and regulations”—which has been described by the Center for Media Freedom and Responsibility as a “catch-all’ of all other limitations” that “reduced the state of access to square one.”<sup>11</sup> In recent years, FOI requests have frequently been denied for administrative reasons, and government agencies have begun to pivot away from proactive disclosure to releasing information only in response to FOI requests.<sup>12</sup> Legislation could potentially address these problems, but the commitment does not specify a new strategy for how the political administration would achieve passage in parliament against the backdrop of a 30-year legislative limbo.

Instead, the commitment seems to be designed for stakeholders to adopt alternative pathways toward FOI reforms. Three milestones pursue a bottom-up approach in which key political actors (Milestone 7) and CSOs (Milestone 10) are expected to champion FOI reform while it is embedded across all government processes (Milestone 8). The commitment also continues efforts to facilitate the issuance of FOI ordinances at the local level (Milestones 5 and 6). This approach



builds on the success of the previous action plan, which recognized the need to institutionalize FOI at the subnational level in the absence of a comprehensive FOI Law—with 74 local ordinances passed by 2023.<sup>13</sup> The aim of establishing a framework to monitor and evaluate the implementation of local ordinances follows a key IRM recommendation from the previous cycle.<sup>14</sup> However, the target of 260 new ordinances across four years represents a marginal increase in a country with 120 primary local government units, 110 component cities, 1,486 municipalities, and 42,027 bureaus of local government units. Moreover, the commitment does not specify the targeted administration levels (i.e., barangay, municipal, or provincial).

Civil society stakeholders have also expressed mixed feelings toward this strategic shift, although the approach emerged from a diverse consultation process. The Youth Alliance for Freedom of Information noted that the commitment had already been finalized by the government prior to consultations, therefore limiting their ability to influence the focus and ambition level. While they remain committed to advocating for FOI rights, the alliance expressed plans to implement their own FOI activities as complementary—rather than integral—to this commitment.<sup>15</sup> On the other hand, other stakeholders viewed this commitment as a compromise in which the government provides civil society with the space and environment to create a proof of concept that FOI localization can produce ambitious outcomes that can be replicated at a greater scale.<sup>16</sup> In the absence of a national FOI Law, the localization program can afford local administrations with the policies, tools, and capacities required to establish freedom of information regardless of what happens in the national political context.<sup>17</sup>

### **Opportunities, challenges, and recommendations during implementation**

This commitment's contributions to FOI in the Philippines will rely on allowing local and national efforts to complement each other without deprioritizing the national FOI Law. With building momentum for local FOI ordinances, they can be tailored to local needs, rather than reproducing exceptions currently in the executive FOI directive. Tracking the results of local ordinances can, in turn, build an evidence base that could motivate renewed national efforts. Overall, while an integrated e-FOI portal and local FOI ordinances could potentially address some short-term problems related to public access to information (or lack thereof), failure to address the overarching regulatory gaps could lead to the same inconsistent practice as the status quo.

Beyond deepening stakeholder consultation, the IRM recommends the following actions to enhance commitment implementation:

- **Revisit collaboration strategies and agenda prioritization with CSOs.** While the localization program presents an important safeguard in a context in which passage of an FOI Law has been unsuccessful for over 30 years, it is important to ensure that it remains a top priority for both government and civil society stakeholders. Disengagement or, worse, misaligned agendas could set the agenda back and risk losing the progress, however limited, that has been achieved in recent years.
- **Conduct an impact assessment of the existing FOI executive order and memorandum circulars.** It is important for all stakeholders championing the FOI reform to have reliable evidence that the extensive FOI exceptions create an environment where government institutions are incentivized to limit proactive disclosure and classify previously available information as confidential or privileged.
- **Raise the ambition level of commitment milestones to reflect the longer implementation time frame.** Implementers can target higher rates of onboarding of government institutions to the e-FOI portal and increase the passage of local ordinances, prioritizing those with the largest populations or budgets. It will also be essential to



ensure that these are coupled with ambitious improvements in the percentage of FOI requests that result in the timely provision of information.

### **Commitments 2A: Expanding and enhancing Justice Zones**

Justice Sector Coordinating Council (JSCC), Supreme Court, Department of the Interior and Local Government (DILG), Department of Justice (DOJ), Integrated Bar of the Philippines (IBP), and Public Attorney’s Office (PAO).

For a complete description, see Commitments 2A in [the Philippines’ 2023–2027 action plan](#).

### **Context and objectives**

The World Justice Project assigned the Philippines an overall score of 0.46 in its 2023 Rule of Law Index.<sup>18</sup> This score is well below the global average of 0.55 and marks the lowest the country has received in the past eight years. The delivery of criminal justice (score: 0.31), effectiveness of the correctional system in reducing criminal behavior (score: 0.19), impartiality of the criminal system (score: 0.25), and effective guarantees to the right to life and security (score: 0.18) are among the key factors that contribute to the assessment results.<sup>19</sup> Aware of the fragmented approach to delivering justice among relevant law enforcement actors, the government began implementing the Governance in Justice (GOJUST) program with financial support from the European Union, technical support from the British Council, and project management support from the United Nations Office for Project Services.<sup>20</sup>

Continuing this program, this commitment seeks to enhance the administration of justice by establishing an intra-agency coordination mechanism between the judiciary (Supreme Court), prosecution (Department of Justice), and local governments (Department of the Interior and Local Government) while expanding and enhancing Justice Zones across the country.<sup>21</sup> Justice Zones are areas where local justice sector actors (police, prosecutors, public attorneys, judges, and prison staff) collaborate and coordinate to identify common problems. The commitment was initiated through official communications with the Office of the Chief Justice, as the Supreme Court found PH-OGP’s objectives consistent with the Strategic Plans for Judicial Innovations (SPIJ) launched in 2022. The co-creation process helped broaden the Supreme Court’s civil society network and expose them to new perspectives, such as on the economic implications of the dispensation of justice.<sup>22</sup>

### **Potential for results: Modest**

This commitment addresses fragmentation across police, prosecutors, courts, and prisons in the Philippines, offering a step toward improving access to justice. However, it carries modest potential for open government results because many milestones continue existing practices and may entail redundancies with the GOJUST program.<sup>23</sup>

To ensure long-term sustainability of the Justice Zones, stakeholders plan for efforts to institutionalize the Justice Sector Coordination Council (JSCC) by submitting a bill to the congress or, in its absence, developing local government ordinances (Milestone 3)—although the commitment does not fully clarify the intended scope of the bill or ordinances. At present, the basis for JSCC is a memorandum of agreement between the Supreme Court, the Department of the Interior and Local Government (DILG), and the Department of Justice (DOJ). To date, the initiative has relied on funding from international development partners as well as a convergence fund provided to the Supreme Court.<sup>24</sup> The absence of a legal framework would continue to affect the JSCC negatively, with lack of a permanent secretariat, uneven responsibilities across

the three agencies, and different local implementation levels for Justice Zones. In the interim, strong implementation of Justice Zones by local government units is mostly incentivized by the political motives of increasing public trust and visibility of local administration projects.

