

Assessment and recommendations

Background

Upon request from the government of Thailand and in accordance with the country's reform priorities, the *Open and Connected Government Review of Thailand* aims to promote the successful design and implementation of open and digital government policies in the country, and leverage synergies between these two areas of public sector reform.

The review provides an external and peer-driven assessment and highlights the country's progress in creating a Government 4.0 more prepared to engage with citizens and drive decisions based on their needs. It provides an overview of Thailand's legal and policy frameworks, key institutional actors and their roles, the main ongoing policies and initiatives on open government and digital government, and of observed challenges.

These Assessment and Recommendations propose a set of strategic policy recommendations for the Thai government, based on the evidence collected by the OECD during the peer review mission to Bangkok. These recommendations align to OECD standards and good practices of its members and reflect on the OECD's longstanding work in the areas of open and digital government, the principles enshrined in the *OECD Recommendation of the Council on Digital Government Strategies* (2014^[1]), the *Recommendation of the Council on Open Government* (2017^[2]), and the OECD Digital Government Policy Framework (see Chapter 1).

Creating a citizen-centred policy framework for an open and connected government

High-level national development policies

The Thai government is promoting a new economic model called Thailand 4.0 (Royal Thai Embassy, n.d.^[3]), which describes a model driven by public sector innovation and co-operation with the public and private sectors. The model draws upon an open and connected, smart and high performing, and citizen-centric governance, and aims at moving towards a knowledge-based Thai economy (Jones and Pimdee, 2017^[4]).

Also, Thailand has sought greater coherence in terms of how different strategies contribute to national development in the long run. For such a purpose, the government created the National Strategy Act, B.E. 2560 (2017) and issued the 20-Year National Strategy (2018-2037) (Government of Thailand, 2018^[5]) with the aim of transforming Thailand into a developed country by 2037. The 20-Year National Strategy (2018-2037) breaks down long-term policy goals into actionable and measurable objectives defined in five-year mid-term plans known as the National Economic and Social Development Plans (NESDP).

In line with the above, the aim of Thailand's 12th NESDP (2017-2021) is to transform the Thai economy into "one that is based on services and digital technologies" and – accordingly – to modernise and

decentralise the public sector, capitalise on the opportunities of public-private collaboration, increase the provision of digital services and reinforce public sector workforce digital capability (NESDC, 2017^[6]).

Developing an integrated policy framework for open government in Thailand

In order to achieve the shift to Government 4.0 as foreseen by Thailand's new economic model, relevant principles and values of openness need to be identified, discussed and reinforced at every possible opportunity (OECD, 2016^[7]). In this regard, the inclusion and prioritisation of open government principles in government agendas and the mainstreamed application of those principles across the public sector are needed to promote reforms and cultural change.

Thailand's line ministries are already implementing a number of open government initiatives and have included references to open government principles in some sectoral policy documents but in a limited and siloed fashion. A co-ordinated approach that would allow for an increase in the number of initiatives, greater coherence and synergies between the individual efforts could thus positively contribute to the open government agenda and to how the latter can contribute to the achievement of Thailand's wider policy goals. In practice, most existing open government initiatives are implemented on an ad hoc basis and without an overarching policy framework. As Thailand is not a member of the Open Government Partnership, the government does not elaborate national action plans that select key open government initiatives. In most cases, public institutions implement open government initiatives related to stakeholder participation by fulfilling legal requirements and without following a whole-of-government and co-ordinated approach.

Defining an official concept of open government is a pivotal first step for a holistic and coherent approach to open government reforms. A single definition that is fully recognised and acknowledged by the whole public sector can facilitate the prioritisation and implementation of open government initiatives. In order to clearly define open government and move towards a more structured approach, the Office of the Public Sector Development Commission (OPDC), as the appointed co-ordinator for the open government agenda, could take the lead in creating a single definition that is accepted by the whole public sector and external stakeholders alike.

Evidence collected during the OECD's peer review mission to Bangkok in April 2019 also showed big disparities in terms of how the Thai government is moving towards an open and connected government that advance both the open and digital government agendas in that regard. Interviews consolidated the understanding that the open and connected government agenda in Thailand is highly driven by digitalisation, while open government considerations for national development (e.g. transparency and participation) remain secondary and often subordinate to aspects of the digital government agenda.

