**Open Government Partnership Fiscal Openness Working Group**

**Comments on Liberia’s skeleton draft Third National Action Plan 2017-2019[[1]](#footnote-1)**

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| **Summary of observations and suggestions** |
| The Global Initiative for Fiscal Transparency, cohort of the Fiscal Openness Working Group, rrecognizes that the document provided is a skeleton draft, and appreciates the opportunity to provide some comments at this formative stage.Liberia’s first OGP Action Plan contained nine commitments related to fiscal transparency, of which six were completed or substantially completed.[[2]](#footnote-2) On the basis of this performance, GIFT placed Liberia in the top quadrant of OGP countries, with both relatively ambitious fiscal transparency commitments and a relatively high degree of completion of commitments.However, implementation of Liberia’s Second Action Plan 2015-2017 has been less impressive, with over half the commitments either not started or only implemented to a limited extent. While an Aid Management Platform has been substantially completed, and citizens budgets disseminated, there has been only limited progress on some of the other commitments related to fiscal transparency, some of which are rolled over into the draft of the Third Action Plan.The skeleton third action plan contains new commitments related to fiscal transparency, on open contracting, and the provision of hot lines for citizen monitoring of procurement. Liberia still does not meet one of the two minimum entry requirements for budget transparency for the OGP – namely the publication of the Audit Report, a document that is fundamental to fiscal transparency and to government accountability.[[3]](#footnote-3) We suggest Liberia should increase the ambition of the fiscal transparency commitments in its third action plan, as follows:* + Group together or link commitments that have closely related objectives in a coherent and carefully sequenced set of activities to increase likely impact.
	+ Consider obtaining public inputs on the fiscal and budget information that would be of most value on the open data portal and to be disseminated by SMS.
	+ Apply SMART criteria to the drafting of the individual commitments in the skeleton plan I.e. make each commitment more specific, measurable, attainable, relevant and time bound, along the lines of the draft of commitment 3.5 on open contracting.
	+ Commit in this Action Plan to the regular publication of the annual Audit Report.
	+ Consider committing to regular publication of in-year reports on implementation of the budget, linked to commitment 4.2 on implementation of the IFMIS, and to publication of the year-end report on budget implementation.
	+ Consider committing to publishing the Pre-Budget Statement in a timely manner and to facilitating public consultation on it.
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**Introduction**

As one of the Open Government Partnership working groups, the Fiscal Openness Working Group (FOWG) offers to review and comment on the fiscal transparency commitments in draft OGP National Action Plans, in order to support and promote the implementation of more effective and ambitious commitments. The FOWG is facilitated by the Global Initiative for Fiscal Transparency[[4]](#footnote-4) Coordination Team, representatives from the government of Brazil and the Philippines, and the International Budget Partnership, in cooperation with the OGP Support Unit.

The FOWG addresses how OGP fiscal transparency commitments are specified, how progress in implementation is to be measured, and how the commitments are defined and sequenced, drawing on its subject matter expertise and cross-county experiences. It also supports OGP members to develop more ambitious fiscal openness goals and commitments.

**Context:**

* Liberia achieved an outstanding increase in its score on the Open Budget Index of 40 percentage points between the 2008 and 2012 Open Budget Surveys, from 3 to 43. However, performance slipped in the 2015 Survey, to a score of 38, below the global average of 45. The 2015 OBS assessed legislative oversight as weak, audit as weak, and public participation in budgeting as weak.
* Liberia’s first OGP National Action Plan covered a one year period, 2013-2014. It contained nine commitments on fiscal transparency and participation (FTPA), including two OGP star commitments.[[5]](#footnote-5) Six of the nine FTPA commitments were completed or substantially completed. GIFT assessed that this placed Liberia in the top quadrant of OGP countries with both relatively ambitious FTPA commitments and a relatively high degree of completion of commitments.
* However, implementation of Liberia’s Second Action Plan 2015-2017 has been less impressive, with over half the commitments either not started or only implemented to a limited extent. There has been only limited progress on some of the commitments related to fiscal transparency, some of which are rolled over into the draft of the Third Action Plan.
* However, Liberia does not meet one of the two minimum entry requirements for budget transparency for the OGP – namely the publication of the Audit Report.

**The fiscal transparency commitments in Liberia’s skeleton third Action Plan**

Commitments in the draft that are related to fiscal transparency and participation include:

*Theme 1: Transparency*
1.3 Open Budget Initiative

*Theme 2: Citizen Participation*
2.1 Citizen feed-back on development outcomes
2.4 Civic education on procurement.

