

Independent Reporting Mechanism

Action Plan Review:
Senegal 2023–2025

Open
Government
Partnership



Independent
Reporting
Mechanism

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Section I: Overview of the 2023–2025 Action Plan

Senegal’s second OGP action plan largely carries forward unfinished reforms from the first action plan. Commitments to pass an Access to Information Law, strengthen the anti-corruption legal regime, and join the Fisheries Transparency Initiative show particular promise. The election of a new administration in March 2024 based on an anti-corruption platform suggests momentum around previously stalled reforms.

Senegal’s second OGP action plan has eight commitments that aim to advance government transparency as well as improve access to public services and citizen participation. Commitment 8 on local open government is a new addition to Senegal’s OGP action plans. The other seven commitments are updated and continued from the previous plan, which saw limited implementation.¹

This report focuses on three commitments assessed to have the highest potential for positive results. All three align with priorities for the new government administration as of April 2024 and benefit from strong ministerial leadership. Commitment 1 seeks to pass the Access to Information Bill, Commitment 3 promises to strengthen the powers of the National Office for the Fight against Fraud and Corruption, and Commitment 4 aims for Senegal’s accession to the Fisheries Transparency Initiative.

The action plan was developed through a broader and more inclusive process than the first. Public consultations were held across all regions. Government and civil society co-chairs of the National Technical Committee noted increased interests to participate and remain involved through implementation.² Public consultations led to the inclusion of Commitment 8 on local open government.³

Senegal fell short of meeting the minimum requirements of OGP Participation and Co-Creation Standards during action plan development.⁴ Specifically, Senegal did not publish a timeline for the co-creation process in advance that included information on how to engage. The OGP process in Senegal is overseen by the Directorate for the Promotion of Good Governance (DPBG) of the Ministry of Justice. A recent change in the Minister of Justice and the Director of DPBG positions also means that future OGP process, including this action plan implemented, will be

AT A GLANCE

Participating since 2018
Number of commitments: 8

Overview of commitments:
Commitments with an open government lens: 6 (75%)
Commitments with substantial potential for results: 1 (12%)
Promising commitments: 3

Policy areas:
Carried over from previous action plans:

- Access to information
- Transparency and participation in public budgets
- Anti-corruption framework
- Transparency in the fisheries
- Public service delivery
- Civic participation in policymaking

Emerging in this action plan:

- Open local government

Compliance with OGP minimum requirements for co-creation: No

overseen by a new leadership. In a positive development, the Minister of Justice formalized Senegal’s National Technical Committee through a decree in June 2024.⁵

Commitment design improved from the first action plan, especially noting that each commitment milestone includes information of implementers and budget sources. However, Commitments 2, 7, and 8 fail to showcase strong potential for results due to unclear responsibilities among the implementing actors. Commitments 5 and 6 lack a clear connection to open government as currently written and are therefore not analyzed in detail. Reformers have the opportunity to identify implementers and strengthen the open government lens during implementation.

¹ “IRM Results Report: Senegal 2021-2023,” Open Government Partnership, July 2024,

https://www.opengovpartnership.org/wp-content/uploads/2024/07/Senegal_Results-Report_2021-2023_EN.pdf.

² Arona Sarr (Former Director for Promotion of Good Governance & Former OGP Point of Contact, Ministry of Justice), interview by and correspondence with IRM researcher, 24 April 2024.

³ Abdoulaye Ndiaye (Article 19 & OGP MSF Co-Chair), interview by and correspondence with IRM researcher, 29 April 2024.

⁴ “OGP Participation and Co-Creation Standards,” Open Government Partnership, 2021, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

⁵ “Déclaration – Sénégal: L’Arrêté créant le comité national du PGO (Partenariat pour un Gouvernement Ouvert), un pas décisif pour le suivi des objectifs du gouvernement ouvert,” [Declaration – Senegal: The Order creating the national committee of the OGP (Open Government Partnership), a decisive step for monitoring the objectives of open government], Article-19. <https://article19ao.org/declaration-senegal-larrete-creant-le-comite-national-du-pgo-partenariat-pour-un-gouvernement-ouvert-un-pas-decisif-pour-le-suivi-des-objectifs-du-gouvernement-ouvert>.

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
Commitment 1: Access to Information Bill promises to pass the draft Access to Information Law and improve public access to information in Senegal.
Commitment 3: Strengthen the National Office for the Fight against Fraud and Corruption aims to strengthen Senegal's legal and institutional anti-corruption framework by reinforcing the powers of the National Office against Fraud and Corruption (OFNAC).
Commitment 4: Joining the Fisheries Transparency Initiative promises to introduce transparency around Senegal's fisheries by joining the Fisheries Transparency Initiative (FITI).

Commitment 1: Access to Information Bill [Directorate for the Promotion of Good Governance (DPBG) of the Ministry of Justice]

For a complete description of the commitment, see Commitment 1 in https://www.opengovpartnership.org/wp-content/uploads/2024/01/Senegal_Action-Plan_2023-2025_December_EN.pdf.

Context and objectives

Senegal remains of the few West African countries without an access to information law. Current legislation allows for piecemeal access to government-held information, such as legislation relating to archives and administrative documents, contract awards and execution procedures, the General Code of Territorial Collectivities, and a law on freedom of the press.¹

Senegalese civil society have advocated for an access to information law since 2008.² Senegal's first OGP action plan sought to pass an Access to Information (ATI) Law, which is one of the eligibility criteria for OGP membership.³ However, the draft has remained pending for over five years now. It was collaboratively drafted by government and civil society based on the African Union's model ATI Law. However, civil society expressed concerns with the version of the draft law that underwent judicial review during the previous action plan period.⁴

Senegal has renewed its commitment to pass an Access to Information Law and establish an administrative authority to implement the law. Milestones aim to adopt and popularize the law as well as establish an independent authority to promote and ensure right to information. The Government of Senegal could consider submitting this commitment to the OGP Challenge, as it meets the criteria for a challenge submission.⁵

Potential for results: Modest

Senegalese citizens, media, and civil society currently face challenges in accessing information on government activities, policies, and decisions due to the absence of a dedicated ATI law.⁶ Journalists have highlighted an inability to access the government information necessary to fulfill their role to inform the population.⁷ A lack of public information also impacts the private sector. In 2021, 60.7% of women-owned businesses cited the difficulty of accessing information as the main obstacle to obtaining public contracts.⁸ As of 2021, the Ibrahim Index of African Governance scored Senegal at 44.8 out of 100 possible points for access to public records, 61.1 out of 100 for access to public information, and 73.2 out of 100 for quality and reliability of information requests.⁹ Civil society in Senegal has indicated that effective access to information can only be achieved through a specific law to protect administrative agents and journalists and give researchers and the public the ability to request information from administrations and any entity in charge of a public service.¹⁰

The arrival of a new administration following the March 2024 elections raised hopes among government and civil society stakeholders for the long-sought passage of an ATI Law¹¹ after almost a decade of an ATI Law advocacy with a draft law pending for over five years. Under the leadership of President Bassirou Diomaye Faye, who was elected on a platform to combat corruption and increase government transparency, the Ministry of Justice included the passage of the ATI Law as one of its ministerial priorities.¹²