In the long term, the government could develop a strategic document that outlines shared objectives that go beyond the different initiatives and an overall vision of what Thailand intends to achieve with open government reforms. Such a document could help Thailand take full advantage of the benefits of open government. For a more strategic approach in the long run, the OECD suggests that countries develop an independent National Open Government Strategy (NOGS). According to OECD research, such a strategy can provide the missing link between high-level commitments (e.g. the open government principles included in the National Strategy on Public Sector Rebalancing and Development) and isolated practices to ensure policy coherence across public sector organisations.

An NOGS has the potential to consolidate initiatives across government, provide strategic direction, facilitate a focus on long-term and cross-cutting goals, and ultimately change the way government and society relate. Instead of driving individual initiatives, an NOGS can enable a country to set joint priorities and lead to a whole-of-government approach in which public institutions advance towards a common vision and shared strategic objectives. Ideally, the potential strategy would also be linked to the existing 20-Year Digital Economy and Society Development Plan (2017-2036).

In particular, in light of the challenges for open government, the Thai government identified in the OECD Survey on Open and Connected Government in Thailand (2019^[8]), an NOGS could have a positive impact on the consolidation of open government initiatives and the development of an open government agenda. The survey found that a “lack of or insufficient co-ordination among main public stakeholders” and “insufficient communication/awareness of the benefits of open government reforms among public officials” are viewed to be among the five most significant obstacles for open government in Thailand. Besides promoting open government and raising awareness to generate new initiatives, an NOGS should aim at rendering existing policies and initiatives more coherent and better co-ordinated by providing a common narrative and methodological setting.

Driving national development and innovation through digital government

Thailand has put in place an ambitious group of policy instruments on digitalisation, covering the digital economy, digital government and data, to support Thailand’s 12th National Economic and Social Development Plan (2017-2021) and the evolution towards Thailand 4.0.

The 20-Year Digital Economy and Society Development Plan (2017-2036) or Digital Thailand stands as the underlying long-term vision for digitalisation of the 20-Year National Strategy (2018-2037), with a focus on six core strategies: infrastructure, digital economy, inclusion and equality, digital government, skills and the future of work, and trust (including investments, security, and legal and regulatory frameworks) (MICT, 2017^[9]). The responsibilities for implementation of the specific goals and strategies lie with different government agencies (e.g. Digital Government Development Agency, DGA), under the co-ordination of the Ministry of Digital Economy and Society (MDES). In response to the related goals on digital government of the aforementioned policy instruments, the former E-Government Agency (EGA, which in 2018 became the DGA) developed the Digital Government Development Plan, which so far has been structured in three different stages: 2016-2018, 2017-2020 and 2020-2022.

The results of the survey administered across public sector organisations in Thailand for the purpose of this review confirmed a high level of awareness in terms of the existent policy instruments meant to support the digitalisation of the public sector and further development of digital government in the country.

Challenges remain, however, in terms of engaging actors beyond the usual ones within the public sector (i.e. DGA, MDES and OPDC) and also among those outside the public sector in the development of the digital government plans. Evidence from the OECD peer review mission to Bangkok pointed to the fact that the development of these instruments was not done in collaboration with a broader range of internal and external actors in the country. Public officials expressed the narrow engagement approach in the development of the Digital Government Development Plans, which left aside the views of other relevant public bodies such as the National Innovation Agency (NIA) and those from specific line ministries and other public sector organisations in charge of delivering sectoral policies (e.g. education). Also, the OECD did not find substantial evidence indicating the involvement of external actors such as citizens, civil society organisations (CSOs), businesses and academia in the development process of the Digital Government Development Plans.

Monitoring the implementation of the open and connected agenda

In Thailand, the vision for the digital government (both medium- and long-term) is clear but ensuring delivery of results will require flexibility to adjust policy measures when needed in the course of implementing the vision, reconsider government interventions if needed to target organisational efforts and drive them in a coherent fashion.

The DGA has a specific unit in charge of evaluating and monitoring digital government projects. The Digital Government Development Commission was set up in 2019 under the Digitalisation of Public Administration

and Services Delivery Act, B.E. 2562 (2019) to monitor and evaluate the Digital Government Development Plan and related digital government projects.

The Digital Government Development Plan is ambitious for it covers five sub-strategies (i.e. quality of life, competitiveness, national security and safety, government efficiency, and government services) and a group of eight international indicators (e.g. the United Nations E-Government Development Index, the Open Data Index and the United Nations E-Participation Index), all in which the Thai government aims to improve its ranking as a result of the Digital Government Development Plan (Thiratitayangkul, 2019^[10]).

Yet, measurements are highly driven by international indicators which, on the one hand, can help in driving a national digital government agenda that follows international best practices and benchmarks, such as OECD countries in the OURdata Index. However, on the other hand, this leaves aside the iterative monitoring controls that can help the Thai government take action or redefine the course of action, even before the end date of each Digital Government Development Plan.