To enhance its transparency, the JSCC intends to establish a Justice Zone Transparency Board in all 12 existing Justice Zones (Milestone 5). However, the pilot project in Naga City indicates a plan to simply provide statistics (e.g., jail population, caseload, investigation updates, important announcements) for each court within the zone on a digital platform.<sup>25</sup> While this represents a new practice, it will not enable non-government actors to “assess the performance of each court and its staff” as set out in the action plan.<sup>26</sup>

The JSCC also plans to establish 16 new Justice Zones (Milestone 1) and establish a monitoring and evaluation metric for the 12 existing zones (Milestone 2). On 25 March 2024, the JSCC formally launched Dagupan as the 13th Justice Zone, meeting its target of one new zone per quarter.<sup>27</sup> No new Justice Zone was launched by the end of the second quarter in June 2024. Meanwhile, the Supreme Court noted that while there are plans to publish the evaluation results of the existing zones, the judiciary will carry out the process internally.<sup>28</sup> Relatedly, the JSCC’s plans to implement projects aimed at reducing prison overcrowding and replicating Balanga City’s psychosocial rehabilitation program (Bataan Cares) for individuals suffering from drug dependence in other Justice Zones (both under Milestone 4) are important efforts but are not relevant to OGP values.

Based on initial reports, institutionalizing Justice Zones could improve access to justice. Anecdotaly, when a Cebu detention facility faced a water crisis, rather than leaving it to the Bureau of Jail and Management Penology alone, an executive judge assembled a sectoral team and convinced the water board to deliver the necessary water.<sup>29</sup> The findings of a 2021 survey and 2022 qualitative study commissioned by the GOJUST Programme showed early indications that people in Justice Zones had more positive dispute resolution experiences, with more markedly improved experiences of justice for marginalized communities, as compared to the rest of the Philippines—although further research is needed.<sup>30</sup> Institutionalizing Justice Zones through a congressional bill or local ordinances could offer sustainability to promising access to justice practices, beyond the current funding period.

### **Opportunities, challenges, and recommendations during implementation**

This commitment’s results will rely on the passage of a robust congressional bill or local ordinances to institutionalize Justice Zones beyond their current funding period. Considering that the commitment builds on an existing initiative, it is important for the commitment holders to distinguish how the OGP process adds value to improving the administration of and access to justice. In particular, the OGP platform can provide the opportunity to incorporate public participation in determining the next steps for Justice Zones in the Philippines. For the implementation period, the IRM recommends:

- **Create spaces for non-government stakeholders in the JSCC and the local governing bodies of Justice Zones**, including legal aid organizations and CSOs that represent marginalized groups. The commitment text outlines a stakeholder consultation procedure before establishing new Justice Zones but does not specify if there is room for non-government actors to participate. For examples of approaches to public participation in open justice initiatives, implementers may reference the experiences of OGP counterparts in Austin<sup>31</sup> and Buenos Aires.<sup>32</sup>

- **Incorporate public participation in developing the monitoring and evaluation metrics of the Justice Zones.** Public engagement in this process would be crucial to ensure that the program responds to the most pressing needs of the local community it serves.
- **Establish a multi-stakeholder working group comprising the Supreme Court, the DILG, the DOJ, and civil society stakeholders to draft the JSCC Bill.** The commitment holders could capitalize on the momentum provided by the program’s inclusion in the Philippine Development Plan as well as strong support from international development partners in securing congressional support for the adoption of the bill.

### **Commitment 3: Leveraging digital information to monitor and evaluate infrastructure projects**

Department of Budget and Management (DBM), Caucus of Development NGO Networks (CODE-NGO), and Gov Data Initiative (GDI).

For a complete description, see Commitment 3 in [the Philippines’ 2023–2027 action plan](#).

#### **Context and objectives**

Through this commitment, the Digital Information for Monitoring and Evaluation (DIME) project of the Department of Budget and Management (DBM) aims to launch a digital portal to monitor and evaluate big-ticket government infrastructure projects. It would combine budget utilization data, geotagging, satellite imaging, and machine learning to give a more holistic real-time picture of project status. The portal is expected to augment government agencies’ monitoring capabilities and include a public feedback mechanism to facilitate citizen monitoring and oversight of project implementation.<sup>33</sup> Some independent estimates suggest that between 15% and 35% of infrastructure budgets are spent on bribing government officials.<sup>34</sup> Meanwhile, there are no dedicated channels where citizens have access to comprehensive, integrated information on infrastructure projects.

This commitment continues a similar effort in the previous action plan, whose implementation was derailed following the termination of a memorandum of agreement between the DBM and the Department of Science and Technology’s Advanced Science and Technology Institute (DOST-ASTI) in 2021. The DBM’s DIME project team expressed satisfaction with the commitment design process but thought it could have benefited from a longer time frame for consultation with a broader network of civil society partners.<sup>35</sup> The commitment’s design reflects civil society suggestions to include web content accessibility measures in the design of the DIME portal.

#### **Potential for results: Substantial**

This commitment would mark the first time that big-ticket government projects are made available for citizen feedback. While a set of fundamental challenges are expected, the IRM assesses the commitment’s potential for open government results as substantial. The anticipated passage of a Budget Modernization Bill would establish a stronger policy basis for its implementation than the current Executive Orders on PH-OGP and automated systems.<sup>36</sup> This could also contribute to enhanced sustainability beyond the OGP process. This commitment addresses the major gaps identified by the IRM with the implementation of the previous action plan’s commitment, mainly in shifting from an internal to participatory monitoring mechanisms.<sup>37</sup>

Milestone 1 was already completed simultaneously with the action plan co-creation process, in which the DBM identified the Caucus of Development NGO Networks (CODE-NGO) and Gov Data Initiative (GDI) as the civil society partners that will co-lead revival of the DIME system and coordinate procurement of a third-party service provider to develop the DIME portal. The project

team noted early into the implementation period that reliance on a third-party service provider could represent a risk to the project<sup>38</sup> and intends to mitigate this risk by procuring this provider on a multiyear basis. In the longer term, process ownership and institutionalization are expected to remain as key challenges.<sup>39</sup>

