

1<sup>ST</sup> ANNUAL GATHERING OF PARLAMERICAS'  
OPEN PARLIAMENT NETWORK

# **ROAD MAP TOWARDS LEGISLATIVE OPENNESS**





AUTHORS

**EMILIE LEMIEUX,  
NATALÍ CASANOVA &  
THAÍS MARTÍN NAVAS**

TRANSLATION  
**AISLÍN RYAN**

DESIGN & LAYOUT  
**LISA TEMES**

PHOTOGRAPHY  
**JORGE MAIDANA**

# TABLE OF CONTENTS

- 4 Message from the President of ParlAmericas
- 5 Message from the President of the Open Parliament Network
- 6 ParlAmericas
- 6 Open Parliament Network
- 7 Legislative Openness
- 7 #OPN2016
- 8 Opening Remarks
- 10 Exchanges
- 22 Road Map
- 38 Next Steps
- 39 Participants

This publication was made possible by the generous financial support of the Canadian Department for Global Affairs (GAC), formerly the Department of Foreign Affairs, Trade and Development (DFATD).

**ParlAmericas would like** to recognize the Chamber of Senators of Paraguay for organizing this gathering, and especially its president, **Mario Abdo Benítez**, for his support of this initiative, and Senator **Blanca Ovelar**, for her dedication and commitment as host of the gathering. The extraordinary work of the service providers and staff of the National Congress of Paraguay also helped ensure the success of the meeting.

We also wish to thank all of the delegates who attended the meeting for their valuable contributions, as well as the subject matter specialists, including **Minister David Ocampos Negreiros** (*Secretaría Nacional de Tecnologías de la Información y Comunicación* — SENAT-ICS, National Ministry for Information and Communications Technology — GIFT), **Jean-Noé Landry** (Open North), **Juan Pablo Guerrero** (Global Initiative for Fiscal Transparency), **María Barón** (Directorio Legislativo Foundation), **Marta Ferrara** (*Semillas para la Democracia* — Seeds for Democracy), **Natalia Albañil** (National Democratic Institute), **Norma Morandini** (*Observatorio de Derechos Humanos del Senado de Argentina*

— Observatorio for Human Rights of the Argentinean Senate), **Ricardo Godinho Gomes** (PALOP-TL UNDP), and **Yacine Khelladi** (Caribbean Open Institute) for sharing their vision and specialized knowledge.

We are also grateful for the invaluable support of the member organizations of the **Latin American Network for Legislative Transparency** (LALT Network), **Citizens for a Better Bahamas**, **Open North**, **Transparency Institute Guyana Inc.**, *Observatoire citoyen de l'action des pouvoirs publics en Haïti* (Citizen observatory for public policy actions in Haiti), **Trinidad and Tobago Transparency Institute**, and the **National Democratic Institute (NDI)** for their contributions to ParlAmericas' Road Map towards Legislative Transparency, which will serve as a guide for member parliaments of ParlAmericas to develop their own national action plans.

Finally, ParlAmericas is extremely grateful for the financial support of the **Department of Global Affairs of Canada**.

# MESSAGE FROM THE PRESIDENT OF PARLAMERICAS

Dear colleagues,

Legislative openness is a topic of fundamental importance to ParlAmericas, since citizens not only have a human right to access public information, but their participation in political and public decisions and in demanding accountability from authorities are at the root of democracy.

While it is true that the majority of countries in the hemisphere have passed laws on transparency and access to public information, we have found that this fact does not necessarily translate into an increase in active participation from citizens in the political process.

The path towards building and modernizing our democracies does not only go in one direction, from the state to society, but rather both ways. Parliamentarians, as representatives of society, have a greater responsibility in this process.

The gathering held in Asuncion, Paraguay on May 26-27, 2016 was an excellent opportunity to demonstrate our member parliaments' deep commitment to this process. It was also an opportunity to use existing mechanisms to develop a new tool to guide this work.

I urge all of you to share the progress and initiatives that emerge from this gathering and to promote the implementation of concrete measures in your parliaments using "ParlAmericas' Road Map towards Legislative Openness" adopted during the gathering, as a guide.

I would like to express my gratitude to the Legislature of Paraguay and to our host, Senator Blanca Ovelar, for her leadership and hospitality, and for providing the facilities to carry out the 1<sup>st</sup> Gathering of ParlAmericas' Open Parliament Network.

Sincerely,



**MARCELA GUERRA**

Senator, Mexico

President of ParlAmericas



.....  
 FOLLOW ME ON TWITTER @MARCELAGUERRANL

# MESSAGE FROM THE PRESIDENT OF THE OPEN PARLIAMENT NETWORK

Dear colleagues,

The 1<sup>st</sup> Gathering of the Open Parliament Network held in Paraguay was the result of many months of work among parliamentarians and civil society representatives, who developed the preliminary draft of our “Road Map towards Legislative Openness”. I would like to thank all of the participants for contributing their voices, experiences, and expertise to the valuable and profound discussions that took place May 26-27, 2016.

As studies from *Latinobarómetro* show, citizens’ confidence in their parliaments and political parties is very low and has not improved over the last 20 years. We must change our institutions and policies in order to become closer to our citizens. Our region and democracy will be strengthened if we work together.

We will work to overcome the culture of secrecy so that people regain confidence in their national institutions and in the efficient work they are doing for the public good. We have a challenge to overcome and for this reason we have worked on the principles of transparency, accountability, citizen participation, and ethics and probity during this gathering. The road map that we have adopted allows us to speak the same

language across national borders and to commit to putting these principles into practice in fulfilling our roles and responsibilities.

Sincerely,



**HERNÁN LARRAÍN**

*Senator, Chile*

*President of ParlAmericas’ Open Parliament Network*

.....  
 FOLLOW ME ON TWITTER @HERNANLARRAINF



# PARLAMERICAS



We are an **INDEPENDENT FORUM** that promotes **PARLIAMENTARY DIPLOMACY**



Composed of **NATIONAL LEGISLATURES** of the member States of the OAS (North, Central and South America and the Caribbean)



We facilitate **COOPERATIVE POLITICAL DIALOGUE**



Within a **PROFESSIONAL COMMUNITY** in the **INTERAMERICAN SYSTEM**



We mainstream **GENDER EQUALITY** and **LEGISLATIVE TRANSPARENCY**



Through **FORUMS, TRAINING, DEBATES** and **FOLLOW UP**



Enabling **EXCHANGES OF EXPERIENCES** and **BEST PRACTICES**



We are headquartered in **OTTAWA, CANADA**

# OPEN PARLIAMENT NETWORK

The **Open Parliament Network** is a permanent ParlAmericas working group that promotes legislative transparency among the organization's member parliaments.

During the International Seminar on Transparency and Probity in the National Congress and Political Party System, held in Santiago, Chile in 2012, the parliamentarians attending signed the Santiago Declaration on Parliamentary Transparency and Integrity in Parliaments and Political Parties.

The Declaration emphasizes strengthening democratic governance by focusing on four pillars. The document also contains a commitment

to creating the Inter-American Parliamentary Network on Transparency, Access to Public Information, and Probity.