The content of the latest draft ATI Law remains a concern among civil society.¹³ Civil society has not had access to the latest draft, which is awaiting adoption by the Council of Ministers.¹⁴ However, both government and civil society representatives expressed optimism that there will be opportunity to improve the draft and reach a consensus during the remainder of the process. A representative of Article 19 Senegal noted that the draft's continued progress is a priority and hoped that parliamentarians will improve the draft when it reaches the National Assembly.¹⁵

Civil society's concerns include ensuring the independence of the National Commission for Access to Information (CNAI) and limiting exceptions for information disclosure. According to a representative of Article 19 Senegal, CNAI should be an independent body responsible for promoting and protecting the right to information. CNAI can be made up of independent experts and be independent from the executive branch, instead reporting to the public. Additionally, a version of the draft included vague language on exceptions to information disclosure. The numerous exceptions provided run counter to the principle of maximum disclosure enshrined in the 2019 Declaration of Principles on Freedom of Expression and Access to Information in Africa,¹⁶ especially the African Commission on Human and People's Rights Model ATI Law.¹⁷

The IRM researcher was not able to consult the draft law to verify this information, assess the quality, and compare it with international best practice. This commitment is currently considered to have a modest potential for results given the history of stalled progress and a lack of consensus on the current draft. However, the commitment may achieve significant results if an ATI Law that protects the right to information and reflects international best practices is adopted. This could include a law based on the principal of maximum disclosure and an independent implementing entity with resources and authority to fully operationalize the law.

Opportunities, challenges, and recommendations during implementation

Passage of an ATI law is a shared priority of the Ministry of Justice and civil society. However, obstacles remain to reaching a consensus on the draft and navigating the remaining approval process. Therefore, keeping the passage of the ATI Law high on the government's agenda will

be key. Additionally, reformers can reopen consultations with civil society, particularly on defining exemptions and ensuring the independence of CNAI.

Various OGP members demonstrate a path to pass and implement ATI laws through their OGP processes.¹⁸ Kenya and Ghana have both adopted ATI laws and continue to strengthen implementation in current action plans. In addition, Kenya has undertaken records management, created a digital repository for government records and data, and mainstreamed ATI training for civil servants. Kenya’s ATI Working Group with dedicated civil society and government co-chairs have been a driving force for ATI progress.¹⁹ In 2021, Ghana passed an ATI law and established an independent authority. Reformers are now working to strengthen procedures, guidance, and capacity to ensure even implementation across ministries. Both Ghana and Kenya are working to pass regulations to support their ATI laws.²⁰

While not an OGP member, the Gambia’s 2021 Access to Information Act is ranked in the top five globally.²¹ The legal framework (including jurisprudence) recognizes a fundamental right of access to information and creates a specific presumption in favor of access to all information held by public authorities, subject only to limited exceptions. The legal framework contains a specific statement of principles calling for a broad interpretation of the ATI law. It emphasizes the benefits of the right to information as everyone (including non-citizens and legal entities) has the right to file requests for information.²² With these opportunities, challenges, and examples in mind, the IRM recommends that reformers consider:

- **Provide an opportunity for a re-reading of the bill by reopening debates with civil society** on the exceptions and composition of the CNAI, taking advantage of the changes in government and parliament.
- **Urge the government to keep the adoption of this law high on its agenda.**
- **Proactively disclose key information in accessible formats.** Consult with the public to identify priorities for publication of government-held information and reduce the burden of responding to requests.
- **Raise public awareness and train journalists and civil society organizations** on how to exercise the right to access information through requests. Use diverse dissemination channels (such as print, radio, and workshops) to reach rural and marginalized communities.

Commitment 3: Strengthen the National Office for the Fight against Fraud and Corruption [National Office for the Fight against Fraud and Corruption (OFNAC)]

For a complete description of the commitment, see Commitment 3 in https://www.opengovpartnership.org/wp-content/uploads/2024/01/Senegal_Action-Plan_2023-2025_December_EN.pdf.

Context and objectives

Corruption remains a key challenge in Senegal. A 2022 Afrobarometer survey showed that 73% of Senegalese noted a sense of rising corruption levels.²³ Transparency International’s 2023 Corruption Perception Index scored Senegal 43 out of 100 points, ranking 70 out of 180 countries. This score has remained constant from 2021 to 2023. The civil society organization Forum Civil attributes this score to “chronic institutional immobility in the fight against

corruption.”²⁴ Transparency International’s assessment of Senegal highlights the country’s anti-corruption institution having limited investigative powers, a lack of compliance with asset declaration requirements, as well as the lack of an anti-corruption law and legal provisions protecting whistleblowers as key challenges to addressing corruption in Senegal.²⁵

Senegal’s National Office for the Fight against Fraud and Corruption (OFNAC) plays a vital anti-corruption role with a mandate to investigate corruption cases and submit reports to the public prosecutor. However, OFNAC’s narrow investigatory powers has restricted its ability to complete, submit, and follow up on reports to judicial authorities. The number of investigative files sent from OFNAC to the public prosecutor has stagnated.²⁶ In 2023, OFNAC finalized 12 investigative reports, which were then examined by the OFNAC Assembly, and possibly forwarded to the competent judicial authority.²⁷

There has also been a low level of compliance with requirements for public officials to disclose their assets and no sanctions against those who do not comply.²⁸ A 2023 OFNAC report states that the Assets Declaration Department recorded only 814 declarations of assets on entry into service (58%) and 177 on leaving service (49%) in the period of 2014–2023.²⁹

Commitment 3 builds on progress started under the previous action plan to address these key anti-corruption challenges. The commitment aims to pass two bills adopted by the Council of Ministers on 22 November 2023 and sign their implementing decrees. The first bill strengthens OFNAC’s powers to produce investigative reports for judicial authorities. The second strengthens the asset declaration regime by expanding the scope of individuals subject to asset declarations and instituting penalties for non-compliance, among other measures. The commitment also seeks the adoption of an anti-corruption law, which includes protection for whistleblowers, victims, and witnesses of corruption. Finally, the commitment foresees public dissemination of a new anti-corruption strategy and other recent anti-corruption legislation.