Milestone 2 intends for development of a prototype DIME portal by mid-2024, initial interoperability with the DBM's Unified Accounts Code Structure<sup>40</sup> and Unified Reporting Structure<sup>41</sup> systems, and availability of infrastructure project information in an open data format. To further test its readiness, in this phase, the DIME portal plans to roll out ten Infrastructure Flagship Projects (IFPs)<sup>42</sup> managed by the National Economic and Development Authority (NEDA) and provide capacity building trainings for government staff and civil society representatives on how to use the portal in monitoring projects. However, the team noted a need to create incentives for national government agencies to assign dedicated administrators for DIME (who would be in charge of providing validation and clarifications as a response to public feedback), as this may be perceived as burdensome.<sup>43</sup>

By the end of 2024, Milestone 3 envisions that the portal will provide information on ten further IFPs and be ready for a select agency to pilot interoperable mechanisms for publication of its big-ticket infrastructure projects. By providing capacity-building support for civil society and government alike, the project team hopes that some early results will help increase institutional support for the DIME project. Under Milestones 5–9, the system is expected to be ready by mid-2025 with all planned features while gradually adding more big infrastructure projects for public monitoring and feedback through the portal. In total, over the implementation period, the commitment aims to provide information on a total of 64 big-ticket infrastructure projects, with regular trainings continuously provided to ensure strong uptake and annual reports published to create opportunities for learning and wider dissemination. For reference, in April 2024, there were 185 IFPs undertaken by the Philippine government.<sup>44</sup> A CODE-NGO representative expects the commitment to improve public access to information on IFPs through the portal's interactive design, as well as citizens' ability to help monitor implementation progress by contributing live updates (such as photographs from project locations) and requesting feedback from the responsible agencies.<sup>45</sup>

By July 2024, over six months into the implementation period, the IRM verified that the DIME portal was already live for public access and exceeded its target by collaborating with six government agencies: NEDA, the Philippine Space Agency, the Department of Public Works and Highways, the Department of Transportation, the National Mapping and Resource Information Authority, and the Land Registration Agency.<sup>46</sup> It had also met the target of 20 infrastructure projects with values ranging from PHP 1.24–35.74 billion (approximately USD 21–611 million).<sup>47</sup> The system listed the projects' budget envelope, responsible agency, location, and funding source but had not yet published information on budget utilization, photos, updates, and feedback. Open government results will depend on how well implementers provide comprehensive, up-to-date, and technology-enabled information in an open data format for citizens' feedback.

### **Opportunities, challenges, and recommendations during implementation**

This commitment's results will hinge on the uptake of the portal by civil society, journalists, and monitoring bodies. Previous transparency portals have too often been introduced without strategies to transform disclosure into government accountability.<sup>48</sup> It is essential for commitment holders to focus on enabling practical use of the DIME portal data to support accountability in big-ticket infrastructure projects. The portal's rollout may face complex technical and institutional

challenges, especially in enabling interoperability with other government applications and databases without causing any disruption to ongoing services and functions.<sup>49</sup> As such, it is important for the DBM Cybersecurity Operations Center to closely oversee and monitor implementation. Civil society participation in co-designing the content of trainings for government officials would be crucial to avoid the pitfalls faced by the previous action plan's commitment on the participatory audit of public procurement.<sup>50</sup> Additionally, the IRM recommends the commitment holders explore the following considerations during implementation:

- Given the underlying disparity of internet access among citizens,<sup>51</sup> it is important for the project team to **design the DIME portal with offline capability**. It could also include an HTML version for citizens with weak connections. This would allow citizens to use the system more effectively without incurring significant costs and reduce potential gaps for those without reliable and consistent live internet access.
- In addition to written feedback, consider **building a feature that allows citizens with proximity to project locations to provide user-generated data (such as photos and videos)** that could complement the available data on project implementation updates.
- On top of the regular capacity-building trainings provided for government agencies, the commitment holders could **co-create a standard operating procedure for project administrators to operationalize the system**. For example, the standard operating procedure could regulate a minimum time frame for project administrators to provide implementation updates (e.g., on a quarterly/biannually basis) and manual steps to update budget utilization in the absence of interoperability.
- Similarly, **clarity around the process through which citizen feedback is processed** would be important to be included on the portal by, for instance, **developing a frequently asked questions list or system disclaimer**. This includes, but is not limited to, information regarding minimum processing time for feedback that requires response/action, prioritization and escalation, procedure of redirecting specific feedback to the project administrators or other relevant parties, steps to request further information, specifying the responsibilities of the DIME project team and the listed project administrators, and establishing a reasoned response mechanism.

### Other commitments

Commitments that the IRM did not identify as promising commitments are discussed below.

**Commitment 2B** seeks to improve the existing Supreme Court Legal Aid Directory by regularly adding information and broadening outreach. It also plans for a mandatory legal aid referral system where a legal aid provider who is unable to render the necessary service becomes accountable for seeking providers. This could modestly address issues with access to legal aid. In 2019, the World Justice Project reported that only 20% of Philippine citizens facing a legal problem were able to access help, with only 15% of this group receiving advice from lawyers and 9% from legal aid providers.<sup>52</sup> However, most knew where to get advice and information (86%).<sup>53</sup> Meanwhile, only about one-quarter of households have internet access,<sup>54</sup> with far less digital access for marginalized communities.<sup>55</sup> This presents a serious challenge to the digital directory's effectiveness in addressing limited access to legal services. Along with Commitment 2A, this is one of the Philippines' first OGP commitments on access to justice. It addresses an important area for reform, highlighted by the Agenda for Good Governance developed by the PH-OGP non-government secretariat.<sup>56</sup> Therefore, the IRM recommends revisions to this commitment to raise its ambition. Commitment holders could consider targeted outreach to marginalized communities, beyond developing information packets and public campaigns. The outreach plan could benefit



from setting more specific and quantitative targets. Likewise, in developing the mandatory referral system, it would be crucial that the commitment holders set ambitious quantitative targets, such as an increased percentage of individuals seeking redress through the courts, lawyers, legal aid providers, and other professional help.

Under **Commitment 4A**, the Commission on Elections (Comelec) plans to increase the number of accredited CSOs to verify and certify the voters list before the next national election in 2028. However, this would not address the root causes for inaccuracies in the voters list, which are largely capacity constraints among election officers, local civil registrars, and courts of justice in conducting their administrative duties, as well as inconsistent encoding of demographic details in the voter registration system.<sup>57</sup> A former election commissioner acknowledged this mismatch but noted that the general procedure on voting and registration is outdated.<sup>58</sup> They added that before this commitment, civil society was already an active participant in monitoring elections but noted the need for a cultural shift among national and local Comelec officers to understand the value of engagement with civil society.<sup>59</sup> To address this, it would be crucial for Comelec to not only provide accreditation for civil society in verifying and certifying the voters list, but also train its election officers and provide clear guidelines on how to optimize engagement. The IRM recommends introducing policy and procedural safeguards to ensure that unaccredited CSOs are not restricted from monitoring the integrity and accuracy of the voters list ahead of future elections.

