



**VOICE OR
CHATTER?**

CASE STUDIES

Open
Government
Plan 2011-2015,
Uruguay

AUTHORS

ANA RIVOIR
JAVIER
LANDINELLI

AUTHORS

Ana Rivoir is a researcher and Professor at the Department of Sociology, Faculty of Social Sciences, Universidad de la Republica, Uruguay and Coordinator of Observatory of ICT.

Javier Landinelli is Associate Researcher at the Observatory of Information and Communication Technologies, Faculty of Social Sciences, Universidad de la Republica, Uruguay.

Translation: Carolina Veiga

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Research coordination team

Lead Researcher: Anita Gurumurthy

Research Associates: Deepti Bharthur & Nandini Chami

Design: Deepti Bharthur & Swati Mehta

Editorial Support: Swati Mehta & Dara Casey

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1. Executive Summary

This case study analyzes the impact these initiatives have had for effective citizen engagement in public policy and ICT-mediated democratic governance processes. It examines the creation and implementation of the two-yearly Open Government Partnership National Action Plans (OGP-NAP), for the years 2012–2014, 2014–2016, and 2016–2018. The OGP-NAPs seek to improve government transparency, accountability and responsiveness and have been developed through a multistakeholder consultation process. The analysis mainly focuses on the bargaining process among stakeholders, to explore how they were able to switch leadership positions, adapt, and cooperate/ collaborate to develop the course of action. It examines how ICT-mediated citizen engagement plays a central role in the creation of the OGP-NAP, and whether this truly represents the use of innovative practices in governance.

Giddens' structuration framework has been used here to chart the specific shifts in structures of meaning, norms and power that have occurred in the course of the OGP-NAP consultations and negotiations between government agencies and citizens and the creation of new norms, values and rules in state-citizen engagement, and finally changes in cultures of participation and distribution of power and the disruptive effects these have had for citizenship. The research conducted from March 2016 to January 2017, included: semi-structured interviews (18 actors); analysis of secondary statistical information; analysis of policy documents and research background; systematization of statistical information of international indicators; and participant observation of OGP-NAP processes.

The research concludes that the NAP development and roll-out processes reveal the country's effort to enable new ways of citizen agency in the digital era. NAPs are developed as a result of a political context where the government seeks to engage its citizens in order to know their needs and improve their living conditions.

The NAP is created on the basis of a bottom-up approach where commitments are created at discussion meetings and citizen engagement have produced effective change in sectoral policies and governmental strategies. The Plans' participatory mechanisms imply a shift in terms of agency that enables advocacy processes to structure the state's policies. The most committed - and leading - civil society organizations in the process are relatively new. Their members are young and use ICTs extensively. They are open to dialogue, their decision making approach is pragmatic and they pursue transformations with immediate and tangible results when confronting structural changes in policies. They believe that structural transformation can be enhanced if permanent monitoring and consultative mechanisms were put into practice. Some initiatives exemplify how collaborative methodologies can be successful and even replicated in other arenas of public administration.

It is a model of participatory governance in which an institutionalized multi-stakeholder discussion mechanism enables the co-creation of a plan based on trust, conflict management and extensive dialogue. The most relevant change this process has introduced in terms of deepening democracy is the shift from a representative to a deliberative approach. For civil society organizations, the main challenge has been to engage citizens in public policy beyond the already institutionalized multi-stakeholder participatory initiatives.

Basing our analysis on Giddens' structuration approach, we are able to state that the actions of social agents taking part in the governance process created by the implementation of Open Government National Action Plans do not merely reproduce the patterns of the system, but are gradually modifying it, creating adaptations and small transformations in its structure.

2. Context: Citizen Participation in Uruguay

According to global connectivity indices and the e-participation Index, over the last ten years, Uruguay has consistently achieved significant improvements in digital public service delivery. This comes as a result of shifts in ICT policy, in conjunction with political shifts in the country's development strategies. However, the impact these initiatives have produced for effective citizen engagement in public policy and ICT-mediated democratic governance processes has not yet been explored.

Uruguay is a representative democracy with a robust institutional order. Regular general elections are held every five years with high electoral participation rates (90.5% in 2014). Additionally, plebiscites and referendums are guaranteed by the constitution as mechanisms for direct democracy. More recently, the country has started to invest in policies that can unlock the transformative potential of digital technologies for development. According to the *Latin American Democratic Development Index 2016*¹, Uruguay's democracy has been ranked among the top three countries in Latin America since 2002. In fact, it ranked first in 2013, 2014 and 2015.

Analyzing some of those indicators in depth, the country no longer has the highest position with "regard to civic, political and democratic rights", dropping two positions in comparison with the results of the 2014 index. Gender equality in government's roles in other Latin American countries explains the 10% decrease in Uruguay's score in 2015, with an additional fall in one of the variables that make up the indicator with regard to constraints on freedoms due to insecurity and kidnapping in 2016. In the "Institutional quality and policy efficiency" dimension, the country had a minor decrease (about 2% in 2016). It is ranked first among the eighteen countries analyzed in the regional ranking in relation to accountability and stability of democracy. The country has the highest rating on the democratic rights dimension, the only South American country to achieve that score. On the social dimension, alongside Chile, Bolivia and Argentina, Uruguay ranks high, climbing four positions in comparison with the scores of 2014, ranking third in the 2016 regional index. In the economic dimension Uruguay improved 37% in 2015, leading the scores on this dimension for the first time since 2002. The improvement on the public debt indicator explains this variation. In 2016, it goes back to the third place, after Chile and Peru, due to the investment indicator. It also continues to lead the income gap indicator.

Other indices support this diagnosis. The Economic Freedom Index and GDP per capita provide evidence the country's improvement in its economic conditions between 2014 and 2015. The country is in the first position in quality of institutions and in the first three places in political and economic efficiency dimensions.

The *Corruption Perceptions Index* by Transparency International² measures levels of corruption in the public sector, on a scale from zero (highly corrupt) to one hundred (perceived lack of corruption). Corruption is defined as "the abuse of entrusted power for private gain." In 2015, Uruguay ranked 21st (74 points) amongst the 169 countries measured by the index. In 2016 the country ranked 21st (71 points) amongst 176 countries.³ It is the country with the lowest rate of corruption in Latin America. This index also measures press freedom, access to information about budgets, levels of integrity in public office and independence of the judiciary system, and Uruguay's score indicates that it performs well on all these criteria.

1 <http://www.idd-lat.org/2016/downloads/idd-lat-2016.pdf?nocache=7687652837>

2 <http://www.transparency.org/what-is-corruption>

3 http://www.transparency.org/news/feature/corruption_perceptions_index_2016

2.1 Policy and the regulatory framework

Throughout the country's history citizen participation has taken place across multiple public spheres. There exists a long tradition of unions integrated in a single national workers' union (PIT-CNT) in 1959. Recently new organizations advocating on issues such as human rights, environmental protection, sexual diversity, right to choice and the legalization of marijuana have emerged (Calderon, 2016).

Since the mid-2000s, a number of measures have been taken to create an enabling environment for citizen participation. In 2008, the Access to Public Information Act was enacted, which mandated all public offices to publish information about their operations and answer citizens' written requests (except those pertaining to information classified as "confidential"). Also, the Act maintained that information could be classified as "confidential" only when a competent authority formally uses an objective set of criteria to determine that "the disclosure of [a] particular [piece of] information could reasonably be expected to harm public interests". Further, it allows for declassification of information that was inappropriately categorized as "confidential".