*Theme 3: Accountability and Integrity*3.5 Enhancing transparency through open contracting

*Theme 4: Technology and Innovation*
4.1 Publish comprehensive data on all concessions agreements
4.2 Expand integration of IFMIS
4.3 Expand the open data portal

Of these, four are commitments carried forward from the second Action Plan that have not been started or not completed. These are commitments 1.3, 2.1, 4.2, and 4.3.

**Comments on selected elements of the skeleton draft third action plan**

1. *Related commitments are not grouped together or otherwise linked*

At present, there are many commitments in the draft that are related to each other but which appear not to be linked or to have been designed with the inter-linkages in mind. This may not be the case, and may just be the result of grouping commitments by OGP Theme. However, it is recommended that more of a ‘program approach’ is taken to designing the Action Plan, in which commitments that have closely related objectives are grouped together in a coherent and sequenced series of activities, with appropriate performance indicators.

At the moment closely-related but apparently disparate commitments and activities include:

* The open budget initiative (1.3) appears to be disconnected from commitment 4.2 on expanding the IFMIS (see comments below).
* Commitment 4.3 on the open data portal does not appear to be related to the IFMIS commitment, or to the commitment on the Aid Management Platform from the current action plan for 2015-2017.
* Commitment 2.4 on civic education on procurement is clearly closely related to commitment 3.5 on enhancing transparency through open contracting. Indeed the performance indicator for 2.4 would appear to be more appropriate as an indicator for 3.5. And the activity for 2.4 (provide hot lines) is directly related to activity 1 under 3.5 (sensitize citizens on how to engage).
* Commitment 3.5 on open contracting is closely related to commitment 4.1 on publishing data on concessions.
* Commitment 4.1 on establishing publicly accessible data bases of concession agreements could usefully be linked to commitment 4.3 on the open data portal.
1. *The drafting of commitments*

The template used in Liberia’s draft NAP is comprehensive: it requires identification of activities, performance indicators, the party with lead responsibility, other parties who will contribute, possible funding sources, and time frame.

There is considerable scope, however, to improve the way in which commitments are drafted. GIFT has commented generally that careful attention is needed to specifying each commitment in an Action Plan, and that using SMART criteria can be a helpful approach: commitments should be specific, measurable, achievable, relevant, and time bound.[[6]](#footnote-6) This approach increases the likelihood that commitments are well designed and planned, that implementation can be monitored, and that there is accountability for completing commitments. It could also make it easier to attract external funding for some of the commitments.

Looking at Liberia’s draft 2017-19 Action Plan from this perspective, one of the fiscal transparency commitments - 3.5 on open contracting - stands out as being detailed, specific, measurable, relevant, and time bound (although see further comments on commitment 3.5 below).

There is a lot of room to improve the drafting of the other commitments in the draft Plan to more closely resemble commitment 3.5.

It appears that the draft third action plan assigns lead agency responsibility for each commitment; the IRM progress report had recommended clarifying commitment ownership and responsibility.

It would be desirable also to list the specific branch or unit of the government ministry or agency that is responsible, in order to ensure clear accountability e.g. the budget directorate of the ministry of finance, rather than just the ministry of finance. Some countries are now listing the names of responsible officials. Liberia’s IRM progress report recommends assigning a point of contact for each commitment.

1. *Commitment 1.3: Expand Open Budget Initiative*

This is a continuation of a commitment from the Second Action Plan which has only been implemented to a limited extent. Citizen Budgets were printed and disseminated widely, and budget meetings were held throughout the country, but publication of quarterly budget reports and of all audit reports has not occurred as committed.

The skeleton draft contains one activity, to develop an SMS platform to disseminate budget information, and to receive feedback. This commitment was in the second action plan but has not been implemented due to budget and capacity constraints (IRM report). It would be helpful to refer to the specific budget information to be disseminated - is it for example a version of the Citizens Guide to the Budget? Is it open data of some description? This could prompt discussion of what information citizens would find most useful to receive via SMS, and what evidence there is of citizen views on this (have there been any surveys, focus groups or discussions with citizens, or discussions with CSOs or the media?).[[7]](#footnote-7)

With respect to the draft performance indicators, a suggestion would be to separate the first indicator into two separate milestones (completion and trailing of the SMS platform, and roll-out of the platform), to add target dates for those milestones, and to also define the key elements of functionality that the platform will offer.

Given its importance, we recommend that this commitment in the Third Action Plan should include publication of the Audit Report for either 2017 or 2018, and annually thereafter. Publication of this report is one of the two minimum entry requirements for budget transparency for the OGP, and inclusion of this commitment would recognize its fundamental importance both to OGP values and to the citizens of Liberia.