Through **Commitment 4B**, Comelec intends to continue overseas voter registration events. Similar to Commitment 4A, the former election commissioner noted that this does not address the factors that led to fewer registered overseas voters in the 2022 elections.<sup>60</sup> The number of registered overseas voters steadily rose from 359 thousand in 2004 to over 1.8 million in 2019, but dropped to 1.69 million in 2022.<sup>61</sup> According to several reports, this lower figure was due to budgetary and logistical constraints, disinformation, inflexible scheduling, and a lack of alternatives to in-person voting amid the COVID-19 pandemic.<sup>62</sup> This is reflected in the decision to roll out online voting for overseas voters for the upcoming 2025 midterm elections,<sup>63</sup> which has already prompted Comelec to increase its target to 3 million registered overseas voters—significantly higher than the commitment’s target of 2 million.<sup>64</sup>

**Commitment 5** seeks to establish a Procurement Diagnostics Hub that would contain comprehensive procurement data analytics and diagnostics. While it promises to regularly publish procurement analytics, it remains limited in scope and lacks concrete steps to facilitate citizens to use the hub to monitor public procurement. This commitment builds on a pilot project implemented by the Government Procurement Policy Board Technical Support Office (GPPB-TSO) with technical assistance from the United Nations Development Programme (UNDP) and the UK Foreign, Commonwealth, and Development Office in 2018–2019. The pilot project generated analytics related to procurement timeliness, bid statistics, supplier participation, and major procurement risks in 2019,<sup>65</sup> but no comprehensive analytics had been published since then.<sup>66</sup> The implementation of this commitment’s first two milestones to finalize the Procurement Diagnostics Hub framework preceded the publication of the action plan in December 2023. During implementation, the IRM recommends piloting a participatory review of the procurement process (from planning to implementation and reporting) that establishes a clear mechanism for how public inputs will be collected and a mandate for government agencies to provide reasoned responses on how those inputs are considered.

Led by the DILG through its local governance program project management office, **Commitment 6** builds on the previous action plan<sup>67</sup> to adopt participatory governance metrics<sup>68</sup> as a framework

for assessing the quality of civil society participation in local governance, as well as to expand implementation of third-party monitoring, broadening the space for civil society oversight.<sup>69</sup> Continued capacity development is meant to facilitate civil society membership in local development councils and strengthen competencies for engagement in decision-making. The commitment is supported by guidelines on participatory governance metrics and consistent budget allocation. However, some milestones do not include numeric targets, while others do not clearly showcase added value beyond existing practices. There is a need for more ambitious steps to address obstacles to civil society participation. After Civicus downgraded the Philippines' civic space to "repressed" in 2020,<sup>70</sup> independent reports have also indicated that the Anti-Terrorism Act is being used to crack down on local indigenous rights groups.<sup>71</sup> Participatory governance mechanisms remain limited and uneven—marked by an ongoing concern for co-optation of these spaces by family members or allies of local officials.<sup>72</sup> During implementation, it would be important for the commitment holders to first establish baseline information related to the milestones as evidence to showcase improvement from the status quo.

Under **Commitment 7**, the Department of Finance aims to entrench extractives transparency at the subnational level by improving the capacity of subnational bodies to report extractives data (Milestone 1), strengthening stakeholder support (Milestone 2), reinforcing the impact of Extractive Industry Transparency Initiative (EITI) process on extractive sector governance (Milestone 3), and establishing monitoring and reporting mechanisms and system (Milestones 4 and 5). Overall, these milestones focus on addressing capacity constraints and lack of clear monitoring and reporting mechanisms. The commitment is intended as a mechanism to preserve the Philippines government's EITI work.<sup>73</sup> This would be a continuation of ongoing activities. The latest PH-EITI country report underscores that "various national and subnational activities to engage and capacitate stakeholders to participate in resource governance" have previously been conducted to address these gaps.<sup>74</sup> To directly address the underlying challenges that restrict civil society engagement, the commitment holders could add milestones that specifically correspond with the six "corrective action steps" identified by the PH-EITI country report.<sup>75</sup>

**Commitment 8** seeks to strengthen the implementation of the Sustainable Development Goals (SDGs) through the Stakeholders' Chamber. Its first two milestones to establish technical working groups and identify key areas for cooperation had already been completed in April 2022—long before the action plan implementation period—with 42 member organizations publicly pledging to collaborate on the SDGs.<sup>76</sup> By early 2024, this figure had already increased to 65 member organizations, according to the National Economic and Development Authority (NEDA),<sup>77</sup> which indicates that expansion of membership (Milestones 4 and 5) is also underway. It is unclear how the remaining milestones would enhance or create new participatory mechanisms that go beyond established practices within the SDGs framework (e.g., development of policy recommendations by the stakeholders' chamber and participatory voluntary national review of implementation) and mainly focused on improving internal tools (e.g., development of a web app and an environmental, social, and governance indicator). To increase potential for results, stakeholders could add specific steps to the commitment that establish new or improved practices from the status quo on SDGs implementation.

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<sup>1</sup> See Commitment 1 in: *Philippine First National Action Plan 2012*, Philippine Open Government Partnership, 13 April 2012, <https://www.opengovpartnership.org/documents/philippines-first-national-action-plan-2012-13>, 4; Commitment 2 in: *Philippine Second National Action Plan 2013–2015*, Philippine Open Government Partnership, October 2014, <https://www.opengovpartnership.org/documents/philippines-action-plan-2014>, 5; Commitment 1 in: *Third National Action Plan 2015–2017*, Philippine Open Government Partnership, 24 November 2015, <https://www.opengovpartnership.org/wp-content/uploads/2019/06/PHILIPPINE-OPEN-GOVERNMENT-PARTNERSHIP->



[NATIONAL-ACTION-PLAN-2015-2017.pdf](#), 13; Commitment 5 in: *Fourth National Action Plan 2017–2019*, Philippine Open Government Partnership, 30 June 2017, [https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines\\_Action-Plan\\_2017-2019\\_updated.pdf](https://www.opengovpartnership.org/wp-content/uploads/2018/06/Philippines_Action-Plan_2017-2019_updated.pdf), 35–36; Commitment 6 in: *5th National Action Plan (Revised) 2019–2022*, Philippine Open Government Partnership, 16 December 2019, <https://www.opengovpartnership.org/documents/philippines-action-plan-2019-2022>.