Secondly, new institutional mechanisms have been created in order to catalyze an increasingly active and responsible citizenry. For example, the National Wages Councils – a multi-stakeholder mechanism comprising representatives from government, unions and employers entrusted with the responsibility of setting minimum wages for every industry and ironing out confrontations and conflict of interest between stakeholders – was reinstated in 2005. They had been abolished during the dictatorship that lasted from 1973 to 1985, and some half-measures had been undertaken to reinstate them, after democracy was reinstated. In 2006, Local Social Councils were created by the Ministry of Social Development (MIDES) as a mechanism of participation in public policy, with the intention of contributing to the consolidation of social policies with citizen participation. 329 civil society organizations, from 107 towns and cities all over the country, took part in this initiative. (MIDES, 2008). Local Social Councils promoted citizen participation, transference of learning, citizen monitoring of public policy, and enabled advocacy at the local level.

In 2006 the Debate on Education initiative, conducted by the Ministry of Education and Culture, and organized by the Committee of Education Debate (CODE) created an inclusive space for deliberation and convening on a National Education Assembly in 2007. Over 1,200 citizens took part in the meetings and assemblies contributing to the debate through two citizen participation mechanisms: the territorial assemblies, which extended deliberation throughout the country and sectoral meetings. (De Armas *et al*, 2009). Citizens' inputs were referred to an open digital repository on the Ministry's website.⁴ The National Education Assembly was established as permanent body by the General Education Act of 2008, and its third edition is in progress.⁵

The Open Cabinet Hearings began in 2015. Cabinet hearings where the Executive branch – President, Ministers and Secretaries- usually meet were opened to citizen participation. They take place regularly in remote locations throughout the country, and are another arena for direct citizen participation. In these hearings, conducted on a request basis, local social leaders, businessmen and community members are offered a hearing with the president and his ministers. Diverse citizen demands regarding design and implementation of public policy that affect that particular region are heard and subsequently addressed by the competent authority. Citizens can submit their requests and demands in a web page before the event. These requests are sent to the authority in charge of the matter, in order to allow the government officials to attend the face-to-face meetings with answers and solutions to the demands submitted by citizens. According to a government official interviewed, they are working to install a data center that will allow real-time monitoring of the commitments made at the meetings.

4 <http://www.debateducativo.edu.uy/>

5 <http://www.anep.edu.uy/anep/phocadownload/normativa/ley%20de%20educacion%20modificada%202015.pdf>

The “Social Dialogue”⁶ initiated in 2016, is a recent participatory initiative, where all organizations of society are invited to deliberate upon the future of Uruguay. Political parties were not invited to take part in these meetings as they already have institutionalized participation mechanisms through parliamentary work. It is convened and organized by the Presidency of the Republic. The aim of this initiative is to jointly evolve the country’s development strategy, with inputs from citizens. Specifically, this initiative aims to address in a participatory manner, key issues on the country’s development agenda, which are linked to the United Nations’ 17 Sustainable Development Goals.

This dialogue is organized by a Commission comprising officers of the Executive Branch and academics from the Republic’s University. The sixth session of the Social Dialogue was held on September 20th 2016. Ninety organizations participated in this session focusing on citizen security and coexistence. According to the final report, there were 10 round tables, 44 sessions of four hours each, 665 institutions and 2500 people were registered, 210 proposals were submitted. By the end of each session a report was written and by the end of the process a comprehensive report on public policy goals and commitments to work on in order to achieve the Millennium Development Goals of the United Nations was issued. Activities are face-to-face. ICTs are used to coordinate, organize and publicize the events, to register participant organizations document all stages of the process into an online repository.⁷

All the initiatives mentioned above have contributed to deepening the culture of deliberative decision-making in public policy development even if some processes have not continued over time. For example, in 2013, Local Social Councils’ framework was modified and as a result of this, participation decreased and many councils subsequently disappeared (MIDES, 2015). Also, digital technologies have been used as auxiliary tools but have not been the primary strategy for citizen engagement in any of the initiatives.

2.2. Access to e-Services and e-Participation

According to the UN e-participation Index, Uruguay has made steady improvements in online public service delivery over the last ten years. Digital infrastructure as well as citizen use of ICTs increased significantly over the last decade. This widespread expansion of ICTs has been the result of market-led diffusion as well as public policies that have focused on the digital divide. For example, the “Ceibal” Plan provided a laptop to every student attending public primary, secondary or technical schools and to their teachers across the country. Internet access has been guaranteed to all schools. Similarly, there has been some investment in public access points – with many telecentres being set up by ANTEL (the state-owned telecommunications company) and the Ministry of Education and Culture. In 2015 the “Ibirapitá” Program was launched, providing low income retirees with tablets.

The Agenda Digital Uruguay (coordinated by AGESIC) lays out a strategic vision in harnessing digital technologies for the country’s development. Some of its key elements comprise:

1. enhancing opportunities for ICT usage for the most disadvantaged members of society
2. developing technological infrastructure and improving quality of services provided for citizens
3. promoting citizen participation

The ADU was developed in three stages: 2007-2008, 2008-2010 and 2011-2015. The latest plan was drawn up through a multi-stakeholder consultative process. In the area of citizen participation,

⁶ <https://www.presidencia.gub.uy/comunicacion/dialogo-social>

⁷ <http://www.dialogosocial.gub.uy/>

the 2011-15 plan aims at “enabling public offices to engage with citizens’ concerns through the use of technology, promoting transparency and open data generation” (AGESIC, 2015), in order to achieve goals such as: equity and social inclusion, civic participation, state transformation, improvement of education, innovation and knowledge generation etc.

According to the Survey of ICT use in urban households (EUTIC) 2013, carried out by the National Statistics Bureau (INE) and Agency of Electronic Government and Information and Knowledge Society (AGESIC), two out of three people use Internet on a daily basis and over 93.3% of respondents are using it at least once a week.

The survey found that in 2010, 43.5% urban households had access to the Internet, and by 2013 that number had increased to 64.7%. In Montevideo (the capital city), 74.8% of households had access to the Internet. But in other urban areas, only 55.1% of households enjoyed such access. The survey also found that income, age and education shape the digital divide.

Regarding patterns of Internet use, the survey found that the predominant activities that respondents engaged in were emailing, social networking, searching for information about goods and services, and viewing multimedia content. EUTIC 2013 also shows that “44.2% of Internet users visited a State website (43.0% in 2010) and 42.7% sought information on procedures, laws etc. (38.9% in 2010). 28.3% have downloaded files or public forms (25.7% in 2010), while 15.1% arranged appointments, requested work leaves or public certificates online (8.6% in 2010). 17.3% used the Internet to look for a public position (12.2% in 2010).”

What may be inferred from the EUTIC survey is that, the progress on digital infrastructure provisioning and public service delivery online notwithstanding online citizen engagement seems to be a recent and incipient process. It is observed the people use the web frequently to initiate formalities and procedures but less so to express opinions or influence decision making.

3. Method

3.1 Theoretical Framework

As stated by Giddens (1992), “the social environments in which we exist do not just consist of random assortments of events or actions (...) Social systems are made up of human actions and relationships: what gives these their patterning is their repetition across periods of time and distances of space.” The actions of all social actors do not reproduce the structural characteristics of the social system but, gradually, modify and change their structure. Social agents’ actions are bounded within the systems’ patterns but they are also capable of changing those patterns through their actions. Giddens defines *agency* as the capacity individuals and groups have to understand their place in social structure, and the conditions governing the continuity or transformation of structures, as well as their ability to transform those structural properties of the system, linking agency to the principle of negotiation and due diligence.

The system as a concept is a socially required structure. The certainty this structure provides in terms of relative continuity and predictability is defined as “ontological security”, which contains and guides actions, also defines its spatial-temporal limits. Only by referring to a structured system where one’s position and trajectory is -to some extent- clear, individuals are able to define themselves and their actions. Otherwise uncertainty would prevent individuals from defining their convictions and from stating who they are and what their scope of possible actions is. According to Giddens, members of a system should be defined as *agents* and not as social subjects (someone who is subdued, constrained by a set of rules and dispositions) or social actors (someone who fills in a predetermined role).