Potential for results: Substantial

This commitment continues the effort initiated in the first action plan as the bills were not adopted by the end of the implementation period in August 2023. The Council of Ministers adopted laws No. 2024-06 and No. 2024-07 on 22 November 2023,³⁰ which were then passed by the Parliament of Senegal on 9 February 2024. These laws amended existing legislation on OFNAC’s mandate and requirements around public officials’ asset declarations.³¹ The next step is for the President of the Republic to issue the implementing decrees. President Faye’s administration ran on an anti-corruption campaign platform, with a stated aim to pass a whistleblower protection law.³²

According to the Minister of Finance and Budget, these laws promise to significantly improve the fight against corruption. In particular, they intend to “strengthen the possibilities of recovering public resources and putting them into the state budget, and improve the culture of integrity and the fight against the misappropriation of public funds.”³³ Laws No. 2024-06 and 2024-07 introduced significant changes to the existing laws governing OFNAC and asset declaration. With regard to asset declarations, key changes are the extension of the number of persons required to make declarations, publication of the list of persons in good standing and those in default, the obligation to update asset declarations, checks to ensure the conformity, accuracy, completeness and sincerity of declarations, as well as checks on changes in the assets of those concerned, and penalties for breaches of these provisions.³⁴

Law No 2024-06 amended the law governing OFNAC to strengthen its ability to conduct corruption investigations. The law expanded OFNAC’s investigative authority to include all

offences under the United Nations Convention Against Corruption (UNCAC), such as illicit enrichment. Previously investigative mandates were spread across various bodies leading to conflicts of jurisdiction and inefficiency. The law also increased the statute of limitations from 3 to 7 years from the commission of the offence, granting OFNAC longer investigation periods. Notably, the amendment grants OFNAC the ability to take individuals into police custody and to conduct penal mediation at the request of the accused. OFNAC directors' term of office was expanded from 3 to 5 years renewable to allow for less turnover and more institutional knowledge. Finally, OFNAC can submit opinions to judicial authorities.³⁵ Upon implementation, OFNAC's strengthened powers of investigation has the potential to result in a greater number of comprehensive reports for judicial authorities to act on.

Both government and civil society expressed positive views of the legal changes. The President of OFNAC stated that strengthening OFNAC's powers "is the result of a plea from development partners, civil society, and all those involved in the fight against corruption i.e., all those involved in integrity."³⁶ According to the Minister of Finance and Budget, the Law on the Declaration of Assets "is intended to fill the gaps identified after 8 years of application, while extending the scope of liability to a number of public officials occupying senior positions, whether or not they are managers of public funds."³⁷ A civil society representative noted that all their advocacy efforts have been considered in the final versions of the laws.³⁸

The importance of establishing legal protections for whistleblowers was underscored by a representative of the Directorate for the Promotion of Good Governance (DPBG) of the Ministry of Justice. They noted that the lack of a clear definition of whistleblowers had led to wrongful imprisonment before.³⁹ Resultantly, the passage of a Law on Whistleblower Protection, with the inclusive participation of civil society in the drafting process, could be a significant milestone. Promisingly, the President of Senegal pledged to take measures to protect whistleblowers in his statement to the nation on the eve of Senegal's Independence Day⁴⁰ and subsequently instructed the Minister of Justice to finalize the bill.⁴¹

Interviews conducted by the IRM indicated that civil society will be engaged in the development of additional anti-corruption laws and documents. An OFNAC representative clarified that the Anti-Corruption Law will take into account the protection of whistleblowers⁴² and accompanied by updating of the national anti-corruption strategy, which expires at the end of 2024. The Director of Good Governance stated that the strategy should be renewed through a participatory approach.⁴³ Provided relevant and comprehensive legislation and sanctions for non-compliance, the commitment could significantly enhance participation in anti-corruption efforts and improve public accountability.

Opportunities, challenges, and recommendations during implementation

This commitment represents an opportunity for civil society to collaborate with the government to improve the legal framework for the fight against corruption. There is particular opportunity for civil society to influence the legal framework to protect whistleblowers as its development is underway and there is widespread support for a Whistleblower Protection Law. The Platform for the Protection of Whistleblowers in Africa has provided recommendations to the President of the Republic to involve him in drafting of the law.⁴⁴ According to the director of the platform, there is an absolute need to define whistleblower status in francophone Africa "so that people can't make cookie-cutter denunciations..."⁴⁵ However, the Coordinator of the *Y'en a marre* movement⁴⁶ highlighted concerns about the framework and what will be put in this law because "activists and other people on the internet think they are whistleblowers."⁴⁷

To develop a robust whistleblower law, Senegal could draw inspiration from South Africa's 2000 Whistleblower Protection Act.⁴⁸ It protects salaried employees, including independent contractors, consultants, agents, and those providing services to a customer while employed by a temporary employment service (i.e., labor broker), in both the public and private sectors.⁴⁹ The law is comprehensive in that it explicitly mentions the types of retaliation that may occur, introduces the obligation to set up company-wide internal reporting procedures and requires employees to be informed of their existence, stipulates that employees are protected against professional retaliation, and employers must protect whistleblowers against any risks of liability.⁵⁰

The overall test for this commitment's potential impact will be the effective and efficient implementation of these anti-corruption laws. Efforts to do so could start with issuing implementing decrees. Bearing in mind these opportunities, challenges, and examples, the IRM suggests that implementers consider the following:

- **Draft implementing decrees for the laws** that strengthen the OFNAC and asset declaration in practice.
- **Offer experts, civil society, and citizens the opportunity to contribute from the outset** and throughout the drafting of the laws and decrees on whistleblower protection by publishing opportunities for public input well in advance and issuing targeted invitations to facilitate broad consultation.
- **Pursue communications and awareness raising activities** through print media, radio, and workshops across the country to garner public support for anti-corruption efforts.
- **Allocate funding to support the implementation** of the national anti-corruption strategy when it is next revised.

Commitment 4: Join the Fisheries Transparency Initiative [Ministry of Fisheries and Maritime Economy /Directorate of Maritime Fisheries]

For a complete description of the commitment, see commitment 4 in https://www.opengovpartnership.org/wp-content/uploads/2024/01/Senegal_Action-Plan_2023-2025_December_EN.pdf.

Context and objectives

Senegal is one of the leading maritime fishing countries in inter-tropical Africa. Fishing plays an important role in ensuring food security, creating income and jobs, and boosting competitiveness. In 2019, the commercial value of fisheries landings amounted to CFA 274 billion (1.5% of GDP).⁵¹ Currently, the fishing industry faces mounting challenges such as climate change, pollution, and overexploitation, with specialists highlighting transparency as a main problem in the industry.⁵² The national fishermen's union has expressed concern regarding the government's granting of fishing licenses to European Union vessels, which are subsidized up to 60% by their countries, as creating unfair competition. Chinese fishing boats also sublet permits or licenses to operate from Senegalese citizens.⁵³

In 2016, then-President Macky Sall pledged to join the global Fisheries Transparency Initiative (FiTI), a voluntary global initiative that helps coastal countries engage in responsible and sustainable fishing by strengthening transparency and multistakeholder collaboration.⁵⁴ Despite inclusion in Senegal's previous action plan, accession to FiTI stalled as it was not a priority for the Minister of Fisheries under the former administration.⁵⁵ In August 2024, FiTI delisted Senegal as a

‘committed country’ due to the failure of meeting the deadlines to appoint a FiTI lead ministry and national lead as well as the submission of candidate country application.⁵⁶

By renewing this commitment, Senegal aims to complete the process of joining FiTI and thus strengthen governance in the sector. Milestones include advocacy to complete the remaining stages towards FiTI membership, adoption of texts relating to FiTI implementation, setting up of a multipartite group and FiTI National Secretariat, and submission of Senegal's membership application to the FiTI Board of Directors. Due to Senegal being delisted as a committed country by the FiTI Secretariat, the government will now need to issue a renewed public commitment to restart the FiTI ascension process.⁵⁷