<sup>2</sup> Exec. Order No. 2, s. 20167, by the President of the Philippines, July 23, 2016, <https://www.officialgazette.gov.ph/2016/07/23/executive-order-no-02-s-2016>.

<sup>3</sup> “Philippines,” Freedom House, accessed February 8, 2023, <https://freedomhouse.org/country/philippines/freedom-world/2022>.

<sup>4</sup> Evangeline Q. de Leon, Krizia Casey P. Avejar, Eden Darlene A. Mendoza, and Hennesy D. Ozawa (Presidential Communications Office’s Freedom of Information Project Management Office), interview by IRM researcher, 22 March 2024.

<sup>5</sup> De Leon, Avejar, Mendoza, and Ozawa, interview.

<sup>6</sup> De Leon, Avejar, Mendoza, and Ozawa, interview.

<sup>7</sup> De Leon, Avejar, Mendoza, and Ozawa, interview.

<sup>8</sup> Vino Lucero (Youth Alliance for Freedom of Information), interview by IRM researcher, 29 July 2022.

<sup>9</sup> “Memorandum Circular No. 89, s. 2021 on Updating the Inventory of Exceptions to the Right of Access of Information under Executive Order (EO) No. 02, Series of 2016,” Malacañang Palace, 13 September 2021, <https://www.officialgazette.gov.ph/2021/09/13/memorandum-circular-no-89-s-2021>.

<sup>10</sup> See “Memorandum Circular No. 15, s. 2023 on Updating the Inventory of Exceptions to the Right of Access of Information under Executive Order (EO) No. 02, Series of 2016,” Malacañang Palace, 17 March 2023, <https://www.officialgazette.gov.ph/2023/03/17/memorandum-circular-no-15-s-2023>.

<sup>11</sup> “Media Cool to Marcos Jr.’s FOI Policy,” Center for Media Freedom and Responsibility, 14 April 2023, <https://cmfr-phil.org/media-ethics-responsibility/journalism-review/media-cool-to-marcos-jr-s-foi-policy>.

<sup>12</sup> “Media cool to Marcos Jr.’s FOI policy,” Center for Media Freedom and Responsibility.

<sup>13</sup> Philippine Open Government Partnership, *Sixth OGP National Action Plan 2023–2027*, December 2023, [https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines\\_Action-Plan\\_2023-2027\\_December.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines_Action-Plan_2023-2027_December.pdf).

<sup>14</sup> Open Government Partnership, *IRM Results Report: The Philippines 2019–2022*, 2 May 2023, [https://www.opengovpartnership.org/wp-content/uploads/2023/05/Philippines\\_Results-Report\\_2019-2022.pdf](https://www.opengovpartnership.org/wp-content/uploads/2023/05/Philippines_Results-Report_2019-2022.pdf), 10–12.

<sup>15</sup> Lucero, interview.

<sup>16</sup> Anonymous civil society stakeholder, interview by IRM researcher, 12 March 2024.

<sup>17</sup> Anonymous, interview.

<sup>18</sup> “Rule of Law Index 2023: Philippines,” World Justice Project, accessed 4 July 2024, <https://worldjusticeproject.org/rule-of-law-index/country/2023/Philippines>.

<sup>19</sup> “Rule of Law Index 2023: Philippines,” World Justice Project.

<sup>20</sup> “About GOJUST,” Governance in Justice, accessed 7 July 2024, <https://www.gojust.org/about-gojust>.

<sup>21</sup> The 12 justice zones already established before the action plan implementation period are: Quezon City (in 2014), Cebu City (in 2018), Davao City, Angeles City, Bacolod City, Naga City (all in 2019), Calamba City (in 2021), Balanga City and Baguio City (in 2022), Zamboanga City, Tagaytay City, and Puerto Princesa City (in 2023). See: “The European Union Supports the Launch in Palawan of the First ‘Green Justice Zone’,” Delegation of the European Union to the Philippines, 20 November 2023, [https://www.eeas.europa.eu/delegations/philippines/european-union-supports-launch-palawan-first-green-justice-zone\\_en?s=176](https://www.eeas.europa.eu/delegations/philippines/european-union-supports-launch-palawan-first-green-justice-zone_en?s=176).

<sup>22</sup> Singh, interview.

<sup>23</sup> “About GOJUST,” Governance in Justice.

<sup>24</sup> See “Chapter 6: Pursuing Swift and Fair Administration of Justice” in: *Philippine Development Plan 2017–2022*, National Economic and Development Authority, January 2017, <https://pdp.neda.gov.ph/wp-content/uploads/2017/01/06-04-07-2017.pdf>; “Chapter 13: Ensure Peace and Security and Enhance Administration of Justice” in: *Philippine Development Plan 2023–2028*, National Economic and Development Authority, July 2023, <https://pdp.neda.gov.ph/wp-content/uploads/2023/07/Chapter-13.pdf>.

<sup>25</sup> Naga City Justice Zone, “Digital Transparency and Accountability Board Training Orientation,” Facebook, 11 April 2024, [https://www.facebook.com/profile/100087730837629/search?q=Transparency+Board&\\_rdc=1&\\_rdi](https://www.facebook.com/profile/100087730837629/search?q=Transparency+Board&_rdc=1&_rdi).

<sup>26</sup> Philippine Open Government Partnership, *Sixth OGP National Action Plan 2023–2027*, December 2023, 42.

<sup>27</sup> “JSCC Launches Dagupan City as 13th Justice Zone,” Supreme Court of the Philippines, 27 March 2024, <https://sc.judiciary.gov.ph/jscclaunches-dagupan-city-as-13th-justice-zone>.

<sup>28</sup> Maria Filomena Singh (Supreme Court Associate Justice), interview by IRM researcher, 19 April 2024.

<sup>29</sup> Lian Buan, “In Fractured Justice System, a Simple Solution: Let’s Talk,” *Rappler*, 11 December 2019, <https://www.rappler.com/features/newsbreak/in-depth/246999-solution-fractured-justice-system-philippines/index.html>.