Also, in terms of open government, collecting data on different open government initiatives can help to oversee results and monitor the implementation of the open government agenda. The OPDC could be charged with creating an overarching monitoring and evaluation (M&E) framework for Thailand's open government agenda. Moreover, due to its role as the co-ordinating entity for open government, the OPDC could promote the development of other public sector organisations' own frameworks that are linked to the national framework. Following the guidance provided by the OECD *Recommendation of the Council on Open Government* (2017^[2]), such an M&E framework with different indicators (e.g. process, outputs, outcomes or impact indicators) could be developed in collaboration with a broad array of stakeholders.

Recommendation 1. Foster the adoption and use of a single definition of open government throughout the whole public sector.

- Delineate, adopt and mainstream a single official definition of open government. The OPDC could take the lead in developing this single definition so that it is fully recognised, acknowledged and accepted by the whole public sector and external stakeholders alike.
- To make sure the new definition reflects a joint understanding of open government across all public institutions and beyond (e.g. with citizens, civil society, academia and the private sector), the government could consider launching a consultative and collaborative process for its development that would ensure greater ownership and better diffusion of the definition.

Recommendation 2. Link and reinforce the strategic value of existing open government initiatives.

- To make sure that open government considerations do not remain secondary or subordinate to the digital government agenda, the OPDC could consider upgrading the next National Economic and Social Development Plan, which will enter into force in 2022, by including specific and well-defined open government objectives that go beyond stakeholder participation in the medium term.
- Moreover, Thailand may want to explore the development of a National Open Government Plan that codifies goals related to integrity, accountability, digitalisation, transparency and stakeholder participation, which can be achieved over a medium-term timeframe. This instrument could either expand the scope of the proposed Action Plan for Participatory Governance Promotion, B.E.2561-2564, which was developed by the OPDC's Sub-Committee on Participation, or take a similar form.
- Establish appropriate co-ordination and oversight mechanisms with the participation of all institutions who pursue the same goals and implement initiatives related to open government.

Recommendation 3. Design and implement a whole-of-government NOGS.

- In the long term, consider developing a strategic document that outlines shared objectives and the overall vision of what Thailand intends to achieve with open government reforms. Such an independent NOGS can provide the missing link between high-level commitments (e.g. the open government principles included in the Strategy on Public Sector Rebalancing and Development) and isolated practices to ensure policy coherence across public institutions. Thailand could consider involving the legislature, judiciary and independent public institutions as well as subnational levels of government in the design and implementation process of the strategy.
- As the OPDC was assigned the responsibility for acquiring Open Government Partnership (OGP) membership and given its role as the co-ordinating entity for open government, the OPDC could lead the process of developing a possible NOGS. The NOGS could be co-created with key stakeholders, including civil society organisations, academia and the private sector to ensure a common vision and even better buy-in and ownership. The strategy could provide strategic guidance on all commitments included in a potential future open government action plan.

Recommendation 4. Expand the involvement of additional internal and external actors in the development process of the next National Digital Government Development Plan.

- Engagement can help, for instance, to identify those formalities and public services that should be prioritised for delivery and access through digital and mobile channels, increase policy ownership and clarify roles and responsibilities at the implementation level. This also supports the case for further embedding open government approaches and principles in the conception of digitalisation efforts in Thailand.

Recommendation 5. Reinforce the monitoring and reporting system to track the implementation of the Digital Government Development Plan at the organisational level.

- The DGA's efforts to monitor digital government and data-related actions should be sustained along with the Digital Government Development Commission. However, the development of specific measurements such as key performance indicators (KPIs) and the resulting reporting to the DGA from public sector organisations would benefit from following a short-term span (yearly reporting) so that they can help in informing policy measures and the rechanneling of resources before the expiration of the Digital Government Development Plan. This would contribute to grant greater agility to the plan's implementation so that policy interventions can take place in an iterative fashion whenever needed.
- These monitoring efforts should also take into consideration the insights of the user, for instance in relation to Thai citizens and businesses satisfaction with public services, including through omnichannel approaches.

Recommendation 6. Create an overarching M&E framework for Thailand's open government agenda.

- Thailand may consider monitoring the implementation of its open government agenda in a strategic way. The OPDC could be charged with creating an overarching M&E framework for Thailand's open government agenda. Moreover, due to their role as the co-ordinating entity for open government, they could promote the development of other institutions' own frameworks that are linked to the national framework.
- Following the guidance provided by the OECD *Recommendation of the Council on Open Government*, such an M&E framework with different indicators (e.g. process, outputs, outcomes or impact indicators) could be developed in collaboration with a broad array of relevant stakeholders.