With the aim of implementing the declaration and supporting the network's work, the National Congress of Chile created the Bicameral Transparency Group. This body acted as the Executive Secretariat of the Network until August 2015.

During ParlAmericas' 12<sup>th</sup> Plenary Assembly, the Network was integrated into the governance structure of the organization under the name Open Parliament Network. Senator Hernán Larraín (Chile) has led this Network since its inception.

# LEGISLATIVE OPENNESS

**Open Parliament** is a new form of interaction between citizens and legislatures that promotes openness and transparency in parliaments with the aim of ensuring access to public information, accountability, citizen participation, and high standards of ethics and probity in parliamentary work.

One of the main predecessors of the Open Parliament global movement is the Open Government Partnership, launched in 2011. This Partnership has developed important initiatives to promote transparency and accountability, encourage citizen participation, and facilitate collaboration in all forms of government, including parliaments.

In 2012, 160 organizations from 80 countries committed to the Declaration on Parliamentary Openness that presents shared principles on

openness, transparency, and the accessibility of parliaments. From these efforts, the Legislative Openness Working Group was formed with the objective of exchanging knowledge and experiences on opportunities and challenges for legislative transparency around the world, between different public institutions, civil society, and international organizations.

ParlAmericas' Open Parliament Network is leading the discussion and promoting the application of these principles in parliaments in North, Central and South America, and the Caribbean.

# #OPN2016

# 1

ROAD MAP



# 4

PILLARS

TRANSPARENCY  
ACCOUNTABILITY  
CITIZEN PARTICIPATION  
ETHICS AND PROBITY

# +20

COMMITMENTS TOWARDS  
LEGISLATIVE OPENNESS



# +50

PARLIAMENTARIANS

# 20

COUNTRIES

# OPENING REMARKS

*“The Congress of Paraguay is the third in the region to implement an action plan in the framework of the Open Government Partnership... Our slogan, “Building a new way to interact with citizens”, requires a profound cultural change, in which citizens will need to become the protagonists. The tools exist and now it is time for citizens to exercise their rights to participate effectively in public affairs. ParlAmericas is an excellent forum to discuss and analyze this new form of interaction that citizens are demanding...”*



Senator **BLANCA OVELAR**  
(Paraguay), Host of the 1<sup>st</sup>  
Gathering of ParlAmericas’  
Open Parliament Network

*“The “Road Map towards Legislative Openness” will be an instrument that evens out progress in this area, harmonizes regulations on transparency and accountability, and disseminates the implementation of public policies that have been successful in a number of countries. In the end, parliamentary diplomacy and legislative work, our hemispheric road map, and the national bills of law will become coordinated and mutually reinforcing with a single result: greater transparency, growing dialogue between parliaments and citizens, and the positioning of ethics and probity as emblematic virtues of parliaments in the Americas.”*



Senator **MARCELA GUERRA**  
(Mexico), President of  
ParlAmericas

*“Parliaments have an obligation to be transparent, to be models of ethics and probity, so that they can demand that the country’s institutions ... also be this way, because it is our mission not only to enact laws but also to oversee that these laws and principles are implemented. We need to have a constitutional value-based legal framework to ensure that these principles are applied. This is the challenge for our Network. We invite you to join us in addressing this challenge ... so that our communities can one day be proud of their parliaments, their political parties, and of the policies being made in each one of our countries.”*



Senator **HERNÁN LARRAÍN**  
(Chile), President of  
ParlAmericas’ Open  
Parliament Network



*“It is with great satisfaction that the Chamber of Deputies of Paraguay participates in this initiative, which essentially is the continuation of a process initiated in our country, and in our institution in particular, through the motivation of political and social actors who understood that access to public information is a right and an obligation, but above all it is a tool to create more efficient and more trustworthy institutions.”*



Member of the Chamber of Deputies **HUGO VELÁZQUEZ MORENO** (Paraguay), President of the Chamber of Deputies

*“One of the main missions of ParlAmericas is to strengthen democracy and governance in the Americas through dialogue and cooperation among parliaments. Today it stands as a forum that is very well qualified to conduct discussions related to the new legislative culture. Citizens demand that their representatives show results in combating corruption and fighting against impunity by adopting concrete measures that lead to improvements in quality of life. Transparency and probity are central characteristics that all parliaments in the democratic world should have.”*



Senator **MARIO ABDO BENÍTEZ** (Paraguay), President of the Chamber of Senators



# EXCHANGES

## REGIONAL EXPERIENCES

As a region, the Americas and the Caribbean has made a lot of progress in the debate on open parliament and fiscal transparency. Some of the most notable success stories of legislative openness have come out of this continent.

While some parliaments have chosen to adopt national action plans towards this objective, others have implemented focalized measures to open their institution to citizens.

This section explores the different initiatives that have been carried out by parliaments in the hemisphere in the last few years, to improve transparency and accountability, in collaboration with civil society.



## COSTA RICA

From the outset, the development of the Costa Rican legislative action plan involved the participation of five civil society organizations that make up the *Alianza para una Asamblea Abierta* (Alliance for an Open Assembly), and by academia, represented by a number of the country's universities.

Development phases for the Costa Rican Legislative Action Plan:

1. **Institutional adoption:** training of civil servants and organization of conferences on open parliament
2. **Development of instruments:** defining which topics to focus on for the database and what information should be prioritized
3. **Implementation:** re-launching the web page and guaranteeing citizen's access to open format information with a protocol for access to public information generated by different bodies of the Assembly

*“The reason for our success was that we began the work with civil society, asking them to decide what information they required, trying to secure the commitment of the different political fractions, so that they would continue [working on this]”*

Member of the Legislative Assembly **RAFAEL ORTIZ FÁBREGA** (Costa Rica), former President of the Legislative Assembly



## PARAGUAY

The Paraguayan experience is characterized by the crosscutting and pluralistic composition of the monitoring commissions from both chambers of Congress charged with promoting and developing initiatives related to legislative openness. These commissions were organized in three parts, where both legislators and permanent high level civil servants held joint working sessions with civil society organizations, in which they continue to develop and define priority actions and responsibilities. The Paraguayan action plan, which is still being designed, falls within the country's Open Parliament Partnership and has the slogan: "Building a new way to interact with citizens".

*“The success or failure of this entire new paradigm is directly linked to citizens’ participation in it. Without it, all of the effort will have been in vain.”*

**Senator CARLOS ALBERTO FILIZZOLA PALLARÉS**  
(Paraguay), First Vice-President of the Senate



## COMISIÓN DE ANTICORRUPCIÓN Y PARTICIPACIÓN CIUDADANA

- Bienvenida
- Integrantes
- Marco Jurídico
- Programa de Trabajo
- Iniclativas
- Minutas
- Puntos de Acuerdo
- Dictámenes
- Asuntos Relevantes

### PROCESO DE DICTAMINACIÓN DE LAS LEYES REGLAMENTARIAS EN MATERIA DE COMBATE A LA CORRUPCIÓN.

#### INICIATIVAS

#### FOROS

Lunes, 22 de Febrero

Inauguración de los foros en mater... →

Foros en Materia Aticorrupción co... →



## MEXICO

The laws associated with Mexico's National Anti-Corruption System are characterized by their participatory nature. They are rolling out initiatives that will enable civil society to participate actively and have a seat at the table during commission discussions on this topic. Currently, on the homepage of the Senate's *Comisión de Anticorrupción y Participación Ciudadana* (Commission on Anti-Corruption and Citizen Participation), anyone can review the progress on a discussion, download working documents, progress reports, agreements, including stenographic versions, analysis, commentaries, and videos of meetings, among other resources.