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- <sup>32</sup> “Buenos Aires, Argentina Action Plan 2018–2020: Open data and participation in the Legislature,” Open Government Partnership, <https://www.opengovpartnership.org/members/buenos-aires-argentina/commitments/bue0009>.
- <sup>33</sup> “Digital Information for Monitoring and Evaluation,” Department of Budget and Management, accessed 18 July 2024, <https://www.dime.gov.ph>.
- <sup>34</sup> See: “Corruption Eats up 15–35% of Construction Firms’ Budget,” *Philippine Daily Inquirer*, 9 January 2020, <https://business.inquirer.net/286779/corruption-eats-up-15-35-%E2%80%8Dof-construction-firms-budget>; Frank E. Lobrigo, “Ending Corruption,” *Philippine Daily Inquirer*, 22 April 2017, <https://opinion.inquirer.net/103373/ending-corruption>.
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- <sup>36</sup> Aromin, Acordon, Luchvez, Palisoc, and Rosario, interview.
- <sup>37</sup> Open Government Partnership, *IRM Results Report: The Philippines 2019–2022*, 2 May 2023, [https://www.opengovpartnership.org/wp-content/uploads/2023/05/Philippines\\_Results-Report\\_2019-2022.pdf](https://www.opengovpartnership.org/wp-content/uploads/2023/05/Philippines_Results-Report_2019-2022.pdf), 22–23.
- <sup>38</sup> Aromin, Acordon, Luchvez, Palisoc, and Rosario, interview.
- <sup>39</sup> Aromin, Acordon, Luchvez, Palisoc, and Rosario, interview.
- <sup>40</sup> “Unified Accounts Code Structure,” Department of Budget and Management, accessed 18 July 2024, <https://uacs.gov.ph>.
- <sup>41</sup> “Unified Reporting System,” Department of Budget and Management, accessed 18 July 2024, <https://www.dbm.gov.ph/images/pdf/URS-Primer1.pdf>.
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- <sup>50</sup> See *IRM Results Report: The Philippines 2019–2022*, Open Government Partnership, 26.
- <sup>51</sup> “National ICT Household Survey 2019: Executive Summary,” Department of Information and Communications Technology, June 2020, <https://dict.gov.ph/ictstatistics/wp-content/uploads/2020/06/NICTHS-Executive-Summary.pdf>.
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- <sup>57</sup> Philippine Open Government Partnership, *Sixth OGP National Action Plan 2023–2027*, 76.
- <sup>58</sup> Luie Tito Guia (Former Election Commissioner), interview by IRM researcher, 6 February 2024.
- <sup>59</sup> Guia, interview.
- <sup>60</sup> Guia, interview.
- <sup>61</sup> Michelle Abad, “In Charts: Registered Overseas Voters for the 2022 Elections,” Rappler, 2 March 2022, <https://www.rappler.com/philippines/elections/charts-registered-overseas-voters-2022-polls>.
- <sup>62</sup> See Michelle Abad, “In High-Stakes Election, Registering to Vote Overseas Still Isn’t Easy,” Rappler, 23 October 2021, <https://www.rappler.com/philippines/elections/overseas-voter-registration-still-is-not-easy-2022-polls>; Cherry Salazar, “It Cost at Least P400 Each for Filipinos Overseas to Vote in 2022. Is It Time for Online Voting?” Philippine Center for Investigative Journalism, 18 September 2023, <https://pcij.org/2023/09/18/online-voting-proposal-for->

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<sup>63</sup> Dwight de Leon, “Philippines Transitions to Online Voting for Most Overseas Filipinos in 2025,” Rappler, 2 April 2024, <https://www.rappler.com/philippines/shift-online-voting-overseas-filipinos-2025-elections>.

<sup>64</sup> See Victoria Tulad, “Comelec Targets 3 Million Registered Overseas Filipinos for Midterm Polls,” ABS-CBN News, 25 March 2024, <https://news.abs-cbn.com/news/2024/3/25/comelec-targets-3-million-registered-overseas-filipinos-for-midterm-polls-1341>.

<sup>65</sup> “GPPB Procurement Dashboard 2019,” Government Procurement Policy Board, accessed 18 July 2024, <https://www.gppb.gov.ph/government-procurement-ph-dashboard>.

<sup>66</sup> The GPPB has published several data analytics since 2019 on “Common-Use Supplies and Equipment Report” (2018–2020), “Agency Procurement Compliance and Performance Indicator” (2021), and “Early Procurement Activities (EPA) of Government Line Agencies” (2023). However, they do not match the comprehensiveness of the 2019 data analytics. For details, see: “Procurement Dashboard,” Government Procurement Policy Board, accessed 18 July 2024, <https://www.gppb.gov.ph/procurement-dashboard>.

<sup>67</sup> See Commitment 1A in: *5th National Action Plan (Revised) 2019–2022*, Philippine Open Government Partnership, 24–32.

<sup>68</sup> Czarina Medina-Guce, “Participatory Governance Metrics for Local Special Bodies: Lessons from Pilot for Expanded Implementation,” Department of the Interior and Local Government, December 2022, [https://www.academia.edu/96073845/Participatory\\_Governance\\_Metrics\\_for\\_Local\\_Special\\_Bodies\\_Lessons\\_from\\_Pilot\\_for\\_Expanded\\_Implementation](https://www.academia.edu/96073845/Participatory_Governance_Metrics_for_Local_Special_Bodies_Lessons_from_Pilot_for_Expanded_Implementation).

<sup>69</sup> Richar Villacorte and Third Salang (Department of the Interior and Local Government), interview by IRM researcher, 5 April 2024.

<sup>70</sup> “Philippines Downgraded as Civic Freedoms Deteriorate,” Civicus, 8 December 2020, <https://findings2020.monitor.civicus.org/rating-changes.html#philippines>.

<sup>71</sup> Amnesty International, *Amnesty International Report 2023: Philippines*, accessed 22 July 2024, <https://www.amnesty.org/en/location/asia-and-the-pacific/south-east-asia-and-the-pacific/philippines/report-philippines>.

<sup>72</sup> Maria Ela Atienza and Jan Robert Go, “Assessing Local Governance and Autonomy in the Philippines: Three Decades of the 1991 Local Government Code,” in: “Policy Studies for Political and Administrative Reform Series 01–03,” University of the Philippines Center for Integrative and Development Studies, May 2023, 12–13.

<sup>73</sup> Medina-Guce, pre-publication comment.

<sup>74</sup> See “Chapter 1 – Contextual Information” in: *Recovery: Regaining Ground and the Need to Expand Civic Spaces – FY 2021 PH-EITI Country Report*, Philippine Extractive Industries Transparency Initiative, 27 December 2023, <https://eiti.org/sites/default/files/2024-02/Chapter%201%20-%20Contextual%20information.pdf>, 4.