As Castells (2000) points out, ICTs have modified contemporary societies as they have changed economic, political, cultural and social activities. The Internet has enabled and broadened data accumulation and has consolidated new ways of communication and real-time interaction worldwide, modifying social structure. Castells defines this as the network society.

By incorporating this perspective to the theory of structuration, it is reasonable to state that we are facing changes in both major factors of Giddens's framework, agency and structures. Shifts in social structure in contemporary societies occur through the actions of social agents; digital technologies are part of their agency and of the social structure in which they act.

In this case study, the point of departure for our analysis is that agents involved in the consultation process for Open Government National Action Plan do not reproduce the structural characteristics of the social system nor do they stick to pre-conceived paths of action. On the contrary, the system's structure is modified – reproduced and restructured - by agents' use of ICTs. Civil society's new agency and citizen engagement enable the modification of the relationship with a changing state. In order to know how the process of structuration occurs, we analyze its key elements and how all stakeholders involved interact.

Alujas (2011) argues that Open Government is based on the principle that governments and administrations need to be rethought in order to transform societies and contribute to the development of healthy democracies, where networks substitute hierarchy and where commitments to achieve deep transversal transformations are created with social and economic actors, who will create public value. Alujas states

Open government implies a new culture of communication, a new organizational model where creative talent is put into use within and out of public office. Technology is conceived as a social and relational tool that boosts and stimulates a new culture of changes in the creation, management and provision of public services.⁸

Navarro (2016) understands collaboration as the key dimension of the open government's relational approach to civic participation through ICT. Collaborative participation is evident when citizens take part in decision-making processes. This implies a reconfiguration of technical, political and social legitimacy, and furthermore, transformations within public organizations. According to the author, the organizational process that relies on collaboration requires an integrative and collaborative leadership, in order to ease communication and participation in the dialogue that will enable decision-making. It is innovative leadership applied to public policy management from a relational governance approach. It promotes collaboration between citizens and business. It is not constrained to the use of ICTs as it incorporates civic knowledge, as well as civil servants and citizens' engagement. It seeks to ease social control as a collaborative competence in order to legitimize governments' efficiency and effectiveness.

As Helsper and Van Deursen (2015) note, these kinds of transformations cannot be attributed to the use of technology. In fact, all policies put in practice to reduce the digital divide had been focused on providing services but users' voices were often absent in the process. In the design-process, participation of the underprivileged members of society was not addressed, often resulting in outcomes that did not meet their needs.

De Vera (2006) observe that to infer that generalized use of ICT in public policies will itself increase participation does not seem accurate. Literature suggests that by incorporating these technologies, citizens who are interested in politics and already taking part in advocacy processes are enabled to expand the impact of their activities. According to Subirats (2013) the extent of changes introduced by Internet-enabled citizen participation are unimaginable. Public space is expanded beyond political representation to a collective space where responses to common

⁸“Open Government and economic crisis”, editorial, Cinco Días Newspaper – Tuesday January 25th 2011

problems are evolved in direct dialogue, with and among citizens, where partners are not always stable and attributions not always defined - which may put at stake the forms of intermediation and interaction that have characterized public institutions traditionally.

3.2 Method

This case-study examines the creation and implementation of the two-yearly Open Government Partnership National Action Plans (OGP-NAP), for the years 2012-2014, 2014-2016, and 2016-2018. The OGP-NAPs seek to improve government transparency, accountability and responsiveness and have been developed through a multi-stakeholder consultation process. The key focus of this analysis is the bargaining process among stakeholders, to explore how they were able to switch leadership positions, adapt, and cooperate/ collaborate to develop the course of action.

This study analyzes if the ICT-supported citizen engagement processes underpinning OGP-NAPs have transformed democratic governance, or merely remained superficial exercises that reinforce politically correct visions of Open Government. The main research questions addressed in the case study are:

1. How ICT-mediated citizen engagement represents an innovative practice that reinforces and promotes democratic governance?
2. Is the OGP-NAP multi-stakeholder institutional participation a legitimate mechanism to link public policy to citizens and their interests?
3. Does it enable and empower diverse actors for effective advocacy vis-a-vis the decision-making processes beyond politically correct government openness?
4. Are the transformations implied in this process (shifts in structures of signification, legitimation and domination) ultimately deepening democracy with regard to increased transparency, accountability, rule of law, responsiveness etc.?
5. How do ICT-mediated civic engagement networks change organizational structures and influence decision-making in public policy?

The methodology used in the case study was predominantly qualitative. The following methods for data gathering were adopted:

1. Semi-structured interviews: From November 2016 to January 2017, 18 actors involved in the process were interviewed – 7 civil servants, 7 civil society activists, and 4 academics. The duration of the interviews varied between 30 to 90 minutes.
2. Analysis of secondary statistical information of the Uruguayan survey on information technologies 2010- 2013, conducted by the National Statistics Bureau (INE).⁹
3. Analysis of policy documents and research background: Reports of the Independent Review Mechanism, AGESIC's Reports, and Action Plan web pages cited in the bibliography or at the foot of the page.
4. Survey and systematization of statistical information from international indicators.
5. Participant observation of OGP-NAP processes: Attending Events (Internet Governance Forum, Uruguay 2016, EGOv International Conference, Montevideo, 2016) and a meeting of the Open Government Work Group, allowed for gathering exploratory and complementary information.

⁹ <http://www.ine.gub.uy/>

4. Analysis

4.1 OGP-NAPs- An Overview

Uruguay joined the Open Government Partnership in 2011 voluntarily, committing to create two-year national action plans in order to improve the government's transparency, accountability and responsiveness. Through this step, the government committed to a long-term effort to embrace open government principles as state policy that legitimized multi-stakeholder partnerships involving government offices, civil society organizations, academics and private sector.

On November 22nd 2011, Executive decree 595/011 created an Open Government Working Group (led by AGESIC) to implement Open Government in Uruguay. AGESIC was entrusted with the responsibility of coordinating, managing and monitoring the Working Group responsible for preparing the National Action Plan. The mandate of the Group was to facilitate inter-institutional coordination and to enable interaction with the Executive branch.

The Working Group comprised representatives of the Planning and Budgeting Office (OPP), the Ministry of Economic and Financial Affairs (MEF), the Ministry of Foreign Affairs (MRREE), the National Statistics Bureau (INE), the Public Information Access Unit (UAIP), the Agency for the Development of E-Government and Information Society (AGESIC), the Institute of Political Science (ICP) of the Faculty of Social Sciences (FCS) of the Republic's University (UDELAR), and members of two civil society organizations (representing the Open Government Network- RGA). Civil servants appointed to the group were tasked with contributing to the preparation of the Action Plan and its follow-up through objective verifiable indicators.

The First National Action Plan (NAP) 2012-2014 included 18 commitments mainly focused on Electronic Government. The Second Plan 2014-2016 was a turning point in terms of incorporating commitments that addressed all open government principles. It was a more comprehensive plan and responded to the recommendations made by the Independent Review Mechanism of the Institute of Communication and Development (ICD)¹⁰, addressing issues such as access to public information, citizen engagement, transparency and open data.

The Open Government Second National Action Plan 2014- 2016, stated,

(...) making progress in the governance model of Open Government sets forth the challenge of providing citizens with new ways of approaching the Government that imply the traditional exercise of citizens' rights and obligations, and complete those rights and obligations with permanent participative and collaborative exercise opportunities, bringing citizens closer to the administration. Information and communication technologies open endless possibilities for governments and citizens in this field; governments possess much information that can (and must) be shared with citizens; while citizens have much knowledge and skills, which may be conveyed to the administration for everybody's benefit. This Action Plan, the second submitted by Uruguay in the context of the Alliance for Open Government, aims at maximizing the efforts of the Uruguayan government towards opening information and creating participatory spaces, as well as promoting the acknowledgment by citizens, of their new role.