“(Citizen participation) offers a great opportunity to ensure continuity of the legislative work being carried out, ... there is no one better than civil society organizations, who have not only shown their interest but moreover embody this advancement.”

Senator **MARÍA DEL ROCÍO PINEDA GOCHI** (Mexico)

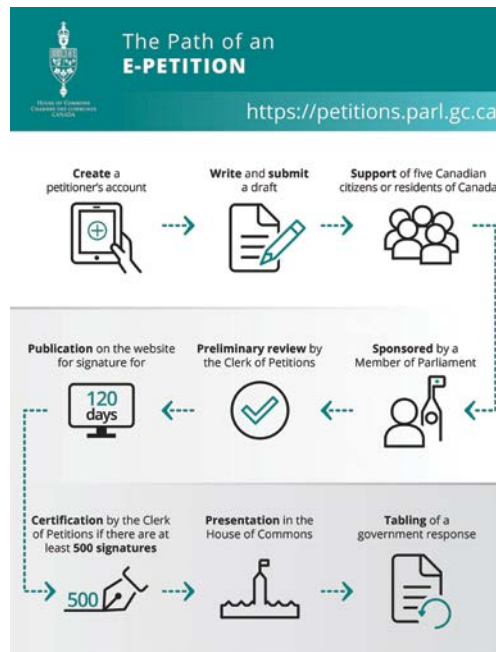
## CANADA

Following questions related to the expenses of several Canadian senators, the Standing Committee on Internal Economy, Budgets and Administration of the Senate made information on budgets and administration available to citizens. They have also opened sessions to the public, except when issues of security are addressed.

“There is a price for being transparent (after the fact, instead of being proactively transparent); the audit itself cost 23 million dollars, to collect less than one million dollars. But that was the price that we paid in order for the Canadian people to know exactly what we were doing [...] This is why the Senate has adopted new transparency measures to manage its administration.”

Senator **PANA MERCHANT** (Canada)

The screenshot shows the official website of the Parliament of Canada. At the top, there is a navigation bar with links for Site Map, A to Z Index, Contact Us, and Français. Below this is a search bar with the text "Google Custom Search" and a "Search" button. The main navigation menu includes Home, Parliamentary Business, Senators and Members, About Parliament, Visitor Information, and Employment. A "Share this page" link is also visible. The page title is "SENATE". Below the title is a secondary navigation menu with links for Senate home, The Senate's work, Canada's senators, About the Senate, and Supporting senators. The main content area features a large image of the Senate chamber and a heading "Reporting to Canadians".





## SAINT LUCIA

The Ministry for Sustainable Development, Energy, Science and Technology is developing an initiative to disseminate, in digital format, public archives like land registries, resolutions, and other documents, so that citizens can access them more easily.

*“It is so important to promote transparency and openness in our parliaments particularly now in this current political climate worldwide, given the level of disenchantment with our institutions on the part of the population.”*

**Senator DEBRA TOBIERRE (Saint Lucia)**

## SOCIAL COMMUNICATION AND OPEN DATA

Social communication and open data are gaining relevance as ways to facilitate interaction between citizens and their representatives. These initiatives related to legislative openness are useful when it comes to implementing measures that allow for greater transparency, accountability, and citizen participation. Likewise, these efforts make access to public information, considered a human right, a reality. Along these lines, the *Observatorio de Derechos Humanos del Senado de Argentina* (Observatory for Human Rights of the Argentinean Senate) has been quick to point out that not only is all of the information in the state's possession public, and thus any person has the right to request and receive information, but the state also needs to establish procedures for requesting and accessing information that are simple and free of cost. To this end, different interactive tools, such as open data portals and mobile applications are effective ways to ensure people can exercise this right. Nevertheless, it is important to keep in mind that access to technology is not universal and we must apply other measures for sharing information and facilitating citizen participation.



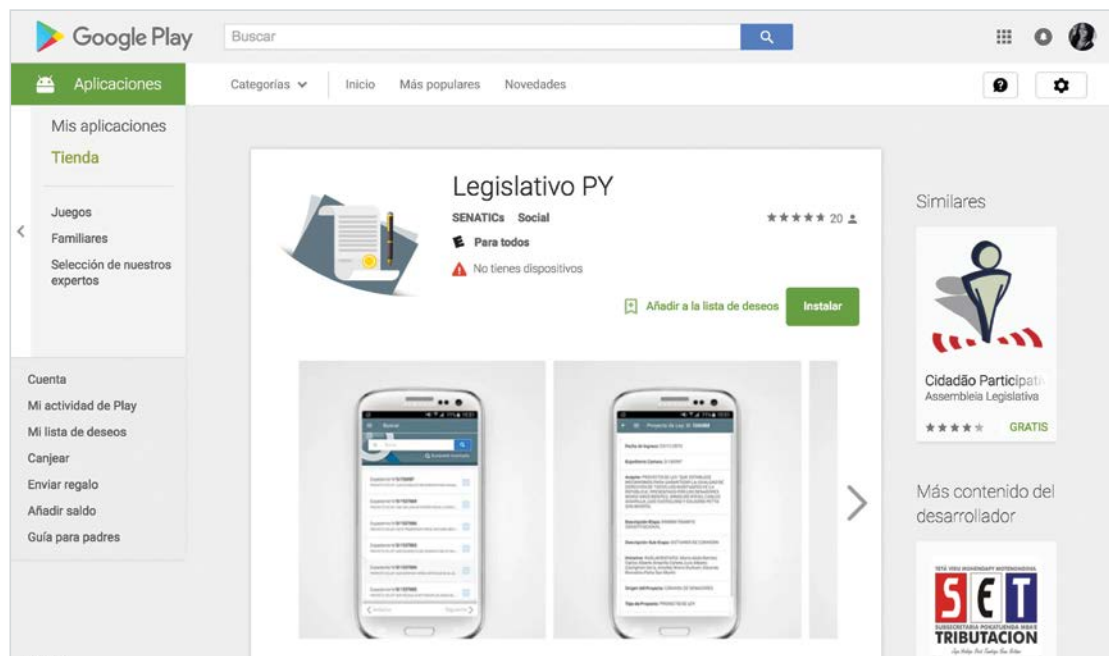


## MOBILE APPLICATIONS

The mobile application *Legislativo PY* developed by the *Secretaría Nacional de Tecnologías de la Información y Comunicación — SENATICS* (National Ministry for Information and Communications Technology) publishes the bills presented, passed, and enacted by the chambers that make up the National Congress of Paraguay.

“Information is connectivity, it is keeping society up to date with information, [it is] communication and knowledge.”