Fostering clearer institutional governance for the effective implementation of the open and digital government agendas

As a result of the restructuring of the Thai government following the elections in March 2019, the OPDC was appointed co-ordinator for public governance. Based on the National Strategy on Public Sector Rebalancing and Development, the OPDC is encouraging public sector organisations to steer public digital innovation and involve the public and other stakeholders in developing a more open and participatory government.

In addition to the OPDC, other key leading actors in relation to digitalisation and digital government include the MDES (and specific internal MDES bodies such as the Office of the National Digital Economy and Society Commission [ONDE], the Electronic Transactions Development Agency [ETDA] and the Digital Economy Promotion Agency [DEPA]) and the DGA. Among these, the DGA, once under the MDES but currently under the Office of the Prime Minister (PMO), provides technical advice and support to public sector organisations in the design and implementation of their digital government initiatives. This includes the development of digital and data tools and infrastructure as explained in the sections that follow.

The responsibilities and roles in relation to the open government are not as clear due to the absence of an overarching policy framework.

Thailand's institutional arrangements for the implementation of an open and digital government

Thailand's institutional governance for open and digital government is complex. Responsibilities are clear but the real challenges are at the implementation level, as expressed by public officials during the OECD's peer review mission to Bangkok.

It is unclear how institutional plans (when available) are aligned – or will be aligned – with central development plans in the short term. This is a result of insufficient clarity and horizontal co-ordination among public sector organisations, in relation to what the 20-Year Digital Economy and Society Development Plan (2017-2036) and the Digital Government Development Plans mean in terms of implementation at the operational level. Notably, some public sector organisations with strong sectoral responsibilities did not self-identify as having a role in the digital government agenda given that they are not directly in charge of providing services to citizens and businesses.

There are some cases where ministries or other public sector organisations have taken immediate action to align their institutional agendas to the central open and connected government agenda but this approach is not widespread. This illustrates how leadership and commitment at the administrative and institutional levels are fundamental to apply digital and open connected approaches to sectoral and state policies. Yet, these cases are the exception and not the rule, as evidence from the OECD peer review mission to Bangkok and from the survey pointed to limited digital leadership at the institutional level, beyond those agencies directly involved in the digitalisation and digital government agendas.

In the case of open government, an effective institutional framework is still under development. While the OPDC is responsible for promoting the establishment of policies and mechanisms that ensure citizen participation in government, it does not yet have a clearly defined mandate for open government reforms beyond citizen participation, which is rooted in a firm legal basis.

Co-ordination and collaboration

In terms of digital government, it seems that the Thai government does not experience significant challenges in the high-level co-ordination of relevant actors within specific policy areas. In general, the survey data indicates that public sector organisations agree on the relatively good co-ordination achieved

so far to advance the digital policy in Thailand at the high level and within specific sectors. For instance, the MDES has a solid management mechanism to steer the 20-Year Digital Economy and Society Development Plan (2017-2036) structured in three different work chapters: i) commissioning; ii) policy funding; and iii) co-ordination. Another example is that the National Science Technology and Innovation Policy Committee (NSTIC) chaired by the prime minister and under the supervision of the National Science Technology and Innovation Policy Office (NSTIP).

On the contrary, collaboration issues among public sector organisations in general appear to be a significant concern in Thailand. It was difficult to assess how these leading public sector organisations collaborated and worked together in practice once co-ordination is achieved at a higher level. Public officials underlined overlaps in terms of implementation and the lack of integration across different digital plans at the institutional level (OECD, 2019^[8]). For instance, the Office of the National Digital Economy and Society Commission (ONDE)'s remit included digital transformation at a national level as well as an intelligence and policy design unit. However, it was unclear how they interacted with other government agencies or how they influenced them.

Also, similar to the experience of other countries, the OECD survey for this review found that the three main challenges the OPDC experiences in the co-ordination of open government policies and initiatives related to a “lack of or insufficient incentives to collaborate (career, financial, etc.) among other government institutions”, a “lack of or inadequate strategic direction” and a “lack of or insufficient political will/leadership” (OECD, 2019^[8]).

Recommendation 10. Leverage the value of the OPDC’s Government Innovation Lab (GIL) as a collaboration hub for the public sector.