¹⁰ The Institute of Communication and Development (ICD) is a non-profit civil association founded in 1986. It works on projects and programs in Latin American and Caribbean countries, as well as coordinating activities with international, public and non-governmental institutions in the the region. It is in charge of the external evaluation and monitoring of the Open Government Plan. See: <http://www.lasociedadcivil.org/>

In the Second National Action Plan 2014-2016, Uruguay included 40 commitments with 91 goals grouped in 8 thematic focal areas. 10 commitments integrate, totally or partially, 25 proposals of civil society, generated through the Discussion Meetings mechanism. The 8 thematic areas are;

1. Open Government promotion and development in Uruguay: Boosting and facilitating citizen participation and collaboration by creating new spaces and promoting existing ones and strengthening organizational skills to develop new models to interact with citizens.
2. Open Government for sectoral development: Strengthening the progress made in social policies in Uruguay, promoting practices of democratic coexistence, transparency and accountability in the implementation of specific policies, as well as the application of improvements to participation processes.
3. Promotion of Public Information Access Right: Boosting citizens' capacity to exercise access to public information right, as the basis for transparency and collective development of proposals that collaborate to deepen the country's transparency culture.
4. From public data to open data: Developing a standardization and transformation strategy from public data to open data, prioritizing subject areas that allow for the analysis of public policies, as well as addressing specific needs of the civil society.
5. Transparency in purchases and management of public resources: Promoting transparency in public purchases and the efficiency of state resources management in order to allow citizens to control public funds management.
6. Online procedures and services: Increasing procedures and services availability by electronic means, simplifying proceedings before the administration for citizens and companies, and promoting interoperability between different public entities.
7. Services for improving proximity with citizens: Implementing public policies that ensure equity of access to state information and services, assuring comprehensive and quality services, according to the citizens' needs in order to develop a proximate to citizens, effective and efficient State.
8. Improvement of local governments' citizen services: Making progress in services for citizens through the development of new projects with local and municipal coverage.

These 40 commitments respond to three out of five open Government challenges highlighted by the Open Government Partnership (OGP): increase public integrity, more effective management of public resources and improve public services provisioning.¹¹

The Third Open Government National Action Plan 2016-2018 has come about as a result of a process led by the Open Government Work Group 2016-2018.¹² The NAP includes 75 commitments with 212 goals grouped under 12 thematic focal areas. 26 commitments integrate, totally or partially, 25 proposals of the Civil Society generated through the Discussion Meetings where civil servants, academics and civil society met. Open Government principles – transparency, accountability, citizen participation and co-creation, technology and innovation – are expected to be injected into different public policies through these 12 thematic focal areas: Citizen Participation, Human Rights Monitoring, Justice, Anti-corruption, Environment, Business, Industry and Energy, Education, Healthcare and Care for the vulnerable, Transparency, Access to Public Information and Accountability, Social Development, Engagement with citizens; Public Finances; Local Governments.¹³

11 See: Self Assessment Report at:

https://www.opengovpartnership.org/sites/default/files/attachments/OGP_self_assessment_cal%20FINAL.pdf (p.1)
OGP five big challenges are: improving public services, increasing public integrity, more effectively managing public resources, creating safer communities, and increasing corporate accountability.

12 Further details on the Work group and meetings' minutes are available at:

<http://www.agesic.gub.uy/innovaportal/v/4789/25/agesic/grupo-de-trabajo.html?idPadre=4785>

13 At: <http://www.agesic.gub.uy/innovaportal/file/6048/1/3er-plan-de-accion-gobierno-abierto.pdf>. Information on implementation of commitments and impact, and other relevant details can be found at: <http://miradordegobiernoabierto.agesic.gub.uy/SigesVisualizador/faces/inicio.xhtml>

4.2 Results

In this section, where we discuss the process of creation of the OGP-NAP, we analyze actors' views on ICT-mediated engagement, the initiatives implemented, their effect on government-citizen interaction, the changes these interactions produced and the effect their association had on the implementation of public policies; reviewing perceptions of civil servants representing the government, academia and civil society actors through the outcomes of the interviews conducted.

4.2.1 Views on Open Government, participation and ICTs

Context

All stake-holders involved in the process share the same view on the country's institutional and regulatory context: civil and democratic rights are guaranteed, freedom of speech is highly guarded and negotiation is the prevailing mechanism in order to solve conflicts.

An updated regulatory framework on privacy and access to public information also – in view of all actors interviewed - contributes to create favorable conditions for the open government process. Positive changes have occurred as a result of these two laws. They have reinforced citizens' rights as well as specific mechanisms to access information. However, civil society respondents pointed out the implementation of the Access to Information Law is limited. On the grounds that the information requested is “confidential”, responses to specific requests are often delayed or denied by state agencies; sometimes the information is not systematized and / or not available, all of which weakens key components of open government such as enabling transparency, monitoring and accountability in public policy implementation. Therefore efforts are being made to modify the law in order to ease its enactment. It is clear that this implies a cultural shift rather than a legislative change, a result of slow processes which seems to have just begun.

According to civil society actors interviewed, the government has encouraged citizen participation - through non-governmental organizations - in multi-stakeholder working groups in different state agencies, in the implementation of sectoral policies and other government initiatives. From their point of view, these spaces have very little effective impact in the creation and implementation of policies, discouraging active citizen engagement. Sometimes citizens are merely called-in to validate or legitimize previously defined government decisions.

Open Government also implies that the Executive branch has to be in touch with citizens; this has been defined as “Proximity Government”. The “Open Cabinet Hearings” initiative is proof of the new approach on citizen engagement. Once a month the President and the Cabinet of Ministers travel the country, visiting small cities and villages, where cabinet sessions are opened for civil society organizations and citizens to attend, prioritizing the interaction with actors who are not strictly represented by party leaders or civil servants. Hearings with Ministers are booked by accessing a website, and the work-flow is organized in a manner that would enable them to answer as many local demands as possible. This initiative has had a considerable impact on mass media and social networks. In the near future, it will be possible to access a platform where all citizen demands will be registered and where citizens will be able to monitor the degree of compliance to the commitments made by authorities at Open Cabinet Hearings.

The “Social Dialogue” is the other “Proximity Government” initiative that follows the Open Government principles. One of the academics interviewed pointed out that this initiative is not coordinated with the Open Government National Action Plan, a recurring problem in the country's

public policy implementation. In any case, the objectives of the Social Dialogue initiative and the Open Government process in Uruguay are different. Although both seek to “listen to citizens” and “to promote participation of different actors,” their goals are different. The aim of the Social Dialogue initiative is to create documents that will serve as future policies’ input, containing guidelines and general recommendations while the National Action Plans are based on co-created commitments for action within a specific framework of policies and government actors.

Open government and citizen engagement

Although Open Government generally implies a shift in the way public policies are created, the study reveals that transparency, access to public information, accountability and participation have always been guiding principles of AGESIC’s work on e-government and on digital government. Uruguay’s membership in the OGP is in line with this historical trajectory. Digital government in the words of AGESIC’s Director is “to innovate the relationship between citizenry-state through the use of ICTs. This is consistent with Open Government principles, as (ICTs) enable a bidirectional relationship. Open government’s multidimensional and non-reductionist approach is similar to that of digital technology.” From his point of view, Uruguay embraced open government as a good practice and not in an effort to fight corruption as most countries have. According to government officials, fostering participation can make public management more transparent and sustainable, where policies comply with citizens’ demands.

How civil society is perceived varies according to the respondent’s position in the government’s hierarchy. Central government officials and AGESIC’s director claimed that there were participatory mechanisms before the implementation of the OGPs-NAPs, where non-governmental organizations were consulted in the implementation of public policies. From their point of view, delivering services digitally and enabling access to public information through the use of digital technologies are evidence of efforts to engage with citizen demands. ICT-mediated citizen advocacy is recent and implies a new way to understand public management, and is a complex shift in terms of how public management is done.