Minister **DAVID OCAMPOS** (Paraguay), *SENATICS*



## OPEN DATA PORTAL

Portals, like the *Government of Paraguay's* open data portal, are important for political control. Each legislator must take steps to oversee their respective governments and, this way, ensure the best use of public resources. Promoting policies and measures like this, where information is more accessible, approachable, and is open access, helps to fulfill this role, which is inherent to parliaments.

“The communications dimension of society’s openness, transparency, and accountability [...] is worthy of analysis and is key to empowering citizens, to include them [...] in a system that is being renewed.”

Senator **BLANCA OVELAR** (Paraguay)



## INTERACTIVE TOOLS

Thanks to different governmental and non-governmental organizations, citizens now have access to interactive tools, like open data portals, that facilitate access to greater information in a more user-friendly, less complicated way. One example is the portal Citizen Budget, an interactive platform for online budget consultations developed by Open North, which shows the financial impacts of citizens' decisions in real time, educating them about the trade-offs and constraints faced by their municipalities.

In Canada, the Office of the Parliamentary Budget Officer, along with Open North, has developed Ready Reckoner, a tool that allows parliamentarians and citizens to estimate the revenue impacts of changes to the federal tax system.

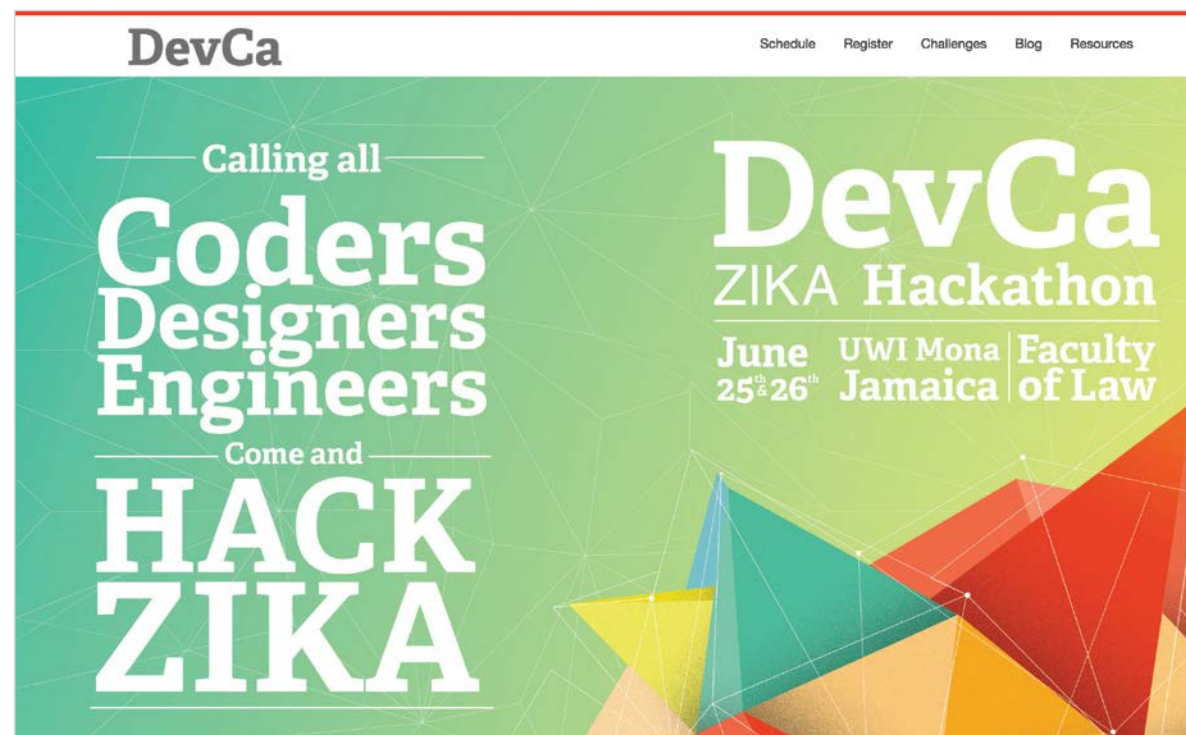


## INNOVATIVE TOOLS

In the Caribbean, they have launched the initiative DevCa, a platform that explores digital technologies as a solution to challenges in the region. Among its activities are hackathons and conferences that bring together diverse social actors, who together develop technology projects to resolve specific problems.

## REGIONAL TRAINING TOOLS

The United Nations Development Programme (UNDP) is working on a Project for Strengthening technical and functional skills of Supreme Audit Institutions (SAIs), National Parliaments and Civil Society for the control of public finances in the PALOP and Timor-Leste (Pro PALOP-TL SAI). The project established eLearning platforms to enhance skills and credentials of stakeholders for controlling public finances, creating durable access to a database and information in Portuguese.

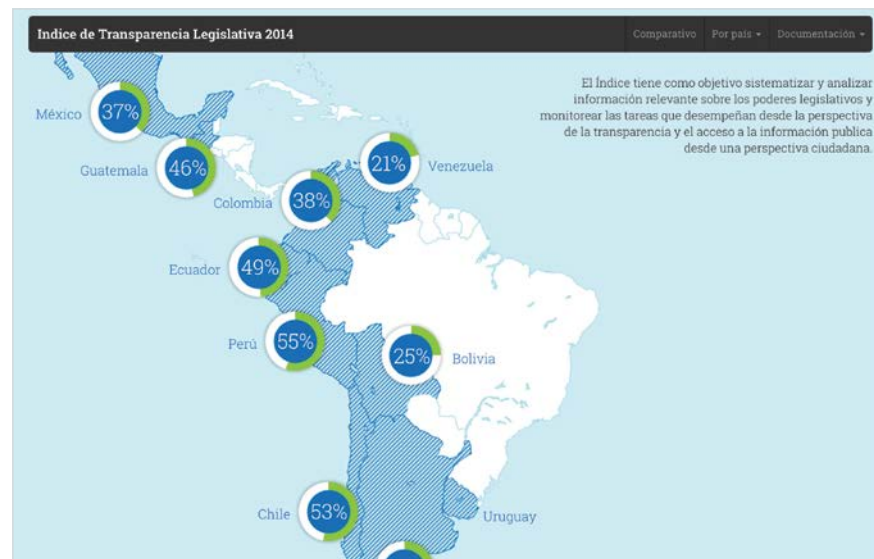


## OUR PROGRESS

### LEGISLATIVE TRANSPARENCY INDEX

Following various civil society organizations' support and backing of the Declaration on Parliamentary Transparency, the Latin American Network for Legislative Transparency (LALT Network) was formed by 24 organizations with offices in 14 countries in the region. The Network has developed the Legislative Transparency Index, a tool that in its last edition (2014) com-

pared openness in 10 parliaments across four dimensions: labour, regulations, budgetary and administrative management, and citizen participation. This index organizes and analyzes information from parliaments and monitors work being carried out from the perspective of transparency and access to public information. The LALT Network will develop a new edition of the index in 2016.