Potential for results: Modest

Senegalese and international organizations have consistently called for greater transparency as a tool to fight overfishing in Senegal’s waters. These demands have included the publication of the list of industrial fishing vessels authorized to fish in the country's exclusive economic zone.⁵⁸ Advocates have also highlighted a lack of public data on the number of industrial vessels with licenses, the state of fish stocks and catches, the number of domestic and foreign fishing vessels, payments made to the state by fishing companies, the number of jobs in the sector, the number of fishermen and women involved in the industry, the amount and beneficiaries of subsidies, et cetera. Senegal's FiTI membership could strengthen its position as a regional leader and its commitment to the sustainable and transparent management of natural resources as well as consolidate the confidence of citizens and stakeholders in the fishing industry.⁵⁹

This commitment aligns with President Faye’s government priorities, who has pledged to restore Senegalese food sovereignty and strengthen government transparency and accountability after winning the March 2024 election.⁶⁰ The new administration has renegotiated fishing agreements with the European Union, began addressing foreign vessels fishing under Senegalese flag, and commenced an audit of the sector.⁶¹ The government has taken early steps towards better transparency after the newly appointed Minister of Fisheries, Maritime, and Port Infrastructures published a list of vessels authorized to fish in waters under Senegalese jurisdiction in May 2024.⁶² In total, 132 industrial vessels flying the Senegalese flag, 19 foreign vessels (from the European Union), and over 17,400 artisanal pirogues are now officially authorized to fish in national waters.⁶³ The publication of this list received widespread support from civil society and non-governmental organizations. Reformers highlight its use to fight against illegal fishing by providing a basis for monitoring.⁶⁴ Greenpeace Afrique welcomed the publication and further suggested auditing the use of the Senegalese flag and progressing towards joining FiTI.⁶⁵

Government and civil society actors expressed confidence in the ministry’s commitment to join FiTI. The civil society co-chair for OGP in Senegal notes that the new minister participated in the co-creation of the second OGP action plan and is committed to implementing this commitment.⁶⁶ The Head of the Local Fisheries Governance Office in the Ministry of Fisheries expressed satisfaction with the milestones set out in the action plan, which are in line with the FiTI membership procedure. He stated that the new minister would need time to settle in before continuing the process, while confirming his hope that the process would be completed.⁶⁷ The FiTI Regional Coordinator was optimistic given the commitment of the highest authorities to transparency in the public sector. In particular, the publication of the list of fishing vessels sent a strong signal especially recalling that professional associations and civil society had long requested the publication of this list without success previously.⁶⁸

On 5 July 2024, the FiTI board informed the Government of Senegal of the need to appoint a FiTI lead ministry and a FiTI national lead by 31 July 2024. The board also required the government to submit its candidate country application by 31 December 2024 noting that Senegal was delisted in August 2024 for missing the 31 July 2024 deadline. The civil society OGP co-chair stated that Senegal missed the deadline due to interministerial miscommunication amid transitions of the new administration following the election. They noted the intention of reformers to relaunch the process and identify who should lead FiTI efforts within government. Furthermore, the co-chair expressed hope that the setback provides an opportunity to restart a stalled process with a renewed commitment under the current government.⁶⁹ To resume its engagement in FiTI, the government will need to renew its public commitment to join as a member.⁷⁰

The creation of a FiTI multiparty group under this commitment promises to increase civic participation in fisheries policymaking. The group would bring together an equal number of representatives from government, business, and civil society to consult with stakeholders and draft organizational and operational acts. Consequently, the full implementation of this commitment initiates an ongoing process to improve transparency and participation in the fisheries sector. In the longer term, Senegal's adherence to FiTI and subsequent compliance with transparency standards promise to increase public access to information in the fisheries sector, civic participation, and accountability in a vital economic field.

Opportunities, challenges, and recommendations during implementation

Despite setbacks, political and financial support for Senegal's membership in FiTI remains strong. The President of Senegal ran a campaign that promised a "charter for sustainable fisheries"⁷¹ drawn up by the National Coalition for Sustainable Fisheries, with joining FiTI is one of the charter's commitments. Financing opportunities through the Natural Resources Management Project, funded by FiTI, the World Bank, and the Blue Venture advocacy project, presents an added benefit of joining FiTI not only for Senegal, but also other countries such as the Gambia and Cameroon.⁷²

Formal designation of a lead ministry and implementer will be vital to achieve progress. The Maritime Fisheries Directorate of the Ministry of Fisheries and Maritime Economy was responsible for implementing the previous commitment. However, the lack of a formal decree designating their role as implementer proved to be an obstacle to implementation.⁷³ A representative from the Fisheries Ministry states that an act must designate the ministry as the commitment holder among other measures to facilitate FiTI membership.⁷⁴ The commitment's renewal is an opportunity to clarify the role of all stakeholders in an inclusive process, where the government can formally designate the ministerial lead and create avenues for civil society to engage.

Senegal can draw inspiration from the Seychelles' commitment to fisheries transparency in its 2019 action plan. The national multistakeholder group and the Seychelles' fisheries authority maintained ongoing communication during the research process for the first FiTI report.⁷⁵ It can also draw on the experience of Mauritania, which became the first West African country to join FiTI in 2018. In the application process, Mauritania's multiparty group published all key FiTI documents on ministerial websites. The successful completion of these accession requirements laid a solid foundation for Mauritania to embark on the next stages of the FiTI process.⁷⁶

Based on these challenges and opportunities, the IRM recommends the following actions:

- **Formally designate the ministry lead** that will assume institutional responsibility for Senegal's FiTI membership and commitment. This will help **affirm the political support of Senegal's highest authorities** to FiTI processes.

- **Establish a FiTI National Secretariat and multiparty group** to guarantee the sustainability of the commitment results. The secretariat could be given the responsibility of collecting, processing, and publishing data concerning the fisheries sector.
- **Establish a permanent channel for multistakeholder dialogue** between government, civil society, and the private sector. In the process, the government can ensure that stakeholders currently outside the process can join in at the appropriate time.

Other commitments

Other commitments that the IRM did not identify as promising are discussed below. This review provides recommendations to contribute to the learning and implementation of these commitments.

Commitments 2 and 7 could bring about changes in terms of local budget transparency, participatory budgeting, and citizen participation in the formulation, implementation, monitoring and evaluation of public policies. However, there remains a high risk that coordination challenges may hinder implementation. **Commitment 2**, which combines budget transparency and participatory budgeting, is supported by the Budget Programming Department of the Ministry of Finance and Budget. A representative of the Budget Programming Directorate indicated that their department was focused on the issue of budget transparency⁷⁷ but noted that the responsibility for implementing milestones related to participatory budgeting falls outside of the department's mandate as it resides within the directorate responsible for local authorities. While responsible implementers are noted at the milestone level in the action plan, concerns remain around the coordination challenges that may hamper the commitment's success.⁷⁸

Commitment 7 on citizen participation is supported by the General Directorate of Planning and Economic Policies (DGPPE) of the Ministry of Economic Planning and Cooperation, who underscored that lack of resources, which had limited implementation in the first action plan, will continue be an obstacle.⁷⁹ The directorate noted that the creation of a multistakeholder committee would help coordinate implementation across various entities, but the DGPPE itself is only directly responsible for 3 of the 10 commitment activities.⁸⁰ The IRM recommends that the National Technical Committee clarify the different roles and facilitate coordination among these two commitments to strengthen their potential for implementation.