- This would imply stressing the role of the GIL in the implementation of government-wide sectoral and institutional digital transformation plans, such as Thailand’s Digital Economy and Society Development Plan, the Digital Government Development Plans, the National Big Data Policy and other sectoral plans.
- For this purpose, the GIL should be acknowledged as a government-wide initiative to be leveraged across the public sector rather than a siloed practice within the responsibility of the OPDC. The GIL should also underline opportunities for collaboration through policy synergies and reduce overlaps and fragmentation at the implementation stage.

Recommendation 11. Establish an Open Government Steering Committee (OGSC).

- The creation of a mechanism such as an institutionalised OGSC can support the co-ordination of open government initiatives across levels of government, can generate additional visibility and can help foster continuity of initiatives and strategies. A steering committee could thus help the government to meet the challenges of a lack of co-ordination among main public stakeholders and insufficient communication/awareness of the benefits of open government reforms among public officials.
- A permanent OGSC could also function as a space to co-design the suggested National Open Government Strategy. The OGSC could follow up on the high-level commitments included in a national strategy and help translate the vision into concrete actions both in general as well as for thematic areas (e.g. access to public information, stakeholder participation or United Nations Sustainable Development Goals, etc.).
- Organise regular open state meetings within the framework of the OGSC, in order to create a space that allows for the permanent exchange of good practices and experience between branches of power and levels of government.

Leveraging legislation and regulations as drivers of the open and connected government agenda in Thailand

Building a solid legal basis for an open and connected government in Thailand

As in most OECD countries, the National Constitution of the Kingdom of Thailand, which was revised in 2017, does not make a specific reference to the concept of open government. However, it contains specific provisions, notably Sections 41, 58, 59 and 77 that support the principles of transparency, accountability, integrity, stakeholder participation and access to public sector information and data. These constitutional provisions provide the political and administrative leaders of the national open (and digital) government agenda legal leverage to promote (and intervene to enforce them if needed) open government principles across the public sector. Having these principles enshrined at the highest possible legal level creates a solid legal basis and legitimates all subsequent primary and secondary legislation. Moreover, it ensures the necessary impetus for launching open government strategies and related initiatives.

Access to Information as a cornerstone of open and connected government

In terms of access to information (ATI), Thailand has made significant progress over the past years. The right to information was first recognised by the 1997 People's Constitution and later included in the 2007 Constitution. Following the 2014 Interim Constitution, which did not contain any specific provision on access to information, today's version of the constitution that entered into force in 2017, includes three key provisions (respectively Sections 41, 59, and 77) guaranteeing citizens' right of information. Preceded by calls of civil society for greater transparency, the government substantiated the constitutionally protected right to access government information and adopted the Official Information Act, B.E. 2540 in 1997, which reinforced the rights of citizens in this respect. However, 23 years after its adoption, the act shows some limitations.

Thailand's Official Information Act applies not only to the executive branch but also to the legislative (both the House of Representatives and the Senate, and institutions related to them). The judiciary is also liable under the act, with the exception of the affairs related to the trial and adjudication of cases (Government of Thailand, 1997^[11]). Within the executive, the act's scope includes state enterprises, professional supervisory organisations, independent agencies of the state and other agencies. Due to Thailand's unitary system with a strong tradition of centralisation, the law also applies vertically to the central, provincial and local administrations.

As in 71% of OECD countries (OECD, 2011^[12]), Thailand's Official Information Act does not include any legal restrictions regarding the status of applicants. The act allows all Thai citizens to request official information from public sector organisations and information seekers are not required to provide reasons for their requests. With regard to the range of information that can be shared for public access, the law defines information extensively as all material held by or on behalf of public authorities, which is recorded in any format, regardless of who produced it. It is noteworthy that applicants do not need to provide their identity but are only required to provide contact details that are necessary for identifying and delivering the requested information.

It is crucial, however, to provide citizens with clear information on how and where to request government information. The act does not provide detailed information regarding the specific procedure concerning how to request information. Section 11 of the Official Information Act only stipulates that information seekers may request information that is not already published by making a "reasonably apprehensible mention on the intended information". The act does not include a description of the form the request should take nor what type of requests are permitted (e.g. paper copy, electronic reproduction or inspection of files). Moreover, the law does not specify the exact place or channels to submit information requests. While the Office of the Official Information Commission (OIC) provides a downloadable form on their website, it

remains unclear if this document constitutes an official form or rather represents a template form that helps requesters to file their requests (OIC, n.d.^[13]). It is not specified whether entities bound by the law are required to provide online portals, service phone lines or contact persons where information can be requested. As requesters are not provided with a receipt of the request procedure, citizens seeking information will be left unclear if their request is currently dealt with. Also, responses collected as part of the OECD survey for this review showed that one of the main challenges in implementing the ATI law is citizens' lack of awareness of the existence of the act and the benefits it can bring (OECD, 2019^[8]).