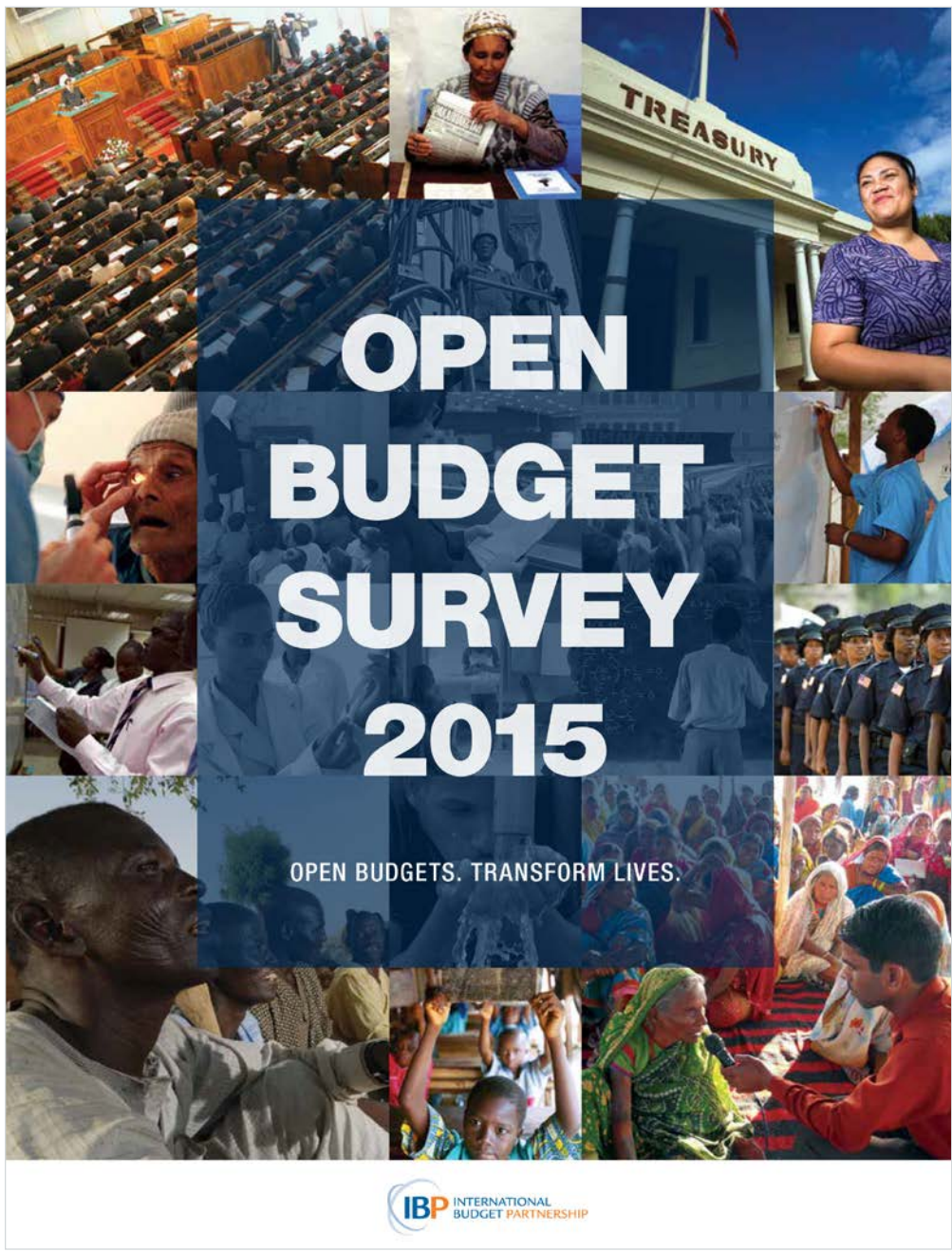
### LEGISLATIVE OPENNESS DATA EXPLORER

The Legislative Openness Data Explorer platform is a web page developed by the National Democratic Institute (NDI) providing comparative information on leg-

islative openness in 31 legislative chambers around the world. Users can access data categorized in seven areas and compare the progress of the included parliaments in different areas.

The **Legislative Openness Data Explorer** provides global, comparative information on parliamentary openness. All data on the site was crowdsourced from parliaments or parliamentary monitoring organizations. The Explorer contains information on **31** chambers of parliament. *Select a category or a country below to get started!*

Plenary
Committees
MPs
Administration
Accessibility
Ethics
Citizen participation



**OPEN BUDGET SURVEY**

The Open Budget Survey 2015, developed by the International Budget Partnership, is a comparative measure of transparency, participation, and budgetary surveillance. These three areas have been measured through 140 questions that set an index indicating whether the 102 countries studied provide citizens with sufficient, limited, or insufficient information on public spending.



# ROAD MAP

While many parliamentarians agree with the principles of legislative openness, there is no framework to translate these principles into concrete actions. For this reason, this road map, developed by parliamentarians and civil society representatives, aims to offer a framework for parliamentarians to develop their own action plans or initiatives on legislative openness at the national level.

With its adoption at the 1<sup>st</sup> Gathering of ParlAmericas' Open Parliament Network, legislators committed to promoting specific measures to translate the principles outlined in the Declaration on Parliamentary Openness and the Santiago Declaration on Parliamentary Transparency and Integrity in Parliaments and Political Parties into concrete actions.

These commitments are categorized based on the four pillars of the Open Parliament Network: transparency and access to public information, accountability, citizen participation, and probity and parliamentary ethics.



# ROAD MAP TOWARDS LEGISLATIVE OPENNESS

This Road Map was developed by parliamentarians in collaboration with civil society representatives and was adopted during the 1<sup>st</sup> Gathering of ParlAmericas' Open Parliament Network (OPN) on May 27, 2016 in Asuncion, Paraguay.

## OBJECTIVE

The objective of the road map is to provide a framework to help guide parliamentarians in producing their own action plans and/or initiatives for legislative openness at the national level. This document was approved during the 1<sup>st</sup> Gathering of ParlAmericas' Open Parliament Network (OPN), where the parliamentarians in attendance committed to promoting specific measures to make progress on the principles outlined in the Declaration on Parliamentary Openness and the Santiago Declaration on Parliamentary Transparency and Integrity in Parliaments and Political Parties. These agreements are structured around the four pillars of the OPN: transparency and access to information, accountability, citizen participation, and ethics and probity.

## BACKGROUND

Following the International Seminar on Transparency and Probity in the National Congress and Political Party System held in Santiago, Chile in 2012, the Santiago Declaration on Parliamentary Transparency and Integrity in Parliaments and Political Parties was signed. Article 7 of the Declaration recommended the establishment of a Regional Parliamentary Network for Transparency and Probity in order to implement the objectives of the Declaration. This network was formed in June 2012. With the aim of implementing the Santiago Declaration and supporting the network, Chile's National Congress created the Bicameral Transparency Group, which acted as the Executive Secretariat for the Network until August 2015. At the 6<sup>th</sup> Gathering of the Network in Santiago, it was agreed that the Network would be integrated into the institutional structure of ParlAmericas, under the name Open Parliament Network. Senator Herán Larraín (Chile) has led the Network since its inauguration.