<sup>75</sup> The six corrective actions are: (1) Creation of a permanent working group on stakeholder engagement, (2) Strengthening of multi-stakeholder participation spaces along the extractive industry value chain, (3) Strengthening of stakeholder engagement through the amendment of Executive Order No. 147, s. 2013, (4) Inclusion of government and industry in public expression of support for civic engagement in PH-EITI outreach activities, (5) Preparation for a multi-stakeholder group statement on an Anti-Red Tagging Bill once filed in parliament, and (6) Inclusion of a multi-stakeholder group report on the state of civic engagement in the annual country report. For details, see “Chapter 3 – Civil Society Engagement” in: *Recovery: Regaining Ground and the Need to Expand Civic Spaces – FY 2021 PH-EITI Country Report*, Philippine Extractive Industries Transparency Initiative, 27 December 2023, <https://eiti.org/sites/default/files/2024-02/Chapter%201%20-%20Contextual%20information.pdf>, 541–52.

<sup>76</sup> “PH-SDGs Secretariat, Stakeholders' Chamber Pledge Their Commitment to the SDGs,” National Economic and Development Authority, 20 February 2023, <https://sdg.neda.gov.ph/stakeholders-chamber-pledge-their-commitment-to-the-sdgs>.

<sup>77</sup> Marianne Reyes (National Economic and Development Authority), interview by IRM researcher, 18 March 2024.

## Section III: Methodology and IRM Indicators

This product is a concise, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, represent a high priority for country stakeholders, acknowledged as a priority in the national open government context, or a combination of these factors.

The IRM products provided during a national action plan cycle include:

- **Co-Creation Brief:** A concise brief that highlights lessons from previous IRM reports to support a country’s OGP process, action plan design, and overall learning.
- **Action Plan Review:** A technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process.
- **Midterm Review:** A review for four-year action plans after a refresh at the midpoint. The review assesses new or significantly amended commitments in the refreshed action plan, compliance with OGP rules, and an informal update on implementation progress.
- **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.

In the Action Plan Review, the IRM reviews commitments using three indicators:

**1. Verifiability:** The IRM determines whether a commitment is verifiable as written in the action plan. The indicator is assessed as:

- **Yes/No:** Are the stated objectives and proposed actions sufficiently clear and include objectively verifiable activities to assess implementation?
- Commitments that are not verifiable are considered not reviewable, and no further assessment is carried out.

**2. Open Government Lens:** The IRM determines if the commitment relates to the open government values of transparency, civic participation, and/or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance. Based on a close reading of the commitment text, the indicator is assessed as:

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

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 the government create or improve opportunities, processes, or mechanisms for the public to inform, influence or co-create policies, laws and/or decisions? Will the government create, enable, or improve participatory mechanisms for minorities, marginalized or underrepresented groups?

Will the government improve the enabling environment for civil society (which may include NGO laws, funding mechanisms, taxation, reporting requirements, et cetera)? Will the government improve legal, policy, institutional or practical conditions related to civic

space such as freedom of expression, association and peaceful assembly that would facilitate participation in the public sphere? Will the government take measures which counter mis- and disinformation, especially online, to ensure people have access to reliable and factual information (which may include digital and media literacy campaigns, fact-checking or fostering an independent news media ecosystem)?

- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

**3. Potential for Results:** The IRM analyzes the expected results and potential that would be verified in the IRM Results Report after implementation. Potential for results is an early indication of the commitment’s possibility 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 indicator is assessed 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 change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.
- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

This review focuses its analysis on promising commitments. Promising commitments are verifiable, have an open government lens, and at least a modest potential for results. Promising commitments may also be a priority for national stakeholders or for the particular context. The IRM may cluster commitments with a common policy objective or that contribute to the same reform or policy issue. The potential for results of clustered commitments is reviewed as a whole.

This review was prepared by the IRM in collaboration with Grace Santos and Ravio Patra as researchers, assisted by Judy Ann Lubiano, and Thomas Kalinowski as external expert reviewer. During the internal review process of this product, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM’s International Experts Panel (IEP).<sup>1</sup> The IRM methodology, product quality, and review process are overseen by the IEP.<sup>2</sup>

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<sup>1</sup> “International Experts Panel,” Open Government Partnership, accessed 15 July 2024, <https://www.opengovpartnership.org/about/who-we-are/international-experts-panel>.

<sup>2</sup> For more information, see: “Overview – Independent Reporting Mechanism,” Open Government Partnership, accessed 15 July 2024, <https://www.opengovpartnership.org/irm-guidance-overview>.

## Annex 1: Commitment by Commitment Data<sup>1</sup>

<b>Commitment 1: Localizing freedom of information</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Modest</li></ul>
<b>Commitment 2A: Expanding and enhancing Justice Zones</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Modest</li></ul>
<b>Commitment 2B: Improving access to quality and affordable legal services</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Modest</li></ul>
<b>Commitment 3: Leveraging digital information to monitor and evaluate public projects</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Substantial</li></ul>
<b>Commitment 4A: Public participation in voters list verification and certification</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Unclear</li></ul>
<b>Commitment 4B: Intensifying registration of overseas voters</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Unclear</li></ul>
<b>Commitment 5: Establishing the Procurement Diagnostics Hub</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Modest</li></ul>
<b>Commitment 6: Driving responsive and innovative participation in local governance</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li><li>• Does it have an open government lens? Yes</li><li>• Potential for results: Modest</li></ul>
<b>Commitment 7: Localizing extractives transparency</b>
<ul style="list-style-type: none"><li>• Verifiable: Yes</li></ul>



<ul style="list-style-type: none"> <li>• Does it have an open government lens? Yes</li> <li>• Potential for results: Modest</li> </ul>
<b>Commitment 8: Strengthening participation in the SDGs implementation</b>
<ul style="list-style-type: none"> <li>• Verifiable: Yes</li> <li>• Does it have an open government lens? Yes</li> <li>• Potential for results: Unclear</li> </ul>

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<sup>1</sup> **Editorial note:** Commitment short titles may have been edited for brevity. For the complete text of commitments, see: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, December 2023, [https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines\\_Action-Plan\\_2023-2027\\_December.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines_Action-Plan_2023-2027_December.pdf).



## Annex 2: Action Plan Co-Creation

OGP member countries are encouraged to aim for the full ambition of the OGP Participation and Co-Creation Standards that came into force on 1 January 2022.<sup>1</sup> The IRM assesses all countries that submitted action plans from 2022 onward under the updated standards. Table 2 outlines the extent to which the countries’ participation and co-creation practices meet the minimum requirements that apply during development of the action plan.

OGP instituted a 24-month grace period to ensure a fair and transparent transition to the updated standards. Action plans co-created and submitted by 31 December 2023 fall within the grace period. The IRM will assess countries’ alignment with the standards and their minimum requirements.<sup>2</sup> However, countries will only be found to be acting contrary to process if they do not meet the minimum requirements for action plans co-created in 2024 and onward.