In the case that an institution does not possess the requested information, it shall refer the requester to another institution. However, Section 12 of the Official Information Act does not establish an obligation for the institution to transfer the request itself. Besides this obligation to inform citizens that the information is not available, the act does not include other provisions that institutions should provide assistance to information seekers to correctly lodge their requests. In particular, in the case of requesters with special needs (e.g. illiteracy or disability), assistance to file a request could be needed. If the requested information is available but was created by another institution, the request may be transferred.

With regard to the creation of concrete timelines for the provision of information, Section 11 of the ATI law only determines that information requests shall be answered: "within a reasonable period of time" (Government of Thailand, 1997^[11]). The law does not set any other fixed timeframes, which left room for public officials' discretion and could lead to delays. To fill in this gap, the Royal Decree on Criteria and Procedures for Good Governance obliges public institutions to respond within 15 days (Government of Thailand, 2003^[14]). An extension of the deadline is possible upon notice but requires an explanation of the reasons. Despite the establishment of deadlines through the Royal Decree, it has been noted that these timeframes are not always respected (Article 19, 2015^[15]).

Pursuant to Section 9 of Thailand's ATI law, the request for information is free but fees may be charged to inspect or reproduce documents. The Office of the OIC determines costs of reproduction associated with the request of information. Each institution may charge different rates but needs prior approval of the OIC.

For the case when an information request is refused, the person requesting information must be informed of the reasons for refusal. Thailand's Official Information Act does not allow for internal appeals and differentiates between complaints and external appeals. Citizens can issue a complaint with the Official Information Board (OIB) in case the institution the request is directed to fails to act and does not comply with the law. The Official Information Board is located within the institutional entity of the Prime Minister's Office. Due to its institutional affiliation, the board does not enjoy full independence and its respective oversight competencies are limited. For complaints, it does not therefore issue binding decisions but merely gives opinions on the complaints (Section 28). Citizens can also submit appeals against refusals to disclose information (Section 18) to the Office of the OIC, which also forms part of the PMO. The OIC will then transfer the appeal to Information Disclosure Tribunals (IDTs). Established in accordance with specialised fields of information, the IDTs make binding decisions, which are final, unless the appeal is referred to an administrative court.

Established by the 1997 ATI law, the Office of the OIC serves as a secretariat to both the OIB as well as to the IDTs. In addition to its secretariat functions, the commission functions as a supervisory and advisory body for the implementation of the law, which does not enjoy authority over other agencies. It issues recommendations on the implementation of the ATI law and submits regular reports on compliance with the Official Information Act to the cabinet. The head of the commission is a cabinet minister, who is appointed by the prime minister. Its mandate and location in the PMO do raise questions about its functional independence and objectivity in fulfilling the assigned mandate. Based on the 2017 annual report published by the Office of the OIC, challenges faced by the OIC include inadequate numbers of staff and a lack of funding.

Recommendation 12. Raise awareness of the Official Information Act, B.E. 2540 (1997) and continue promoting access to public information.

- One of the main challenges in implementing the ATI law is citizens' lack of awareness of the existence of the act and the benefits it can bring. Thailand could thus consider actively promoting access to information. The government could publish uniform guidelines and manuals that explain in easily understandable language how to request information and make them widely available to citizens. Specific manuals are also needed to describe complaint and appeal procedures. Moreover, service phone lines and dedicated contact persons that provide support could ease the process for citizens.
- To improve officials' knowledge and understanding of the access to information law and the related procedures, the Office of the OIC could share its internal guidance documents across all public institutions for the proper interpretation and implementation of the ATI law. These guidelines should be regularly analysed and updated to include lessons learned from the practice of handling requests, complaints and appeals by citizens. The OIC could also consider expanding its mobile training programmes, offering courses for officials working with ATI requests to promote guiding criteria and indicators of best practice.

Recommendation 13. Ensure the availability of clear, coherent and simple request procedures to make the access to information more citizen-friendly and foster the effective implementation of the Official Information Act, B.E. 2540 (1997).