# 1 TRANSPARENCY AND ACCESS TO INFORMATION

Access to public information is a fundamental human right that must be guaranteed by law. Public information belongs to citizens who need it in order to be empowered and to fully participate in democratic processes. In this sense, it creates legitimacy and confidence in our democratic institutions and it is essential in the fight against corruption.

## LAWS ON TRANSPARENCY AND ACCESS TO PUBLIC INFORMATION

**With the objective of fostering a culture of transparency and guaranteeing citizen access to public information, parliaments should:**

- Adopt legislation and regulatory frameworks on transparency and access to information in line with international standards, to ensure public access to information from the Parliament and from political parties/movements<sup>1</sup>, with the exception of classified or secret information, as defined by law.
- Adopt a policy for the management of public documents and archives to ensure that citizens have access to this information and that these documents are systematized, preserved, and captured electronically so they can be easily accessed and shared.
- Publish parliamentary information applying both active and proactive transparency, including data and information on parliamentarians<sup>2</sup>, roles, structures

and administrative expenses of the parliament, parliamentary agendas, permanent committees and other parliamentary data that does not jeopardize national security or privacy. Information should also be available on bills, committee agendas, debates within parliamentary committees and plenary assemblies, legal flows, records of votes, reports and presentations made before committees or plenary sessions, attendance lists, or budgets attached to certain laws, etc.

- Communicate information on the work of Parliament in the official national languages, in accessible formats, and via publicly accessible channels, in collaboration with civil society organizations as required. This ensures that all sectors of the population, including the most vulnerable groups, have the same access to this information. These channels should include:
  - the parliamentary library and the research products they produce;
  - online information and session streaming; and
  - regional parliamentary offices.



- Adopt an open data policy in order to ensure that up-to-date parliamentary information, especially raw data, is available online in an open format (text, cvs, xml, html, json, Akoma Ntoso, Popolo, W3C, etc.), and is standardized, machine-readable, and free. Parliaments should also promote the use of information and communication technology for dissemination, reuse, and analysis in partnership with data users and interested parties.
- Identify responsible individuals and offices and ensure clear procedures for requesting and submitting public information, while at the same time setting out sanctions in case of any breaches. It is also necessary to entrust individuals and offices with the mandate of interacting with the public to identify what information is being requested and in what formats it can be provided.
- Invest in communications infrastructure to close the digital gap by using mobile technology that allows digital access to information related to the activities and decisions of parliaments for all.

#### ENFORCEMENT AGENCIES

### **With the objective of ensuring compliance with transparency and access to information legislation and policies, parliaments should:**

- Establish an independent enforcement agency that is empowered to resolve any dispute concerning the obligation to disclose certain information in a timely manner.
- Ensure the independence of the agency through a fair and transparent appointment process for its commissioner and/or director or acting director, which includes public hearings with civil society.

<sup>1</sup> This would include information on: the work and institutional framework in general, financing of political parties and/or movements.

<sup>2</sup> This data would include: email address, telephone number, political party/caucus, curriculum vitae, term of office, bills presented, social networks, website, photograph and/or contact details for their constituency office, etc.

# 2 ACCOUNTABILITY

The right to accountability involves citizens' freedom to hold authorities to account and public servants' obligation to justify and accept responsibility for their decisions. This duty derives from two main functions of parliament: representation and oversight. On one hand, the accountability of the executive towards the parliament allows parliaments to evaluate and audit the government's actions, reassigning resources and public policies to obtain better results. On the other hand, the accountability of the parliament towards its citizens allows society to check, examine, and stay informed about what the parliament is doing.

## PARTICIPATORY ACCOUNTABILITY

**With the objective of providing citizens with the information required to hold the parliament, legislators, and political parties and/or movements accountable, parliaments should:**

- Ensure that procedures and/or instruments are in place in parliaments to guarantee that any auditing activity or political oversight of the government is carried out with the highest standards of efficiency, efficacy, and transparency.
- Implement accountability measures at the institutional level of parliament, including open budgeting, the publication of annual expenses, or public hearings, among others, ensuring that these initiatives are carried out with transparency and are disseminated.
- Implement accountability measures for each legislator, including the development of a standard model for parliamentarians' accountability reports on their legislative and political work, to be produced on a periodic or annual basis.

The reports should include a record of the activities of every parliamentarian<sup>3</sup> and a statement on their commitments prior to their term of office, to allow for comparison with their actions in their role as a legislator.

- Use mechanisms that facilitate accountability through digital and technological means.

## BUDGETARY OPENNESS

**With the objective of providing citizens with the opportunity to participate in the national budget process and review budgetary information, parliaments should:**

- Strengthen the requirement for transparency and accountability in the country's budget legislation with the aim of publishing and justifying all public expenses and priorities both within the national and parliamentary budgets, and obtain technical capacity in order to carry out these functions.
- Strengthen citizen participation to allow civil society to monitor expenses and

ensure they are involved in and aware of these matters.

- Strengthen transparency during the process of drafting the budget by publishing draft budgets and conducting public hearings to present preliminary versions of budgets and their corresponding gender impact assessments at least two months before the budget will be debated in parliament.
- Strengthen transparency in implementing budgets and in evaluating budgetary allocations.
- Establish external audits to review expenses, with the support of auditors that comply with internationally recognized standards.

<sup>3</sup> These registries would include: records of parliamentarians' votes and corresponding reasoning, in committee and plenary sessions; record of attendance in parliament; record of speeches, questions, and interpellations made; office expenses; records of meetings or public hearings; record of travel and per diem expenses; gifts made and received; bills submitted and championed; and legislator's commitments prior to his or her term in office.

# 3 CITIZEN PARTICIPATION

Citizen participation is the main pillar of democracy as its objective is for citizens to successfully participate in the public decision-making process. Legislators are a direct reflection of this participation as elected officials, and they play a crucial role as representatives of the citizenry ensuring that mechanisms exist that allow the community to participate in decision-making, oversight, and evaluations of legislation and public policy as well as the legislative process.

## CITIZEN PARTICIPATION AND DIALOGUE

### **With the objective of raising the awareness and interest of citizens to participate in the work of parliament, parliaments should:**

- Adequately disseminate information demonstrating the importance of citizen participation and explaining the mechanisms by which such participation is made possible, through educational and public awareness sessions, by publishing information on the parliament's website, and by communicating it through other channels including radio, television, and social networks.

### **With the objective of providing opportunities for citizens' direct involvement in the work of legislators, parliaments should:**

- Adopt a law on citizen participation that puts in place a legislative framework for effective citizen involvement.
- Identify, define, and apply methods and mechanisms to encourage citizens' par-

ticipation in formulating, approving, and making decisions on laws. Parliaments should formalize spaces for participation within legislative debates, with the possibility of making specific contributions through the use of technology such as petitions, public hearings, and other online mechanisms for citizen feedback.