However, civil society actors interviewed stated that contributing to the democratization of society is the principle behind their participation in the open government process; ensuring access to information and to public services for those who are most vulnerable. As one of our interviewees stated,

If public policies-on education, health, rights of persons with disabilities - incorporate open government principles, those policies will be truly based on the human rights approach. Those policies will be more effective as people who are directly affected by their implementation will be able to take part in the process and will also be able to make informed decisions on matters that directly affect their quality of life. The incorporation of open government principles in public policy will also have a positive impact on how public policies are implemented because accountability and responsiveness will be prioritized.

Civil society actors claimed that diverse social actors should be involved in the entire process of public policy implementation – from creation to results evaluation. From their point of view, the NAP’s most innovative feature is that effective participation mechanisms are put into practice. However, state’s responsiveness to citizen needs should not be the result of civil society’s advocacy or demands, as responsiveness to needs is a key state responsibility.

4.2.2 Views on the Open Government Process

According to civil servants involved in the process, Uruguay’s membership in the OGP did not imply changes in the policies that were already underway. Nevertheless, the initiatives in the plans

favor and strengthen good practices. Uruguay's membership in the OGP is viewed as part of an ethical imperative to boost the democratization of public management. This can also improve the country's image internationally. Government officials also state that being AGESIC (an agency of the Executive branch) the institutional actor in charge of the coordination of the plans' creation and implementation, strengthens and systematizes the process, since this agency is able to coordinate and work transversely with different offices across the state's structure.

Civil society and academic actors interviewed share this point of view, however they point out the vulnerability this represents in terms of depending on the President's will and of the officials appointed at AGESIC. All actors acknowledged AGESIC's efficiency, particularly, the hard work of civil servants appointed to coordinate the NAP process. Actors interviewed mentioned that civil servants appointed to coordinate the process are engineers who make the process execution systematic and practical, but they may not be familiar with social and political processes. An academic actor interviewed pointed out that although the managerial paradigm predominant in AGESIC might be perceived as unsuitable to cope with participatory and social initiatives, on the NAP processes, all actors involved have been able to co-exist and cooperate.

Another civil society actor interviewed said that in spite of the remarkable work done by AGESIC, she remained skeptical about their actions' impact on citizens. She argued that the agency's work is important but often remains hidden from the public's view. Most of the transformations it promotes refer to improvements to the states working mechanisms-procedures and their digital implementation. Some of these improvements were more visible than others, there has been a gradual increase in the use of technology to deliver services. However, citizens and even government officials were not familiar with many of the improvements resulting from AGESIC's work. Additional efforts needed to be made so that citizens become aware of the advantages of the use of technology.

All actors felt that the first NAP was created and carried out without citizen involvement and its commitments were focused on e-government. In the second NAP, civil society was involved and was actively engaged in the creation of commitments and in monitoring compliance by the state. In the Third NAP, collaborative co-creation practices were put into practice. Many commitments were the result of ideas and issues debated at the discussion meetings.

Improving state transparency through success to data was the focus of the second NAP. The third NAP focuses upon embracing open government principles in the implementation of sectoral public policies. Civil servants coordinating the NAP stated that in the creation process, they relied on the Open Government Network's capacity to bring in organizations with field expertise on issues. According to the Independent Revision Mechanism (IRM) the Second NAP was imbalanced in its commitments towards the OGP principles. Access to public information was given more emphasis, followed by technology and innovation for transparency. Commitments addressing accountability and citizen participation principles were almost absent. According to the IRM's Report which assesses the process in accordance with OGP indicators; implementation and results should improve.¹⁴

4.2.3. Scope of Participation in the NAP

Open Government Work Group

¹⁴ Summarizing: Number of commitments: 40; level of completion - completed: 9 (23%) substantial: 18 (45%) limited: 12 (30%) not started: 1 (3%). On time or ahead of schedule 27 (68%). Commitment emphasis- access to information: 33 (83%) -civic participation: 11 (28%)- accountability: 9 (23%). Tech & innovation for transparency & accountability: 14 (35%) unclear 7 (18%). Number of commitments that were: clearly relevant to an OGP value: 33 (83%) of transformative potential impact: 4 (10%) substantially or completely implemented: 27 (68%) totally 3 (8%)

During the First NAP, only government officials took part in this Group which was responsible for the creation and monitoring of the NAPs. Civil society organizations formally demanded to participate and they did during the Second NAP. Citizen participation in the group was finally institutionalized by a Decree in 2016 which states that the Open Government Network represents civil society organizations in the Open Government Work Group. However, civil society actors were not completely satisfied with the decree, as the new decision mechanism is by simple majority. This imposed a modification of the group's existing practice substituting consensus way of taking decisions. Anyway, all actors taking part in the group define it as an executive, based-on-trust, comfortable work environment, where conflicts and differences are discussed and processed.

Open Government Network (RGA)

Three organizations founded the RGA in 2012. Nowadays it is a second-level organization in which 17 civil society organizations with diverse interests are associated. It is open, plural and imposes few restrictions and active responsibilities upon its associates. It collaborates in the creation, coordination and communication of the open government process, creating and suggesting alternative mechanisms to increase effective citizen engagement especially through the Discussion Meetings Mechanism. Civil society's interaction with state agencies has been simplified by the Network's emergence. Government officials have welcomed its participation, as it represents stable citizen involvement in the open government process. The creation of the Open Government Network and their organized participation in the process solved a problem for the government in terms of how civil society would take part and which organizations would become members of the working group.

Open Government Discussion Meetings

This is a participatory forum where many commitments of the plan are created. As both civil society and government actors indicated: at discussion meetings government officials meet civil society's demands, although sometimes it is difficult to fully address and agree on the complexity of the issues problematized. Before, during, and after discussion meetings, organizers work with all stake-holders making sure they understand this methodology is based on mutual trust and dialogue; and that commitments to goals are specific, measurable and achievable in a two-year period. Interviewees also mentioned that state agencies still need to visualize how beneficial this mechanism is when creating public policies.

According to civil society actors interviewed, in order to create commitments that would really have an impact, rules of engagement should be formal and clear, and a mechanism to make compliance mandatory should be created. Civil society organizations consider permanent discussion forums necessary in order to effectively monitor public policy implementation and strengthen participatory mechanisms beyond sporadic meetings. For instance, commitment compliance could be monitored via online forums. These actors acknowledge however, that conditions are not given to implement this kind of mechanism as many social organizations have yet to overcome the digital gap. It seems more viable to incorporate forums as follow-up mechanism between state offices and the social organizations taking part in the process since it began. Government officials involved in the NAPs process seem interested in this kind of initiative, although they have not as yet worked on how to implement them.

One of the civil servants in charge of the open government process revealed that working with mid-level government officials-with strong technical and political abilities- has proven to be the most effective approach across different state offices and agencies, as they understand technical and administrative limitations and are also directly reporting to senior - politically appointed - officers. As the interviewees stated, because of these actors' involvement in the open government process, it is possible to obtain commitments.

Online Public Enquiry on Draft Plans

This is a compulsory mechanism, according to the Open Government Partnership standards. But this has not had significant outcomes. 37 comments were posted on the First NAP (it was the only participatory mechanism available at the time). No comments were posted on the Second NAP's public enquiry. On the Third National Action Plan's public enquiry, 38 comments were posted via AGESIC's Facebook fan-page, website and e-mail.¹⁵

AGESIC's officials interviewed explained that few citizens submitted comments in the Second Plan's public enquiry, (less than in the First Plan), and that several comments were submitted by same actors who participated in face-to-face meetings taking advantage of the virtual forum to reiterate their requests publicly (beyond what had been included in the reports documenting the process). According to AGESIC's officials one of the main reasons why online citizen participation in the Second National Action Plan was so scarce might have been the restrictions of the enquiry (comments could not exceed 500 characters). It was also pointed out that further efforts must be done in order to encourage remote civil society's participation. From their point of view, because face-to-face participation was included in the creation process -adding to the online communication component (which had been used in the First Plan) - actors "migrated" or "abandoned" the online forums instead of using both in a complementary way.