We also recommend that the government commit to publish the year end report on budget implementation, which is also a key element of budget transparency. With respect to forward-looking engagement, publication of the Pre-Budget Statement in a timely manner is also important as a means to promote public inputs to and deliberation on the content of the next budget. According to the IBP tracker, the Pre-Budget Statement is published late, and this prevents or hinders public engagement on the budget.

1. *Commitment 2.1: encourage citizens’ feedback on national development outcomes.*

This is a commitment from the previous Plan (commitment 4.1) that has not yet commenced due to budget constraints. Similar to the comment on 1.3 above, what evidence is there of citizen views on what they would find most useful? Secondly, as the IRM Liberia Progress Report 2015-2016 noted, this commitment does not indicate how the citizen feedback will be used. If there is no clear plan on how the feedback will be used it is less likely to be effective in either eliciting feedback or in sustaining citizen interest over time. An example would be: feedback will be summarized and published each [x months], and government will indicate any changes that are being considered in response to the feedback.’ This will require resources to implement, which will need to be factored into the planning for this commitment.

1. Commitment 4.2: Expand IFMIS

The description of the commitment refers to expanding the IFMIS to make the provision of public financial information easier. However, there is nothing in the commitment that refers to additional or improved reporting, the commitment merely describes the number of additional ministries and agencies that will be covered. By itself this commitment is not directly relevant to OGP values. Drawing from the Open Budget Survey, this commitment would be made meaningful by adding a specific reporting commitment, such as ‘from the first quarter 2018 the MOFDP will publish, within x months of the end of the quarter, data on quarterly central government expenditures, by Ministry, Department and Agency.’ There is a serious lack of reporting in Liberia on budget implementation, and introducing regular in-year reporting, with a short time lag each quarter, is one way of demonstrating the OGP-value of the IFMIS project.

1. Commitment 3.5 Open contracting

As noted, this commitment contains detailed activities with separate time frames for completion of different activities. We would make two comments:

* There are references to publication of procurement data, but the commitment does not indicate specifically what data will be published. It would be helpful to clarify this e.g. all contracts will be published on the open contracting portal and the websites of individual procurement entities, with a link also from the open data portal.
* With respect to the target dates, it could be made clearer which date relates to which specific activity.
1. Commitment 4.3: Expand the Open Data Portal

As with the comment above on the SMS platform to disseminate budget information (commitment 1.3), we wonder what evidence there is of citizen views on information they would like to see on the open data portal. Have there been any surveys, focus groups or discussions with citizens, or discussions with CSOs or the media? These would be valuable inputs to decisions on expansion of the open data portal, and if they have not taken place to date we suggest they be incorporated in commitment 4.3 as an initial step.

The open data portal could contain a ‘Fiscal Data Portal’ as a sub-site, pulling together all budget-related and fiscal reporting data, including in-year and year-end reporting, as well as data (or links to data), among other areas, on procurement and concessions (commitments 3.5 and 4.1).

1. The draft is undated but was provided to GIFT on May 30, 2017. [↑](#footnote-ref-1)
2. See GIFT’s comments of 1 June 2015 on Liberia’s draft second action plan for more details. [↑](#footnote-ref-2)
3. It did meet this requirement in 2011, according to the IRM Liberia Progress Report 2015-2016. [↑](#footnote-ref-3)
4. GIFT is a multi-stakeholder action network committed to achieving significant increases in fiscal transparency, participation and accountability. GIFT’s Lead Stewards are the World Bank, the International Monetary Fund, the International Budget Partnership, the governments of Brazil and the Philippines, and the International Federation of Accountants. See [www.fiscaltransparency.net](http://www.fiscaltransparency.net) [↑](#footnote-ref-4)
5. Formally, Liberia’s first NAP contained 6 commitments and 18 milestones. The milestones were similar to commitments in other country NAPs. In order to compare across countries GIFT therefore assessed Liberia’s first NAP as comprising 18 commitments. Star commitments are commitments that are clearly relevant, of moderate or transformative potential impact, and were substantially completed or completed. [↑](#footnote-ref-5)
6. The UK’s second NAP contains detailed timescales for a number of commitments. [↑](#footnote-ref-6)
7. In comments on the first Independent Progress Report, Blair Glencorse suggested efforts to organize discussions outside Monrovia on what information citizens would like to see more of. See <http://www.opengovpartnership.org/sites/default/files/Liberia_comments_received.pdf> [↑](#footnote-ref-7)