Commitments 5 and 6 aim to strengthen public service delivery but lack a clear connection to open government as currently written. **Commitment 5** aims to strengthen government services, particularly in relation to justice service centers, but it is not evident how implementation of this reform would open government processes. The commitment could be revised to introduce an open government lens, for instance, by aiming to strengthen the channels through which the public can provide feedback or complaints about the quality of public services. Similarly, **Commitment 6** aims to improve the provision of government services and social inclusion for people with disabilities. While an important aim, it is not evident how implementation would enable individuals to participate in government decision-making, hold the government to account, or access government-held information. This commitment is continued from the previous action plan where it was also not considered to have an open government lens. The commitment could become relevant to open government if it enables persons with disabilities to influence government policy and/or provide feedback on public services or instances of discrimination or lack of equal access.

Lastly, **Commitment 8** seeks to localize the OGP process through existing regional good governance units (RGUs) which were initially introduced in pilot regions in 2013 and revitalized with support from USAID in 2023 to include Saint-Louis, Fatick, Kédougou, Sédhiou, and Dakar. For example, this has allowed civil society to receive training on monitoring budget processes.⁸¹ The previous Director of the Directorate for the Promotion of Good Governance (DPBG) of the Ministry of Justice explained that this commitment aimed to provide resources and training to these RGUs to engage in monitoring the implementation of OGP commitments.⁸² However, in July 2024, leadership change within the DPBG meant that the commitment will require an adjustment as well. Overall, this commitment could achieve notable results if, for instance, it begins to establish OGP processes at the regional level, thereby enabling greater government transparency, participation, and accountability at the territorial level.

¹ “Sénégal: soubresauts pour une loi d’accès à l’information,” Dubawa, 4 April 2024, <https://dubawa.org/senegal-soubresauts-pour-une-loi-dacces-a-linformation>.

² “Avant-projet de la loi sur l’accès à l’information: des acteurs étalent leurs craintes,” Sud Quotidien, 3 August 2023, <https://www.sudquotidien.sn/avant-projet-de-la-loi-sur-lacces-a-linformation-des-acteurs-etalent-leurs-craintes>.

³ Regarding OGP eligibility criteria, Senegal scored 3 out of 4 points in access to information, 2 out of 4 in budget transparency, 2 out of 4 in declaration of assets, and 3 out of 4 in civil liberties. See OGP 2022 Eligibility Data (last updated 1 February 2024: <https://docs.google.com/spreadsheets/d/1sk4ciWSU03Q9jQE09gawgfuA4EhVqXIRNjprYqAE7Po/edit?usp=sharing>.

⁴ “IRM Results Report: Senegal 2021–2023,” Open Government Partnership, July 2024,

https://www.opengovpartnership.org/wp-content/uploads/2024/07/Senegal_Results-Report_2021-2023_EN.pdf.

⁵ See OGP challenge areas: <https://www.opengovpartnership.org/the-open-gov-challenge/open-government-challenge-areas/#toc01>.

⁶ “Accès à l’information pour les journalistes: quand le verrouillage des sources freine l’investigation,” Sud Quotidien, 9 April 2022, <https://www.sudquotidien.sn/liberte-dinformer-quand-le-verrouillage-des-sources-freine-linvestigation>; “Sénégal: le travail journalistique face au défi de l’accès à des sources d’information ouvertes,” Dubawa, 4 April 2024, <https://dubawa.org/senegal-le-travail-journalistique-face-au-defi-de-lacces-a-des-sources-dinformation-ouvertes>.

⁷ See Senegal’s country page on Reporters Without Borders: <https://rsf.org/en/country/senegal>.

⁸ “Sénégal: Le manque d’information, un frein à l’accès des femmes aux commandes publiques,” Sika Finance, 21 May 2022, https://www.sikafinance.com/marches/senegal-le-manque-d-information-un-frein-a-l-acces-des-femmes-aux-commandes-publiques_28801.

⁹ “Senegal,” Ibrahim Index of African Governance, 2021, <https://iiag.online/data.html?meas=AccPubRec-Acclnf-QualRelInfReqWJP-AccPartyFinInf&loc=SN&view=overview&subview=absoluteTrends>.

¹⁰ “Tribune des OSC pour l’adoption de la loi d’accès à l’information au Sénégal,” Press Afrik, 10 November 2023, https://www.pressafrik.com/Tribune-des-OSC-pour-l-adoption-de-la-loi-d-acces-a-l-information-au-Senegal_a264174.html; “New Senegal government must prioritize media freedom,” Institute for Policy Innovation, 14 May 2024, <https://ipi.media/new-senegal-government-must-prioritize-media-freedom>.

¹¹ Ibrahim Fall (President of National Commission of Civil Society Actors to Monitor Economic and Social Policy), interview by IRM researcher, 11 June 2024; Abdoulaye Ndiaye (Article 19 & OGP MSF Co-Chair), interview by and email correspondence with IRM researcher, 29 April 2024; “Présidentielle au Sénégal: Diomaye Faye vainqueur avec 54% des voix,” Africa News, 27 March 2024, <https://fr.africanews.com/2024/03/27/presidentielle-au-senegal-diomaye-faye-vainqueur-avec-54-des-voix>.

¹² Arona Sarr (Former Director for Promotion of Good Governance & Former OGP Point of Contact at the Ministry of Justice), interview by and correspondence with IRM researcher, 24 April 2024.

¹³ “Civil society organisations call on Macky Sall to have the draft law on access to information adopted,” Agence de Press Senegalaise, 11 November 2023, <https://aps.sn/des-organisations-de-la-societe-civile-invitent-macky-sall-a-faire-adopter-le-projet-de-loi-dacces-a-linformation>.

¹⁴ Ndiaye, interview and correspondence, 29 April 2024.

¹⁵ Ndiaye, interview and correspondence, 29 April 2024; Sarr, interview and correspondence.

¹⁶ “Tribune des OSC pour l’adoption de la loi d’accès à l’information au Sénégal,” Press Afrik.

¹⁷ See the African Commission on Human and People’s Rights Model Access to Information Law: https://www.chr.up.ac.za/images/researchunits/dgdr/documents/resources/model_law_on_ati_in_africa/model_law_on_access_to_information_en.pdf.