Citizens and civil society organizations who had taken part in the discussion meetings throughout the creation process of the Third Plan were in fact the same citizens and organizations that submitted comments in the public enquiry. Their participation was aimed at strengthening and further exposing their demands by also making use of the online mechanism when State officials did not respond to their demands and proposals. The Open Government Network participated actively, both through offline and online mechanisms. As it was stated by AGESIC, there are many civil society organizations trained in virtual work. Other organizations, however, are not used to online mechanisms.

The public enquiry was also available at AGESIC's fan page on Facebook¹⁶, However, most of the comments submitted praised the initiative instead of actually commenting or demanding further actions or commitments on the different issues addressed by the Plan.

Direct Participation of Civil Society Organizations in Plans' Commitments

Often as a result of interaction at the discussion meetings, a few civil society organizations co-create and co-implement commitments of the NAP, in cooperation with civil servants. These initiatives aim at improving access to information and delivery of public services and may or may not be ICT-mediated. For the implementation of these collaborative initiatives financing is often required.

Civil society interviewees draw attention to the fact that demands on crucial issues such as: obtaining greater access to information on public budget and political parties' funding, or the disclosure of the Supreme Court appointment process, are not addressed in spite of civil society advocacy. Sometimes, governments do not even attend discussion meetings where such demands are raised.

According to the academic representing the Republic's University at the Open Government Work Group, there is a move towards a deliberative logic which is modifying practices and defying traditional representative democracy, which is "innovative and implies a shift towards a new model of democracy." This is difficult for some actors to understand because of Uruguay's long tradition of

15 At: <https://www.agesic.gub.uy/innovaportal/file/6147/1/informe-gestion-grupo-de-trabajo-ga-v4-final.pdf>, pg.8

16 https://www.facebook.com/pg/agesic.uy/photos/?tab=album&album_id=1034542499975429

representative democracy. In the deliberative logic, representation is not as important as debate and interaction. Actors represent themselves (even if they come from an organization) and generally do not speak for anyone save themselves.

The NAP's creation process mechanisms are rather innovative, allowing citizens to participate, control and also legitimize processes in a direct way. The culture of participation in the country – traditionally through NGO's and unions- was mainly orientated to defend human rights or demand service delivery to the government through protests and demonstrations. There are almost no spaces for co-production or co-participation in public policies such as the NAP process.

He points out that this implies a change and a challenge to the Government's decision making process. The meetings are open and this implies exposure to criticism and interaction with diverse actors which requires an open approach and good-will. As a result of the use of these participatory methodologies, governmental actors learn and change their perceptions on civil society organizations and their demands; they are also exposed to different approaches of interaction with the State.

4.3.4 The Participatory Methodology- Limitations and Strengths

Although it started as an international initiative unilaterally led by the government, open government in Uruguay has had a bottom-up implementation, where gradually and progressively more non-governmental actors participate. The plans' transformative impact upon public policies is still limited. However, Open Government has the potential to successfully become a transversal public policy.

Through the commitments in the plan, citizen engagement becomes a priority, and this represents a shift in terms of how policies are implemented. Public governmental information will no longer be exclusively used by the government (for bureaucratic proposes, internal monitoring of policies or compliance with international indexes); citizens will access that information in order to make informed decisions; as a result of which transformations on public data collection and management will occur. The policy would thus be not only be technically viable and politically significant, but based on citizens' explicit needs.

Since participation is voluntary, actors (government, civil society, citizen and academy) taking part in the creation process are intrinsically open to dialogue and negotiation and as a consequence, prone to reach agreement on how commitments are to be structured. Encouraging voluntary participation however, is a challenge so that citizens are motivated to engage. Civil society and civil servants interviewed revealed that governmental officials and civil servants need to overcome apprehensions about how civil society will use the disclosed information and about the political consequences of CSO demands. One of the civil servants interviewed stated that "interaction with civil society organizations is perceived more as a risk than as an opportunity."

Even though compliance with the Plan commitments is high, civil society interviewees revealed that a permanent participatory multi-stakeholder mechanism for self-assessment is needed. This is proposed to be implemented in the Third NAP. Some initiatives of the Plan have been embraced by citizens. Actors involved in these successful experiences stated that a comprehensive transformation towards the democratization of institutions and society would take medium to long-term efforts, with one interviewee stating, "the impact of these initiatives is not measurable in short-term, but is important and significant."

The increasing number of commitments included in the National Action Plans - and their heterogeneity- has been criticized both by the independent review mechanism and civil society organizations as the plan loses specificity and relevance. Numerous commitments make the monitoring and assessment of the plan difficult; while some refer to comprehensive transformations

on policy implementation, others have a very limited impact. According to interviewees, the increase in the number of commitments in the plan reflects government officials' inability to set priorities and exclude irrelevant commitments while setting priorities.

Even though civil servants coordinating the process of open government understand citizen engagement as its foundational element, they would welcome deeper political endorsement of open government from the higher tiers of government, as from their point of view, a top-down approach would enable greater transformations when working with government offices.

4.2.5. Scope of Citizen Engagement in NAPs

In the Open Government process, citizen engagement is mediated by civil society organizations who advocate and represent interests and who are open to take part in the Plans' collaborative, co-creative approach on public policy creation and implementation. Civil society and civil servant actors interviewed, characterized the different types of civil society organizations involved in the process;

1. Traditional CSOs that are used to articulating concerns and demands by raising awareness on different issues, and through resistance and public protests. These organizations are interested in influencing public policies but not through a collaborative approach.
2. Non-governmental organizations that are under contracts with the state in order to implement public policies. Interviewees point out that because of the contracts, their independence was likely to be compromised.
3. Community-based organizations that are focused on solving concrete problems that groups of people face (in their communities); where demands emerge through dialogue and become problematized in order to affect change.
4. Finally, newer civil society organizations founded over the last ten years by young citizens with high level of education, who are interested in cutting edge issues such as information technologies and access to public information. Their approach to transformation and collaboration is pragmatic and based on the view that urgent democratization of societies is needed. They are proactive and prone to engage in any initiative for problematization and policy co-creation. Their actions are carried out mostly through volunteer work but they also apply for international funding as they refuse to become contractually obliged to the state. They value their independence, and whenever they engage in an initiative that implies a form of service provision, it is through a collaborative, co-financed methodology.

So far, the innovative approach of newer organizations to interact and cooperate with the state has faced difficulties in terms of a lack of appropriate regulatory framework. One academic interviewed said,

I think it can be explained by generational change. That's it. These organizations seek new ways of social participation, based on innovation and hacking the system. They are system hackers. They are looking for ways to hack the system and generate innovation but from a perspective and argumentation that is fairly different from how traditional politics and political involvement are done. Political involvement for them is doing things; their philosophy is orientated towards intervention. It's very interesting; they have a different view on how to get things done. Also, let's not forget that in societies with great social inequalities like ours, these groups are select. Anyway they are welcome.

As a member of one of the new organizations pointed out,

Engagement in the Plan is a dynamic, incremental, relational process where interaction mechanisms vary along the process. Once transformations are achieved, successful experiences contribute to exemplify beneficial outcomes of a process where power is not concentrated, and as a result new actors become involved.

According to interviewees with the Open Government Network, participatory initiatives should clearly state rules of engagement in advance, as reaching organizations in order to seek validation

of processes and policies which have already been defined is not really encouraging. On and off line engagement is needed prior to the policy process. Interviewees pointed to conflicts that have occurred as a result of the gap between civil society organizations' expectations and the effective advocacy influence that the participation initiative provided.