- Consider the introduction of a standardised request procedure for all public institutions to improve and ease Thailand's access to information process for citizens. To ensure consistency between institutions, it is important that standards for the process for obtaining information and making complaints are set centrally and remain the same for each public entity providing information. To this end, Thailand could consider amending the Official Information Act by including a description of the form requests should take and where to submit them.
- One way to start harmonising the request procedures could be the development of a single online request form and the publication of supporting uniform guidelines on how to request information. As the current ATI portal of the Office of the OIC was reported to be not very user friendly, the creation of a new online request form for all public institutions will have to consider the ease of access for stakeholders.
- To ensure consistency of request fees between institutions, the fees for the reproduction as well as the potential delivery of information must be set by the OIC. Given the lack of mention of costs in the ATI law, citizens should be adequately informed about potential costs when requesting information. A distinction should be made between access to documents that are already available and access to information that involves research, elaboration or processing on the part of the administration. In case institutions charge their own rates, they must be justifiable and appropriate for citizens. The OIC could also consider providing the first 20 pages free of charge for all requests.
- Consider providing information seekers with a receipt of their request procedure to enable follow-up.
- To reduce room for public officials' discretion and create concrete timelines for the provision of public information that are respected across the government, Thailand could consider amending Section 11 of the Official Information Act to set fixed timeframes. The government could enshrine the 15 days stipulated in the Royal Decree on Criteria and Procedures for Good Governance.

Recommendation 14. Ensure effective and independent institutional oversight as a guarantor for the right to access information.

- Consider amending Section 28 of the Official Information Act to expand the mandate and oversight competencies of the OIB by enabling it to issue binding decisions on the merit of information request complaints.
- To strengthen independent oversight, the government may consider strengthening the independence of the OIB and the Office of the OIC. Their institutional autonomy could be guaranteed by granting the OIC legal personality, making it report only to parliament, which could also approve the institution's independent budget.
- Thailand should consider equipping the Office of the OIC with additional financial resources and provide the institution with adequate human capacities to ensure the effective implementation of its mandate.

From the proactive publication of information to open government data

In Thailand, the Official Information Act, B.E. 2540 (1997) and the Royal Decree on Criteria and Procedures for Good Governance, B.E. 2546 (2003), requires all government agencies to proactively publish information on a central website. Public institutions are obliged to proactively publish information and documents regarding their structure, powers, bylaws, regulations, orders, policies and interpretations. However, it is noted that in practice, not all government information is made available through the Government Service Centre (GovChannel) portal. The OECD's survey for this review found that agencies often resist fulfilling their responsibilities in sending information to the Office of the OIC (OECD, 2019^[8]).

Proactive publication is also a key aspect that can help in facilitating access to open government data so that it can be obtained and re-used by actors from all sectors as a means to promote social, business and public sector innovation. This is based on the premise that the creation of social, economic and good governance value for society, businesses and governments results from data use and re-use, and from the understanding that data publication is only a means to an end (OECD, 2018^[16]).

Hard law instruments (such as the current ATI law) can help to build a solid basis for the proactive publication of valuable and re-usable public sector datasets. Thailand's Official Information Act creates a legal framework for the disclosure of public information in that regard. However, the ATI law is not fully used as a policy lever that can help to advance open government data initiatives in the country. The Thai government could learn from the experience of OECD countries that have reinforced the governance for open data by including specific definitions on open data or the principle of "open by default" in the transparency and/or ATI legislation. This would help to ensure that the right foundations are in place first to move towards a data-driven society and public sector.

Recommendation 15. Consider the revision of the Official Information Act, B.E. 2540 (1997) to include specific provisions on open government data.

- This could help in reinforcing the general publication of open data at a broader scale in line with the provisions of the Digitalisation of Public Administration and Services Delivery Act, B.E. 2542 (2019) and define the requirement for openness and data by default for priority release of specific public sector information.
- These revisions can also support Thailand open data efforts in public procurement and public sector infrastructure, in line with the provisions of the Public Procurement and Supplies Administration Act (2017), Thailand's membership of the Infrastructure Transparency Initiative (CoST) and its willingness to implement the CoST Infrastructure Data Standard.

A clear legal framework to consult stakeholders on draft legislation

A first step in creating a legal basis for the consultation of stakeholders in regulatory processes took place in the period from 2003 to 2005 with the enactment of the Regulations of the Office of the Prime Minister on Public Consultation, B.E. 2548 (2005). The law obliges relevant government institutions to conduct credible consultations with the public prior to any major regulatory project. This law was further reinforced by the new Section 77 of the 2017 Constitution, which requires government agencies to “conduct consultation with stakeholders [prior to the enactment of every law]”. It also obliges institutions to “analyse any impacts that may occur from the law thoroughly and systematically, and should also disclose the results of the consultation and analysis to the public, and take them into consideration at every stage of the legislative process” (Office of the Council of State, 2017^[17]). Pursuant to Section 77 of the constitution, all draft acts are subject to public consultation before they are submitted to the cabinet for approval. To effectuate the requirement of consultation, the cabinet issued a resolution in 2017 stipulating that all draft legislation be published on a central consultation website (lawamendment.go.th) for at least 15 days before the agency may send the draft act together with the summarised consultation report and the impact assessment report to the secretariat of the cabinet.