- ¹⁸ See the Open Gov Guide on Access to Information: <https://www.opengovpartnership.org/open-gov-guide/open-government-foundations-right-to-information>.
- ¹⁹ See Kenya’s commitment: <https://www.opengovpartnership.org/members/kenya/commitments/KE0017>.
- ²⁰ “IRM Results Report: Ghana 2021–2023,” Open Government Partnership, 12 August 2024, <https://www.opengovpartnership.org/documents/ghana-results-report-2021-2023>.
- ²¹ See the Gambia’s rights to information data: <https://www.rti-rating.org/country-data/Gambia>.
- ²² See the Gambia’s rights to information score: https://www.rti-rating.org/wp-content/themes/rti/excel_report.php?country=Gambia.
- ²³ Headquartered in Ghana, Afrobarometer is a pan-African, non-partisan survey research network that conducts public attitude surveys on democracy, governance, the economy, and society; “Les Sénégalais perçoivent une hausse de la corruption, mais craignent des représailles en cas de dénonciation,” Afrobarometer, 12 May 2024, <https://www.afrobarometer.org/articles/les-senegalais-percoivent-une-hausse-de-la-corruption-mais-craignent-des-represailles-en-cas-de-denonciation>.
- ²⁴ “Indice de perception de la corruption, le Sénégal dans la zone rouge,” Sene Plus, 30 January 2024, <https://www.senepus.com/societe/indice-de-perception-de-la-corruption-le-senegal-dans-la-zone>.
- ²⁵ “Indice de perception de la corruption, le Sénégal dans la zone rouge,” Sene Plus.
- ²⁶ “Lutte contre la corruption: comment l’OFNAC a été renforcé,” Sene Plus, 8 May 2024, <https://www.senepus.com/opinions/lutte-contre-la-corruption-comment-lofnac-ete-renforce>.
- ²⁷ See the 2023 OFNAC report: <https://ofnac.sn/wp-content/uploads/2024/04/Rapport-dactivites-2023-1.pdf>.
- ²⁸ “Déclaration de patrimoine: Les limites de la loi et les 7 fortes recommandations du Forum Civil qui légitiment une réforme des textes,” Dakar Actu, 9 December 2021, https://www.dakaractu.com/Declaration-de-patrimoine-Les-limites-de-la-loi-et-les-7-fortes-recommandations-du-Forum-Civil-qui-legitiment-une_a212041.html.
- ²⁹ See the 2023 OFNAC activity report: <https://ofnac.sn/wp-content/uploads/2024/04/Rapport-dactivites-2023-1.pdf>.
- ³⁰ “Conseil des ministres du 22 novembre 2023,” Government of Senegal, 22 November 2023, <https://primature.sn/publications/actualites/conseil-des-ministres-du-22-novembre-2023>.
- ³¹ “Lutte contre la corruption: comment l’OFNAC a été renforcé,” Sene Plus.
- ³² “Présidentielle au Sénégal: Diomaye Faye vainqueur avec 54% des voix,” Africa News.
- ³³ “Présidentielle au Sénégal: Diomaye Faye vainqueur avec 54% des voix,” Africa News.
- ³⁴ See Asset Declaration Law: https://ofnac.sn/ova_doc/loi-n-2024-07-du-09-fevrier-2024-modifiant-la-loi-n-2014-17-du-02-avril-2014-relative-a-la-declaration-de-patrimoine.
- ³⁵ See Official Journal of the Republic of Senegal, 12 February 2024, 169e ANNEE - N° 7701, Loi n° 2024-06 du 09 février 2024 modifiant la loi n° 2012-30 du 28 décembre 2012 portant création de l’Office national de lutte contre la fraude et la corruption (OFNAC).
- ³⁶ “Réforme de l’Ofnac et publication de ses rapports: Les assurances de Serigne Bassirou Guèye,” Sud Quotidien, 23 April 2024, <https://www.sudquotidien.sn/reforme-de-lofnac-et-publication-de-ses-rapports-les-assurances-de-serigne-bassirou-gueye>.
- ³⁷ “Lutte contre la corruption : Les nouveaux pouvoirs de l’Ofnac,” Le Quotidien, 31 January 2024, <https://lequotidien.sn/lutte-contre-la-corruption-les-nouveaux-pouvoirs-de-lofnac/?sfw=pass1719142924>.
- ³⁸ Ndiaye, interview and correspondence, 29 April 2024.
- ³⁹ Aida Mbaye (Head of the Institutional Governance Division of the Directorate for Promotion of Good Governance of the Ministry of Justice), interview by and correspondence with IRM researcher, 4 July 2024.
- ⁴⁰ “Sénégal : que retenir du discours à la nation du nouveau président Bassirou Diomaye Faye?” Tv5 Monde, 4 April 2024, <https://information.tv5monde.com/afrique/senegal-que-retenir-du-discours-la-nation-du-nouveau-president-bassirou-diomaye-faye>.
- ⁴¹ “Lanceurs d’alerte au Sénégal: en attendant la loi...,” Ouestaf, 19 May 2024, <https://www.ouestaf.com/lanceurs-dalerte-au-senegal-en-attendant-la-loi>.
- ⁴² Saliou Diop (Head of Strategic Watch, Studies, and Action Research Division on Fraud and Corruption), interview by and correspondence with IRM researcher, 25 April 2024.
- ⁴³ Sarr, interview and correspondence.
- ⁴⁴ “Sénégal: les lanceurs d’alerte pressent le gouvernement de les écouter,” Dakar Actu, 10 May 2024, https://www.dakaractu.com/Senegal-les-lanceurs-d-alerte-pressent-le-gouvernement-de-les-ecouter_a248279.html.
- ⁴⁵ “Sénégal: les lanceurs d’alerte pressent le gouvernement de les écouter,” Dakar Actu.
- ⁴⁶ *Y’en a marre* is a social movement launched in January 2011 by young singers from the Kaolack rap group *Keur Gui* and Senegalese journalists. From a social protest movement, the movement gradually evolved into a more overtly political protest movement. See: <https://www.jeuneafrique.com/1236535/politique/senegal-fadel-barro-le-jour-ou-yen-a-marre-est-ne>.
- ⁴⁷ “Sénégal: les lanceurs d’alerte pressent le gouvernement de les écouter,” Dakar Actu.
- ⁴⁸ See South African practical guidelines for employees: https://www.gov.za/sites/default/files/gcis_document/201409/34572gon702.pdf.
- ⁴⁹ “Whistleblowing – Legislation in South Africa,” Pinsent Mansons, 25 September 2024, <https://www.pinsentmansons.com/out-law/guides/whistleblowing-legislation-in-south-africa>.