It is also worth mentioning that due to lack of financial resources, civil society's work in the process is based on volunteer efforts as Uruguay does not receive international cooperation funds. It was not possible to unpack with the available data, whether actors expect broader citizen engagement to influence national public policies. One interviewee claimed that perhaps participation increases when local policies are at stake, but it is a very incipient phenomenon and for the time being, participation is generally mediated by civil society organizations.

Table 1 summarizes strengths and weaknesses of the OGP-NAP participatory processes mentioned by interviewed actors.

Table 1: Open Government National Action Plans' Strengths and Weaknesses

Strengths	Weaknesses
High-level political endorsement and strong institutional position (supported by the Executive branch)	The process remains unknown to the general public and for many actors who would benefit from taking part in it.
Effective and institutionalized participation mechanisms.	Vulnerable if alternation in power occurs, as the implementation of Open Government policies relies on the Executive branch's will.
Learning from an innovative participation experience of co-production and co-creation of policies.	Scarce budgetary allocation, resulting in an improvement of the process's work resources.
International acknowledgment of Uruguay's practices	Continuity of process is vulnerable to political regime shift (as it is an Executive branch initiative).
Citizen engagement in the Plan introduces new issues and demands which are based on citizens' needs.	A significant number of CSO are unable to take part in the process as co-creation and collaboration shift from the traditional culture of participation and different capacities are required.
Shifts in public administration occur, from a managerial to a social governance.	Fragmentation of commitments, failure to weed out minor / fringe priorities when setting commitments
Incremental inclusion of diverse social actors.	Government relevant counterparts have been absent from the process and have not shown will to engage in it.
Top-down policies creation has produced positive outcomes.	Government officials do not always commit to participatory processes.
The plan is sustainable in spite of alternation in power.	Citizen engagement and the plans' creation takes place in the Capital city.
As participation is voluntary, actors involved are motivated and willing to cooperate.	Commitment compliance is voluntary.

Source: Interview Data

4.2.6 ICT Strategies for Citizen participation

Connectivity, access and use of the Internet and ICTs is high in Uruguay, according to diverse indicators and the NAP has incorporated them into its work flow and dynamics of interaction. However, further usage to enable citizen involvement mediated by ICTs is still difficult to

accomplish. Internet uptake does not automatically produce a vibrant e-participation culture. Our research found two arenas where citizen involvement is mediated by the use of technology; the process of creation of the Open Government National Action Plan, and the use of technology in specific public policies.

Using ICTs in the NAP

In 2011, the state portal was created with information already available on different websites of the state, centralizing information into a single site categorized by theme and profile, with the aim of facilitating access and availability of various online services.¹⁷

Based on an assessment of citizen needs, a catalogue of state and citizenship procedures was created which sought to standardize the format of all governance processes. At first, only the catalogue (information on the procedures available) was available on line. Later, the design was improved to incorporate citizen participation procedures in relation to proposals of improvement of breadth and quality of the offer.

Complementary online and offline participation for empowerment in the use of virtual tools, through mechanisms of direct consultation face-to-face with civil society were expanded – for instance points of presence in the national territory to assist sectors of the population that have not accessed or who have difficulty accessing online procedures and to train them in the use of these services.

The Open Government Work Group and the Open Government Network have incorporated ICT usage to coordinate efforts (sharing documents, minutes and information) and to organize events such as the Discussion Meetings. According to some interviewees, email is the prevailing communication channel used by the Open Government Network to keep member organizations updated, to deliberate and discuss their strategic agenda and to work collaboratively – usually through Google Drive tools and Skype calls. Additionally, all information about the Open Government process is made available on state and Civil Society websites – minutes, legislation, etc.

Despite access to, and familiarity with ICTs, actors involved in the process have not used virtual forums. Most of the actors interviewed do not foresee online participation will replace face-to-face meetings. Interaction among actors has been based on trust and accomplished over time. Although they are naturally inclined to use technology, it would be necessary to develop a forum that would specifically adapt to the methodology of this process. Up to this point, ICTs mediated decision-making processes have not occurred. Actors are even more sceptical about ICT-mediated engagement with members of the general public, even though they believe ICTs would be useful to raise awareness about social issues and eventually influence the public agenda, especially through the use of social networks. Therefore, although progress has been made in terms of enabling interaction between civil society and government through the use of apps, virtual spaces that would enable interaction with citizens who do not take part in organizations have not been created yet.

But on-line public enquiries on the plans' drafts did not produce significant outcomes in terms of engaging new actors. It is worth pointing out that this mechanism is an OGP requirement for NAPs worldwide. In the Third Plan's public enquiry, the Open Government Network – which formally represents civil society organizations in the Open Government process – commented on and encouraged civil society actors to comment on commitments that, from their point of view, were not consistent either with the demands stated and agreements reached at the Discussion Meetings or with OGP's principles.

Through this mechanism civil society organizations were able publicly state their dissatisfaction. This mechanism is especially relevant in order to state dissent or criticism beyond and out of the

¹⁷ www.tramites.gub.uy

consensus methodology in place at the discussion meetings. Civil society organizations that did and did not take part in the process have an opportunity state their discontent. As it was stated at the ICD's Independent Review Report, civil society organizations' greatest achievement was to modify and review the public enquiry process, therefore, contributing to the improvement of future NAP processes. But all actors involved in the NAP process in Uruguay claimed that this mechanism is not effective in terms of engaging the general public. However, they consider ICTs could allow participation of citizens and organizations that have not been able to take part in the process so far as it has been restricted to the capital city. One interviewee said:

I believe that new deliberative platforms have not yet been introduced and that is a problem. These deliberative processes need deliberative platforms. Using a web platform as a document repository does not work with this new way of participation. Some work into this matter is being done, but I think it's the big challenge. Not only on the use of platforms, but how to communicate, to increase use images and videos instead of so many documents. It's a challenge. (...) AGESIC knows this, but they do not have resources. The offices working on the Open Government process have very few resources. They would need to have a group of people working on this. Everyone who goes there works "ad honorem", and it is time-consuming. It is a new way of social activism. The process needs more interactive work, for instance we should have been able to work on-line, in webinars, to reach Sub-National Governments

An interviewee suggested that citizens could be engaged in the evaluation of on-line public service-delivery using ICT platforms similar the ones the private sector has been using such as reviewing and grading service-delivery. This might have a positive effect on how public service is perceived and would enable improvements directly based on citizens- users' opinions. The use of apps to access public information might be the main innovation the National Action Plan has produced. What is truly innovative about this is not the technical innovation itself, but the co-creation process through which civil society actors were able to create technological tools and to dialogue with civil servants and officers in charge of public policies. The results of dialogue and collaboration were valuable for all citizens.

At Your Service

The creation of the app "At your service" (atuservicio.uy) emerged as a result of the interaction between the civil society organization DATA Uruguay and the Ministry of Public Health at the Discussion Meetings of the Open Government Second National Action Plan in 2014. In the context of the open government commitment 4.5 (Dissemination of Information for the Exercise of Health Rights), aimed to boost the use of information of the National Integrated Health System in Uruguay (SNIS). The project created guidelines and goals to be achieved in different stages: the publication of open data and information of interest; the prioritization of efforts in terms of information production through dialogue between the healthcare data ecosystem (data producers, re-users and consumers) as well as the dissemination of information on healthcare users' rights. The app's design was co-created by the civil society organization and a division of the Health Ministry. Their aim was to enable citizens to make informed decisions based on reliable data when choosing a healthcare provider.