- Encourage consultations and public hearings with citizens in order to gain insight into their interests, including the application of such mechanisms as an open office policy<sup>4</sup>, developing a joint oversight agenda, using Information and Communication Technology (ICT) and the internet, such as websites that allow comments, radio programs with opportunities for listeners to call in and comment, and email requests to legislators. In-person meetings should be held in safe locations that are easily accessible by the public, at convenient times, and appropriate services should be offered to reduce difficulties that prevent citizens' assistance.
- Strengthen the work done by legislators in their constituency, by publishing descriptions of the activities that will

be carried out, adopting mechanisms to allow vulnerable groups to participate, and taking measures to record activities and make information available such as the number of participants, the location, the subject matter, and the proposals or agreements made.

**With the objective of protecting citizens who expose misconduct by state institutions or actors, parliaments should:**

- Adopt whistleblower legislation to protect the rights of citizens who denounce corruption, fraud or wrongdoing and create mechanisms that allow whistleblowers to discretely or anonymously report instances of misconduct.

<sup>4</sup> An open door policy is reflected in efforts by legislators or other authorities to establish spaces or tools that promote dialogue and the exchange of ideas, proposals, and consultations between citizens and their representatives. In some cases, a specific day of the week has been designated when citizens can meet with their representative without needing to make an appointment.

# 4

## ETHICS AND PROBITY

Ethics and probity are essential values for parliaments. Incorporating them into our daily work instils legitimacy, credibility, and confidence in the parliament as well as legislators, for whom it is not sufficient to solely obey the law. Ethics and probity guide the parliamentary process towards the common good, strengthening democracy.

### CONFLICTS OF INTEREST

**With the objective of promoting a culture of ethical behaviour and probity among parliamentarians and civil servants, parliaments should:**

- Adopt good parliamentary practices and codes of conduct for parliamentarians and civil servants, in line with the international principles drafted by the National Democratic Institute (NDI), and the standards developed by the Commonwealth Parliamentary Association, and the Global Organization of Parliamentarians against Corruption (GOPAC).
- Ensure that legislators and civil servants, particularly those who work on sensitive files or manage public funds, are trained on the provisions of the parliament's code of conduct for ethical behaviour.

**With the objective of preventing conflicts of interest, whether actual, apparent, or perceived, and in order to ensure that the impact**

**of lobbying on decision-making is transparent and that legislators are held accountable, parliaments should:**

- Adopt a law on lobbying that reflects international standards presented by Transparency International, Access Info Europe, Sunlight Foundation and Open Knowledge, which includes a lobbying registry and the establishment of a code of conduct for lobbyists.
- Adopt conflict of interest regulations for parliamentarians and civil servants that include the duty to disclose lobbying, duty to abstain, disqualifications from holding parliamentary office, full-time dedication to parliamentary activity, a sanction system, and the duty to disclose individual assets and interests.
- Adopt rules to avoid practices that prevent or obstruct legislators from examining and debating proposed legislation or other parliamentary measures, for example, extra-legislative debates.

## ETHICS AND TRANSPARENCY COMMITTEE

### **With the objective of preventing conflicts of interest, promoting ethical behaviour and sanctioning breaches of the code of conduct and relevant legislation by parliamentarians, parliaments should:**

- Promote the creation of an ethics and probity committee or agency to enforce provisions of the code of ethics for legislators. The committee should include an independent third party to ensure neutrality and impartiality in decisions made. The role, function, and authority of the committee should include the ability to initiate investigations, the ability to receive evidence and allegations, and the ability to request information relevant to the investigations from public institutions and to sanction infractions to the code of conduct or relevant legislation. The regulations for the establishment of this committee or agency could be determined with the advice of an international organization dedicated to fighting corruption and pro-

moting transparency.

- Establish an office with the technical capacity to support the ethics and probity committee or agency, that can disseminate the code of conduct among parliamentarians and civil servants and train them on it, review declarations of interest and assets, initiate investigations and support parliamentarians and civil servants with consultations and other related processes.
- Establish a mechanism within the parliament to apply the regulations in the code of conduct to public servants.

### **With the objective of protecting gender equality and preventing discrimination, parliaments should:**

- Adopt gender equality policies and standard operating procedures in response to violence and discrimination against legislators and civil servants.
- Communicate these policies and procedures to legislators and civil servants during their initial training and provide periodic updates.

- Establish an office charged with the promotion and revision of parliamentary practices to institutionalise a gender perspective, ensure gender equality and prevent discrimination.

# DECLARATION

**Having discussed and amended** the “Road Map towards Legislative Openness” at its gathering on 26-27 May in Asuncion, Paraguay,

Acknowledging that the road map was developed as a result of direct engagement and consultations with civil society organizations representing all sub-regions of the Network,

Supporting the principles of legislative openness presented in the Declaration on Parliamentary Openness and in the Declaration of Santiago on Transparency and Integrity in Parliaments and Political Parties,

The Open Parliament Network of ParlAmericas agrees to:

1. Promote the “Road Map towards Legislative Transparency”;
2. Share this document with parliamentary colleagues and institutional partners;
3. Implement a number of these commitments at the national level;
4. Inform ParlAmericas of actions taken by national legislatures to implement the commitments of the road map with the aim of collecting and sharing best practices;
5. Work alongside civil society organizations, including the Latin American Network for Legislative Transparency (LALT Network), to develop and implement policies, regulations, and practices identified in the road map;
6. Encourage the establishment of multi-party groups or committees that will continue to discuss and push for the implementation of initiatives based on the commitments adopted;
7. Participate in data collection on parliamentary openness to implement the Latin American Transparency Index in all ParlAmericas member countries to allow for future evaluations of progress in this area; and
8. Respect each country’s autonomy in setting its own rhythm in how it makes progress and in the distinctive features and specific agendas it chooses to adopt, according to each country’s political and institutional reality.



# DRAFTING PROCESS

## STEP 1:





















The preliminary document was drafted at a meeting organized by ParlAmericas in Buenos Aires, Argentina, on March 17, 2016, which was attended by parliamentarians representing the LALT Network.

## STEP 2:

The preliminary document was improved upon with the help of non-governmental organizations and civil society representatives from Latin America, the Caribbean, and North America.

## STEP 3:

The preliminary document was finalized during the 1<sup>st</sup> Gathering of ParlAmericas' Open Parliament Network in Asuncion, Paraguay on May 26-27, 2016 with the contributions of more than 50 legislators from the following 20 countries in the Americas and the Caribbean:

 <b>ANTIGUA &amp; BARBUDA</b>	 <b>GUATEMALA</b>
 <b>ARGENTINA</b>	 <b>HONDURAS</b>
 <b>BAHAMAS</b>	 <b>MEXICO</b>
 <b>BOLIVIA</b>	 <b>NICARAGUA</b>
 <b>CANADA</b>	 <b>PANAMA</b>
 <b>CHILE</b>	 <b>PARAGUAY</b>
 <b>COLOMBIA</b>	 <b>PERU</b>
 <b>COSTA RICA</b>	 <b>DOMINICAN REP.</b>
 <b>CUBA</b>	 <b>SAINT LUCIA</b>
 <b>EL SALVADOR</b>	 <b>VENEZUELA</b>

# ORGANIZATIONS THAT CONTRIBUTED:



composed of the following member organizations:



Organizations from North America and the Caribbean:



# GLOSSARY OF CONCEPTS

## **ACCOUNTABILITY**

Duty of all people or authorities to explain, provide justification for, and communicate the decisions and actions that they have taken with respect to public resources that they have received or used on behalf of citizens.