- ⁵⁰ See South African whistleblowing guideline: https://www.psc.gov.za/documents/docs/guidelines/PSC_odac_update.pdf.
- ⁵¹ See a 2019 report on Senegal's economic and social situation: https://www.ansd.sn/sites/default/files/2022-12/11-SES-2019_Peche-aquaculture.pdf.
- ⁵² Mansour Ndour (Regional Coordinator for West Africa at the Fisheries Transparency Initiative), correspondence with IRM researcher, 2 July 2024.
- ⁵³ “Sénégal économie maritime: la pêche une victime sans coupable,” NDAR Info, 1 April 2024, https://www.ndarinfo.com/Senegal-economie-maritime-la-peche-une-victime-sans-coupable_a37601.html.
- ⁵⁴ “Le Programme du Gouvernement Ouvert rejoint le conseil international du FiTI,” Fisheries Transparency Initiative, 19 June 2024, <https://www.fiti.global/open-government-partnership-joins-international-board-of-fiti>.
- ⁵⁵ “FiTI International Board urges national authorities in Senegal to complete FiTI sign-up steps,” Fisheries Transparency Initiative, 26 October 2024, <https://fiti.global/fiti-international-board-urges-senegal-authorities-to-complete-signupsteps>.
- ⁵⁶ “FiTI International Board delists Senegal from the Fisheries Transparency Initiative,” Fisheries Transparency Initiative, 14 August 2024, <https://fiti.global/fiti-international-board-delists-senegal-from-the-fisheries-transparency-initiative>.
- ⁵⁷ “FiTI International Board delists Senegal from the Fisheries Transparency Initiative,” Fisheries Transparency Initiative.
- ⁵⁸ “Greenpeace Afrique appelle le Sénégal à suivre l’exemple de la Mauritanie dans la transparence sur les licences de pêche industrielle,” Greenpeace, 22 April 2022, <https://www.greenpeace.org/africa/fr/communiqués-de-presse/51119/greenpeace-afrique-appelle-le-senegal-a-suivre-l'exemple-de-la-mauritanie-dans-la-transparence-sur-les-licences-de-peche-industrielle>; “Greenpeace Afrique salue la publication de la liste des navires de pêche et encourage l’adhésion du Sénégal à la FiTI,” Greenpeace, 8 May 2024, <https://www.greenpeace.org/africa/fr/communiqué-de-presse/55474/greenpeace-afrique-salue-la-publication-de-la-liste-des-navires-de-peche-et-encourage-ladhesion-du-senegal-a-la-fiti>.
- ⁵⁹ “Greenpeace Afrique appelle le Sénégal à suivre l’exemple de la Mauritanie dans la transparence sur les licences de pêche industrielle,” Greenpeace; “Greenpeace Afrique salue la publication de la liste des navires de pêche et encourage l’adhésion du Sénégal à la FiTI,” Greenpeace.
- ⁶⁰ “Senegal’s president-elect pledges to fight corruption after a stunning victory for the 44-year-old,” Associated Press, 26 March 2024. <https://apnews.com/article/senegal-elections-diomaye-faye-a1a83915d7af073134ca46d503d81ebf>.
- ⁶¹ “Au Sénégal, les nouvelles autorités face au défi de la régulation de la pêche,” Le Monde, May 27, 2024, https://www.lemonde.fr/afrique/article/2024/05/27/au-senegal-les-nouvelles-autorites-face-au-fleau-de-la-peche-illegale_6235885_3212.html
- ⁶² “Avis de publication de la liste des navires autorisés à pêcher au Sénégal,” Ministry of Fisheries, 10 May 2024, <https://mpem.gouv.sn/avis-de-publication-de-la-liste-des-navires-autorises-a-pecher-au-senegal>.
- ⁶³ “Une liste des navires autorisés à pêcher dans les eaux du Sénégal pour préserver ses ressources,” Ouest France, 8 May 2024, <https://lemarin.ouest-france.fr/peche/une-liste-des-navires-autorises-a-pecher-dans-les-eaux-du-senegal-pour-preserver-ses-ressources-d02b0398-0d24-11ef-a774-30ba526539fb>.
- ⁶⁴ “Publication de la liste des navires: L’État pêche pour la transparence,” Le quotidien, 7 May 2024, <https://lequotidien.sn/publication-de-la-liste-des-navires-letat-peche-pour-la-transparence>.
- ⁶⁵ “Greenpeace Afrique salue la publication de la liste des navires de pêche et encourage l’adhésion du Sénégal à la FiTI,” Greenpeace.
- ⁶⁶ Ndiaye, interview and correspondence, 29 April 2024.
- ⁶⁷ Idrissa Deme (Head of the Local Fisheries Governance Office at Ministry of Fisheries and Maritime Economy), interview by IRM researcher, 31 May 2024.
- ⁶⁸ Ndour, correspondence.
- ⁶⁹ Abdoulaye Ndiaye (Article 19 & OGP MSF Co-Chair), correspondence with IRM Researcher, 24 September 2024.
- ⁷⁰ “FiTI International Board delists Senegal from the Fisheries Transparency Initiative,” Fisheries Transparency Initiative.
- ⁷¹ See Senegal’s charter for sustainable fisheries: <https://docs.google.com/document/d/1y6g8diKVG091Ce7N0NqmFZr46DxIMCpB>.
- ⁷² Ndour, correspondence.
- ⁷³ “IRM Results Report: Senegal 2021–2023,” Open Government Partnership.
- ⁷⁴ Deme, interview.
- ⁷⁵ “IRM Results Report: Seychelles 2019–2021,” Open Government Partnership, 2022, <https://www.opengovpartnership.org/documents/seychelles-transitional-results-report-2019-2021>.
- ⁷⁶ See FiTI acceptance letter to Mauritania: https://www.fiti.global/wp-content/uploads/2018/12/FiTI_MRT_M.OuldDjay_20181219.pdf.
- ⁷⁷ Diafara Seye (Budget Programming Department of the Ministry of Finance and Budget), interview by IRM researcher, 25 April 2024.
- ⁷⁸ Ndiaye, interview and correspondence, 29 April 2024.
- ⁷⁹ Awa Maty Basse (Head of Division at the Unité de Coordination et de Suivi de la Politique Economique) & Mahi Amadou Deme (General Directorate of Planning and Economic Policies of the Ministry of Economic Planning and Cooperation), interview by IRM researcher, 24 May 2024.

⁸⁰ General Directorate of Planning and Economic Policies of the Ministry of Economic Planning and Cooperation, pre-publication comment, 19 October 2024.

⁸¹ “IRM Results Report: Senegal 2021–2023,” Open Government Partnership.

⁸² Arona Sarr (Former Director for Promotion of Good Governance & Former OGP Point of Contact at the Ministry of Justice), interview by and correspondence with IRM researcher, 4 July 2024.

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation. It is intended as a quick, 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, a high priority for country stakeholders, a priority in the national open government context, or a combination of these factors.

The three 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 IRM identifies to inform a stronger implementation process.
- **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 follows a filtering and clustering process to identify promising reforms or commitments:

Step 1: Determine what is reviewable 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: Review commitments that are verifiable and have an open government lens to identify if certain commitments need to be clustered. Commitments that have a common policy objective or contribute to the same reform or policy issue should be clustered. The potential for results of clustered commitments should be reviewed as a whole. IRM staff follow these steps to cluster commitments:

- a. Determine overarching themes. If the action plan is not already grouped by themes, IRM staff may use OGP’s thematic tagging as reference.
- b. Review commitment objectives to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
- c. Organize commitments into clusters as needed. Commitments may already be organized in the action plan under specific policy or government reforms.

Step 4: Assess the potential for results of the clustered or standalone commitment.

Filtering is an internal process. Data for individual commitments is available in Annex 1. In addition, 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).