Although this incipient process was created through the Open Government process, the methodology of cooperation could be replicated in other cases. This initiative is one of the most prominent examples of the potential of ICTs for collaborative work and co-creation and how they could potentially improve public services delivery. At the Open Government process the Ministry of Health – who was in charge of implementing the healthcare system's reform- met an approachable civil society organization expert on digital technologies who promotes the use of open data. The app was created through a dialogue process for selecting indicators – and demanding reliable

information- that would answer users concerns about healthcare providers. Citizens could now have access to information about healthcare service providers and compare and analyze the indicators of care, coverage, costs of their current provider, which democratized this decision making process in choosing a provider. In 2016, 80,000 citizens used *AtuServicio* in order to access information when considering changing healthcare provider.¹⁸

AtuServicio exemplifies a new paradigm where public data in open formats can be reused and redistributed to develop new products that generate social value. In this case, citizens' access to information can be made possible through open public data when available in a user-friendly way. Additionally, enabling citizen monitoring through the use of open data are likely to have positive effects on the healthcare system as services might improve as a result of the verification of the data they provide and increase more transparent market competition. In the same way that implementation of Open Government commitments has produced changes in social structures, *AtuServicio* proves although changes in the healthcare system are not immediate, they can occur gradually as a result of the interaction between the government and civil society organizations. When implementing *AtuServicio*, the civil society organization DATA enabled citizens' voices to be heard and incorporated in the public policy decision-making process. Feedback mechanisms were included in the *AtuServicio* app as well as through social networks or e-mail, which allowed users to comment on open data, complaint, or comment on technical problems when using the platform.

After analyzing the interviews with various actors directly or indirectly involved with the app and after exploring the website, we conclude that, in addition to the direct benefit that the service has had on people's decision-making processes, this growing interaction in social networks has had other positive impacts, drawing media and health providers attention to health care issues. Providers are currently interested in publishing more data, as well as on improving in their services quality and reducing costs. These positive outcomes benefit users as a whole, even those who do not access online control mechanisms.

5. Conclusion

The Open Government National Action Plan (NAP) development and roll-out processes analyzed in this paper reveal Uruguay's effort to enable new ways of agency in the digital era. NAPs are developed as a result of a political context where the government seeks to engage its citizens in order to know their needs and improve their living conditions.

The institutional and political commitments to comply with Open Government principles—diversity of actors engaged, co-creation of policies, enabling access to public information, and improving public service delivery were discussed in this case study as key elements of the processes analyzed. They reveal an effort to deepen democracy by capturing the complexity of the ways in which voice gets structured in the digital age.

Since 2006, AGESIC led an innovative process promoting the incorporation of ICTs in public administration; and since 2011, it has also spearheaded the OGP-NAPs. For civil society organizations, the main challenge was to engage citizens in public policy beyond the already institutionalized multi-stakeholder participatory initiatives. All actors involved in the NAP implementation agree that the bottom-up approach followed in the creation of the Plans has boosted participation, even though participatory initiatives in the NAPs have had limited impact – as they were thought to be accomplished in the short time of two years. Since the First NAP, Open Government has evolved from its narrow focus on e-government, towards a transversal multi-stakeholder approach to public policies and has its own budget allocation.

18 See: <http://www.mec.gub.uy/innovaportal/v/99545/61/mecweb/a-tu-servicio-agrega-informacion-sobre-indice-de-ceareas-por-prestador?3colid=11323&breadid=11323>

In the process, citizen engagement, which is represented by civil society organizations, is valued for effective change in sectoral policies or governmental strategies. The plans' participatory mechanisms imply a shift in terms of agency that enables advocacy processes to structure the state's policies. Power distribution changes as a result of the methodology and of actors' learning processes. Top-down and bottom-up approaches co-exist. All actors involved wished for a further explicit political-endorsement from the higher levels, in order to facilitate interaction with all state agencies and offices (this is especially true among civil servants who are in charge of coordinating the NAPs processes). However, some civil society's actors are more skeptical in terms of how a top-down endorsement of the process would effectively enable advocacy and democratization for change. In their view, although further political endorsement would strengthen open government policies, a positive outcome in terms of boasting citizen participation is not clear.

Still, an academic interviewed points out that, "While we know there is room for improvement, we also know this is the only Open Government process in Latin America done through a bottom-up approach." This model of participatory governance has been found in which an institutionalized multi-stakeholder discussion mechanism such as the Open Government Work Group (established through a Presidential Decree) enables the co-creation of a plan based on trust, conflict management and extensive dialogue. Academic actors' involvement in the process is recent and incipient and has the potential to enhance co-creation of knowledge. The creation of the Open Government Network increased and diversified the number of civil society organizations taking part in the process, legitimizing it and enabling deliberation. Progress has been made towards a deliberative formulation of public policies with the involvement of civil society. However, civil society organizations' capacities are asymmetrical. Organizations that are able to accomplish constructive dialogue are those with higher organizational capacities, who manage to find government counterparts are able to co-create commitments, achieve goals and advocate effectively. While their involvement has had some impact in channeling citizens' voices, it will require time and resources to initiate a process of cultural change within the administration.

Shifts in power distribution are taking place progressively. The discussion meetings participatory methodology and successful cases as *Atuservicio*, exemplify the value of mechanisms where citizen engagement occurs and gradually reshapes the structures of participation. Although citizen participation has not been systematically and permanently incorporated the public policies' creation cycle, the Open Government Action Plans' creation and the implementation of the *Atuservicio* initiative exemplify how collaborative methodologies can be successful and even replicated in other arenas of public administration.

Still, citizens' use, connectivity and access to digital technologies for seeking public information and public service-delivery remain underutilized, as to the role of ICTs in strengthening participation, deliberation and decision-making processes. Although ICT-mediated participation, deliberation and assessment of public policies are being discussed; these have not been successfully leveraged in any of the Open Government National Action Plans to date. But the success of platforms such as *AtuServicio* is likely to impact how policies are implemented. Eventually, platforms contribute to articulation of citizens' demands; raise awareness of access to information and can enable well informed decision making; in Giddens words, reflexivity processes are triggered. In lieu of this, the following directions for policy becomes evident,

1. To increase and improve citizen engagement mechanisms in public policy to deepen social and governmental democratization – This will ease the process of citizen involvement in policies and contribute to the learning of civil society and governmental actors.
2. To strengthen government capabilities for co-creation and collaborative development of public policies; by providing a suitable legal framework, financial resources, and further spaces of participation and policy co-creation through;
 - Training programs for civil servants.
 - Advocacy spaces for younger actors to innovate

- Expanding technical capacities of actors as well as trust-based cooperation mechanisms.
- Deeper data-disclosure processes
- 3. To improve existing regulatory framework in support of democratic processes by creating legislation to institutionalize, legitimize and facilitate transparent co-creation and collaboration between civil society organizations and the state, such as;
 - Improving the implementation of the Access to public information law
 - Creation of a law on volunteerism

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Annex 1: Glossary

ADU - Uruguay Digital Agenda
AGESIC - Agency for the Development of E-Government and Information Society
ANTEL - State-owned Telecommunications Company
AOG - Alliance for Open Government
CAHSI - Honorary Advisory Council for the Information Society
CODE - Committee of Education Debate
CSO - Civil Society Organizations
EIU - Economist Intelligence Unit
EUTIC - Survey of ICTs use in urban households
FCS - Faculty of Social Sciences
GDP – Gross Domestic Product
ICD - Institute of Communication and Development
ICP - Institute of Political Science
INE - National Statistics Bureau
INE - National Statistics Bureau
IRM - Independent Revision Mechanism
MEC - Ministry of Education and Culture
MIDES - Ministry of Social Development
Ministry of Economic and Financial Affairs (MEF)
MRREE - Ministry of Foreign Affairs
NAP - National Action Plan
OGP - Open Government Partnership
OGP-NAP - Open Government Partnership National Action Plans
OPP - Planning and Budgeting Office
PIT – CNT - National workers' Union
RGA - Open Government Network
UAIP - Access to Public Information Unit
UAIP - Public Information Access Unit
UDELAR - University of the Republic's