Source: ParlAmericas and Latin American Network for Legislative Transparency, 2016

## **CITIZEN PARTICIPATION**

Active involvement of citizens in public decision-making processes that may have an impact to their lives.

Source: Ministerio Secretaría General de la Presidencia, Chile & Consejo de Participación Ciudadana y Control Social, Ecuador, 2016

## **CONFLICT OF INTEREST**

A situation where a person's private interests — such as outside professional relationships or personal financial assets — interfere or may be perceived to interfere with his/her performance of official duties.

Source: Ethics Office, United Nations (UN), 2016

## **DECLARATION OF ASSETS**

Control mechanism that contributes to the protection of public interests. On the one hand, while they are intended to detect and prevent conflicts between public interest and private, personal, professional or commercial nature; also, they warn about any potential cases of unjust enrichment and allow stepping in with a view to clearing any doubts and adopting any sanctions, should these be required.

Source: Anti-Corruption Office, Ministry of Justice and Human Rights, Argentina, 2016

## **ENFORCEMENT AGENCY FOR PUBLIC INFORMATION**

An agency whose purpose is to promote transparency in the civil service, supervise compliance with rules on transparency and disclosure of information by Government Agencies, and guarantee the right to access information.

Source: Law 20.285 on Access to Public Information, Chile, 2016

## **ETHICS AND PROBITY**

The norms of highest integrity that individuals should adhere to while serving as members of parliament. These norms should be codified in a code of conduct, which regulates the behaviour of legislators by establishing what is considered to be acceptable behaviour and what is not. In other words, it is intended to create a political culture which places considerable emphasis on the propriety, correctness, transparency, and honesty of parliamentarians' behaviour.

Source: Legislative Ethics and Codes of Conduct, Stapenhurst, R. y Pelizzo, R., World Bank Institute, 2004

## **GENDER EQUALITY**

Equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women's issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.

Source: UN Women, 2016

## **LOBBYING OR MANAGEMENT OF INTERESTS**

A practice whereby those who represent individual interests, argue in favour of them before decision makers.

Source: Centro de Implementación de Políticas Públicas para la Equidad y el Crecimiento (CIPPEC), 2009

## **OPEN BUDGET**

Government budget data that are made accessible to the public (online) in editable (machine readable) and reusable format, without any restriction (free/legally open). Requirements to protect the confidentiality of personal or classified information should be considered while posting open budget data.

Source: Financial Management Information Systems and Open Budget Data: Do Governments Report on Where the Money Goes, Min & Dener, World Bank, 2013

## **OPEN DATA**

Digital data that is made available with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime, anywhere. Data must comply with the following six principles:

1. Open by default;
2. Timely and comprehensive;
3. Accessible and usable;
4. Comparable and interoperable;
5. For improved governance and citizen engagement;
6. For inclusive development and innovation

Source: International Open Data Charter, 2015

**OPEN PARLIAMENT**

A new form of interaction between citizens and legislative powers that promotes parliamentary openness and transparency, to ensure access to public information, accountability, citizen involvement, and high probity and ethical standards in parliamentary work.

Source: [ParlAmericas and Latin American Network for Legislative Transparency \(LALT Network\), 2016](#)

**RIGHT OF  
ACCESSIBILITY  
TO PUBLIC  
INFORMATION**

A fundamental human right whereby any person may access information that is of public interest, developed by public institutions or by third parties with public funds. This information must be provided and posted in friendly formats that allow for real time access and reuse.

Source: [Model Inter-American Law on Access to Public Information, Organization of American States \(OAS\), 2010](#)

**SOCIAL OR  
PARTICIPATORY  
ACCOUNTABILITY**

A form of accountability that emerges from actions taken by citizens and civil society organizations to uphold this type of accountability by the state, as well as the efforts of governments and other social actors (media, private sector, donors) who support and respond to these actions.

Source: [Fostering Social Accountability: From Principle to Practice, Guidance Note, United National Development Programme \(UNDP\), 2010](#)

**TRANSPARENCY**

Programmes and mechanisms in place to disclose reliable and accessible information on institutional performance, indicating officers' responsibility for use of public resources and decision making.

Source: [Transparencia y rendición de cuentas, Jonathan Fox, en J. M. Ackerman coord. Más allá del acceso a la información. Transparencia, rendición de cuentas y estado de derecho, 2008](#)

Note: (A) Active transparency: in accordance with enacted laws, publishing information on Internet sites of state organizations and services; (B) Proactive transparency: a combination of activities and initiatives that promote re-circulating information relevant to specific sectors of society, published by the liable subjects, in an effort to go beyond legally established obligations; (C) Passive transparency: the duty of Government agencies to respond to requests for information, unless this is prevented by secrecy or non-disclosure provisions set out by law.

Fuente: [Los órganos garantes de la transparencia y el acceso a la información en Chile y México, 2012, and Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales de México, 2016](#)

# NEXT STEPS

We request the support of the members of our Network and our partners to:

1. Promote ParlAmericas' "Road Map towards Legislative Openness" by sharing it with colleagues and institutional partners and putting it into practice in a national context;
2. Share information with ParlAmericas on the measures adopted by national legislatures to implement the commitments outlined in the road map, with an aim to collect best practices; and
3. Participate in data collection on legislative openness in order to develop reference indicators to evaluate future progress.

During the 2<sup>nd</sup> Annual Gathering of ParlAmericas' Open Parliament Network in 2017, we will review the progress made by our member parliaments.



# PARTICIPANTS

**Delegates representing** the following parliaments:

- ▶ Antigua and Barbuda
- ▶ Argentina
- ▶ Bahamas
- ▶ Bolivia
- ▶ Canada
- ▶ Chile
- ▶ Colombia
- ▶ Costa Rica
- ▶ Cuba
- ▶ El Salvador
- ▶ Guatemala
- ▶ Honduras
- ▶ Mexico
- ▶ Nicaragua
- ▶ Panama
- ▶ Paraguay
- ▶ Peru
- ▶ Dominican Republic
- ▶ Saint Lucia
- ▶ Venezuela

Subject matter specialists representing the following organizations:

- ▶ Directorio Legislativo Foundation
- ▶ Global Initiative for Fiscal Transparency (GIFT)
- ▶ National Democratic Institute (NDI)
- ▶ Observatory for Human Rights, Senate, Argentina
- ▶ Open North
- ▶ United Nations Development Programme (UNDP)
- ▶ National Ministry for Information and Communications Technology — SENATICS
- ▶ Seeds for Democracy
- ▶ The Caribbean Open Institute





International Secretariat of ParlAmericas  
710 - 150 Wellington St., Ottawa, Ontario, K1P 5A4 Canada

Telephone: + 1 (613) 594-5222 | Fax: + 1 (613) 594-4766

[www.parlamericas.org](http://www.parlamericas.org) | [info@parlamericas.org](mailto:info@parlamericas.org)