As described earlier, IRM relies on **three key indicators** for this review:

I. Verifiability

- **Yes, specific enough to review:** As written in the action plan, the stated objectives and proposed actions are sufficiently clear and include objectively verifiable activities to assess implementation.

- **No, not specific enough to review:** As written in the action plan, the stated objectives and proposed actions lack clarity and do not include explicitly verifiable activities to assess implementation.
- Commitments that are not verifiable will be considered not reviewable, and further assessment will not be carried out.

II. Open government lens

This indicator determines if the commitment relates to the open government values of transparency, civic participation, or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance by responding to the following guiding questions. 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, institution, 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 the 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 legal, policy, or institutional frameworks to foster accountability of public officials?

III. Potential for results

The IRM adjusted this indicator—formerly known as the “potential impact” indicator—to take into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, the IRM modified this indicator to lay out the expected results and potential that would 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 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 was prepared by the IRM in collaboration with Aimé Sawadogo and was externally expert reviewed by Brendan Halloran. The IRM methodology, quality of IRM products, and review process are overseen by IRM’s IEP. For more information, see the IRM Overview section of the OGP website.¹

¹ “Independent Reporting Mechanism,” Open Government Partnership, <https://www.opengovpartnership.org/irm-guidance-overview>.

Annex 1. Commitment by Commitment Data

<p>Commitment 1: Access to Information Bill</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 2: Budget Transparency and Participatory Budgeting</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Unclear
<p>Commitment 3: Strengthen the National Office for the Fight against Fraud and Corruption</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial
<p>Commitment 4: Join the Fisheries Transparency Initiative (FITI)</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest
<p>Commitment 5: Improve User Access to a Quality Public Service</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? No • Potential for results: Unclear
<p>Commitment 6: Access for People with Disabilities to Basic Social Services</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? No • Potential for results: Unclear
<p>Commitment 7: Citizen Participation in Public Policies</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Unclear
<p>Commitment 8: Local Open Government</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest

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 2022.¹ 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.² 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 onwards.

Table 2. Compliance with minimum requirements

Minimum requirement	Met during co-creation?	Met during implementation?
1.1 Space for dialogue: Senegal's OGP process is overseen by the Directorate for the Promotion of Good Governance in the Ministry of Justice. The National Technical Committee (NTC) is Senegal's technical OGP body that meets regularly. It has nine government members and nine from civil society, who co-chair the committee. A ministerial decree on the creation, composition and operation of the NTC was passed on 20 June 2024. ³	Yes	<i>To be assessed in the Results Report</i>
2.1 OGP website: Senegal is in the process of building an OGP website with support from PAGOF. In the interim, information on the OGP process and latest action plan is available on a Google Drive and Facebook page. ⁴	Yes	<i>To be assessed in the Results Report</i>
2.2 Repository: A public google drive provides some documentation, until the website is built. ⁵	Yes	<i>To be assessed in the Results Report</i>
3.1 Advanced notice: OGP Senegal published details the co-creation stages with dates on Facebook. However, the post did not include details on how to participate and was shared after the co-creation process had commenced. ⁶	No	Not applicable
3.2 Outreach: The NTC used public consultations to raise awareness of the OGP process. The NTC and DPBG organized training sessions in October 2023 to prepare facilitators to hold regional citizen consultations. ⁷	Yes	Not applicable
3.3 Feedback mechanism: Senegal OGP gathered amendments and contributions from in-person meetings, some of which are published on the Google Drive. Feedback was collected during public consultations and the convergence and writing workshop from November 2 to 17, and the technical validation workshop on December 13 and 14, 2023. ⁸	Yes	Not applicable
4.1 Reasoned response: Citizens' contributions were documented in the reports of the convergence and writing and validation workshops. One of these reports is published on the OGP Google Drive. ⁹	Yes	Not applicable
5.1 Open implementation: <i>The IRM will assess whether meetings were held with civil society stakeholders to present</i>	Not applicable	<i>To be assessed in the Results Report</i>

<i>implementation results and enable civil society to provide comments in the Results Report.</i>		
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The *Programme d'appui aux gouvernements ouverts francophones* (PAGOF), Senegal's main financial partner for the OGP, aims to support the implementation of certain commitments, the development of a dedicated OGP website, the involvement of civil society, and the recruitment of consultants to support the OGP process. After some delay, the process of recruiting service providers to build the site was relaunched in April 2024.¹⁰ In the meantime, the National Technical Committee can continue to update information on the co-creation on its Facebook page and Google Drive account, including the report of the convergence workshop, which is not yet public. The co-creation process included public consultations in all 14 regions, whereas they had not been able to cover all regions in the previous consultations. Government and civil society stakeholders agreed that participation has been active, and that citizens are calling for greater involvement in both the implementation and evaluation of commitments.¹¹

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

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

³ "Déclaration – Sénégal: L'Arrêté créant le comité national du PGO (Partenariat pour un Gouvernement Ouvert), un pas décisif pour le suivi des objectifs du gouvernement ouvert." [Declaration – Senegal: The Order creating the national committee of the OGP (Open Government Partnership), a decisive step for monitoring the objectives of open government], Article-19. <https://article19ao.org/declaration-senegal-larrete-creant-le-comite-national-du-pgo-partenariat-pour-un-gouvernement-ouvert-un-pas-decisif-pour-le-suivi-des-objectifs-du-gouvernement-ouvert>.

⁴ "Open Government Partnership Senegal," Facebook, <https://www.facebook.com/profile.php?id=61551495163279>.

⁵ "OGP Senegal," Google Drive, https://drive.google.com/drive/folders/1_PqF2HqZB6MUiHjL9fGGDzSNbffyGbd.

⁶ "Open Government Partnership Senegal on 6 November 2023," Facebook, 6 November 2023, https://www.facebook.com/permalink.php?story_fbid=pfbid02WMMJ4iPPjiuwrurdRzShQ9o8qG3qAgzQKAgshz4qmgStj9XAaHpZ87WztHcwW8HQzI&id=61551495163279&mibextid=LQJ4d&rdc=1&rd.

⁷ "Open Government Partnership Senegal on 2 November 2023," Facebook, 2 November 2023, https://www.facebook.com/permalink.php?story_fbid=pfbid02itRv7DSq2vANr6Ee2JRiGZfhkVwEKe1k95MRzzWxEuPUprCyVjvEHn92Rkb3AYI&id=61551495163279&mibextid=LQJ4d&rdid=g4rg02TtIMVTyhWA.

⁸ "Présentation du Rapport des synthèses des consultations citoyens," Ministry of Justice, 30 November 2023, https://drive.google.com/drive/folders/1EM5zpe2RsLwHQcThC0-WMp-t_8Z3TQ-U.

⁹ "Présentation du Rapport des synthèses des consultations citoyens," Ministry of Justice.

¹⁰ Arona Sarr (Former Director for Promotion of Good Governance & Former OGP Point of Contact, Ministry of Justice), interview by and correspondence with IRM researcher, 24 October 2024.

¹¹ Sarr, interview and correspondence; Abdoulaye Ndiaye (Article 19 & OGP MSF Co-Chair), interview by and correspondence with IRM researcher, 29 April 2024.