**Table 2. Compliance with minimum requirements**

Minimum requirement	Met during co-creation?	Met during implementation?
<b>1.1 Space for dialogue:</b> Executive Order No. 31 institutionalized the expansion of the PH-OGP multi-stakeholder forum (comprised of a steering committee and both government and non-government secretariats). <sup>3</sup> It broadened non-government representation to include CSOs representing marginalized groups and added thematic experts on issues such as environment, climate change, and justice to the non-government steering committee composition. The Department of Budget and Management (DBM) and the Caucus of Development NGO Networks (CODE-NGO) served as the government and non-government secretariats, respectively. Overall, the forum convened a total of five times throughout the co-creation period. <sup>4</sup>	Yes	<i>To be assessed in the Midterm Review</i>
<b>2.1 OGP website:</b> The DBM hosts an OGP portal at <a href="http://ogp.dbm.gov.ph">ogp.dbm.gov.ph</a> . It contains comprehensive information, such as on the multi-stakeholder forum steering committee and membership, points of contact, and all past and current action plans. Notably, the website is equipped with accessibility tools for users with vision impairment and a public sign-up form to receive regular updates via a mailing list.	Yes	<i>To be assessed in the Midterm Review</i>
<b>2.2 Repository:</b> The OGP portal includes an OGP repository. All published government self-assessment and IRM reports are publicly available. <sup>5</sup> The sections containing meeting minutes and co-creation documents had not been updated since December 2022, <sup>6</sup> although the IRM confirmed that the news section provided regular updates of information relevant to the co-creation process. <sup>7</sup>	Yes	<i>To be assessed in the Midterm Review</i>
<b>3.1 Advanced notice:</b> The PH-OGP steering committee approved the sixth action plan co-creation timeline in late 2022 <sup>8</sup> and shared it publicly with CSOs and national government agencies during the PH-OGP Forum on 8–9	Yes	<i>To be assessed in the Midterm Review</i>

February 2023 <sup>9</sup> in advance of the start of the co-creation process, with an online stakeholder survey in March 2023. <sup>10</sup>		
<b>3.2 Outreach:</b> In May 2023, the PH-OGP secretariat organized an Open Gov Week in Manila, which was attended by 300 participants from civil society, government agencies, and development partners. <sup>11</sup> In July 2023, UNDP helped organize two technical workshops to support commitment writing. <sup>12</sup>	Yes	Not applicable
<b>3.3 Feedback mechanism:</b> The secretariat invited online public comments on commitment proposals in February–June 2023. During this period, consultation meetings were organized in Quezon City, Tagbilaran City, Cagayan de Oro City, and Naga City, with over 305 participants. <sup>13</sup> In October 2023, UNICEF and Unang Hakbang Foundation helped organize an additional consultation meeting with youth stakeholders aged 12–17. <sup>14</sup> The secretariat conducted a workshop on 13–15 November 2023 to refine 14 shortlisted commitment proposals in partnership with UNDP. <sup>15</sup> During the workshop, stakeholders filled out forms to capture the feedback they had received on their proposals from both prior workshops and online comments and document their responses to the feedback. On 23 November 2023, the PH-OGP steering committee met to review the final design of commitment proposals for inclusion in the action plan. Another two-week online public comment period was opened between 28 November and 12 December 2023 before the action plan was finalized and submitted to the OGP Support Unit. <sup>16</sup>	Yes	Not applicable
<b>4.1 Reasoned response:</b> Upon finalizing the ten commitments included in the sixth action plan, the PH-OGP steering committee published all of the reasoned response forms prepared by commitment proponents during the co-creation process as Annex H in the action plan document. <sup>17</sup> The committee’s review of all shortlisted commitments is also included in Annex F of the action plan document. <sup>18</sup> These were shared before finalization of the action plan during the two-week public comment period.	Yes	<i>To be assessed in the Midterm Review</i>
<b>5.1 Open implementation:</b> The IRM will assess whether meetings were held with civil society stakeholders to present implementation results and enable civil society to provide comments in the Results Report.	Not applicable	<i>To be assessed in the Midterm Review</i>

<sup>1</sup> Open Government Partnership, *2021 OGP Participation and Co-Creation Standards*, 24 November 2021, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

<sup>2</sup> Open Government Partnership, *IRM Guidelines for the Assessment of Minimum Requirements*, 31 May 2022, <https://www.opengovpartnership.org/documents/irm-guidelines-for-the-assessment-of-minimum-requirements>.

<sup>3</sup> “Executive Order No. 31: Institutionalizing the Philippine Open Government Partnership and for Other Purposes,” Malacañang Palace, 20 June 2023, <https://www.officialgazette.gov.ph/2023/06/20/executive-order-no-31-s-2023>.

<sup>4</sup> See Annex D in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, December 2023, [https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines\\_Action-Plan\\_2023-2027\\_December.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/01/Philippines_Action-Plan_2023-2027_December.pdf), 186.

<sup>5</sup> “PH-OGP Reports,” Department of Budget and Management, accessed 2 July 2024, <https://ogp.dbm.gov.ph/index.php/resources/reports>.

<sup>6</sup> “PH-OGP Meeting Minutes and Documents,” Department of Budget and Management, accessed 2 July 2024,

<https://ogp.dbm.gov.ph/index.php/resources/meeting-minutes-and-documents>.

<sup>7</sup> “PH-OGP News,” Department of Budget and Management, accessed 2 July 2024,

<https://ogp.dbm.gov.ph/index.php/news>.

<sup>8</sup> “The Participation and Co-Creation Process of Crafting the PH-OGP 6th NAP,” Department of Budget and Management, December 2022, <https://ogp.dbm.gov.ph/index.php/news/the-participation-and-co-creation-process-of-crafting-the-ph-ogp-6th-nap>.

<sup>9</sup> “The 6<sup>th</sup> NAP Development Schedule,” PH-OGP Government Secretariat,

[https://drive.google.com/drive/folders/1YIRkyPrR2CHTBjIvGQBZhKbBcW0\\_1\\_PW](https://drive.google.com/drive/folders/1YIRkyPrR2CHTBjIvGQBZhKbBcW0_1_PW).

<sup>10</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 12–13.

<sup>11</sup> See Annex G in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 210–11.

<sup>12</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 15.

<sup>13</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 210.

<sup>14</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 15.

<sup>15</sup> See Chapter 2 in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 15–17.

<sup>16</sup> See Annex G in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 211.

<sup>17</sup> See Annex H in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 212–47.

<sup>18</sup> See Annex F in: *Sixth OGP National Action Plan 2023–2027*, Philippine Open Government Partnership, 195–207.