Most recently, the Act on Legislative Drafting and the Outcome of Law, B.E. 2562 (2019), revises the system of regulatory policy making in Thailand, in accordance with Section 77 of the constitution. Amongst other reforms, it introduces more detailed instructions for conducting obligatory consultations at every stage of legislative drafting process, including impact assessments, holding consultation of the law and carrying out an *ex post* evaluation after the law has been passed (Government of Thailand, 2019^[18]). Stemming from Section 13, government agencies shall consult with the public through online consultations and, in addition, may use public meetings, questionnaires and interviews. For each consultation, agencies need to publish accompanying information such as a description of the problem the draft legislation is supposed to solve, an explanation of the main ideas and principles of the draft legislation presented in simple and comprehensible language as well as a list of persons who are or may be affected by the legislation (Section 14). According to Section 15 of the act, all stakeholders participating in public consultations shall register with their corresponding address and email via a central registration system. While registration provides useful information regarding the origin of each contribution and allows for further inquiries and notification regarding the progress of the file, the lack of an opportunity to provide anonymous input may also raise data protection concerns and prevent some stakeholders from commenting.

Aside from conducting formal public consultations on draft legislation and regulations, the law does not refer to stakeholder participation in the development of strategic documents. Such consultations to improve strategic planning are currently only voluntary. Regarding the inclusion of specific provisions relating to stakeholder participation in other sectoral laws, laws for environmental and town planning contain such

references. Sections 48 to 51 of the Enhancement and Conservation of the National Environmental Quality Act, B.E. 2535 (1992) (amended by the Enhancement and Conservation of the National Environmental Quality Act, B.E. 2561 [No. 2] in 2018) refer to the consultation of experts for environmental impact assessments. With Section 9, the new Town Planning Act (2019) also contains a provision on stakeholder participation.

Thailand's set of legislation to enable stakeholder consultation in legislative processes provides a solid legal framework for all public agencies. In particular, the Act on Legislative Drafting and the Outcome of Law opens a way to yield the benefit that stakeholders can bring to policy making. From a legal point of view, it is in line with the *OECD Recommendation of the Council on Open Government*. Efforts from all public sector organisations are now needed to ensure the successful and coherent implementation of the legal framework for public consultation. While all government agencies are obliged to comply with the provisions of the laws, only a move towards a more participatory governance culture will guarantee effective implementation in the future. The success in applying this legal framework will to a large extent also depend on providing adequate guidance to all public institutions conducting public consultations. In order to avoid consultation fatigue and ensure that consultations are meaningful, the government should further improve the sustainability of stakeholder participation.

Besides the consultation of citizens on already formulated pieces of draft legislation, other forms of participation to interact and engage with stakeholders in the policy-making cycle could broaden Thailand's participatory approach. Practices that go beyond mere consultation and focus on the active engagement of stakeholders during co-design processes could bring further value. Similarly, the participation of stakeholders in budget processes represents an open government practice in many OECD countries. However, currently, such practices are not covered by any existing legislation.

Recommendation 16. Ensure the successful, inclusive and coherent implementation of the legal framework for public consultation.

- Consider supplementing all online consultations with in-person meetings, questionnaires and interviews. This would i) help to increase inclusiveness and digital democracy by enabling citizens with limited or no access to information and communications technology (ICT) to participate in consultations; and ii) follow a digital-by-design and multi-channel approach to public consultations, in addition to online consultation requirements as discussed in Section 13 of the Act on Legislative Drafting and the Outcome of Law, B.E.2562 (2019).
- Following Section 15 of the Act on Legislative Drafting and the Outcome of Law, B.E.2562 (2019), introduce the possibility of providing anonymous input for public consultation to remove registration barriers, dissipate data protection concerns and encourage a broad array of stakeholders to comment.
- Elaborate implementation guidance for public consultation (e.g. guidelines and handbooks) for public officials and disseminate them widely across the government. The Law Reform Division of the Council of State could be tasked with developing these guidance materials to support the implementation of public consultations. In addition, Thailand may consider establishing training courses for civil servants in charge of conducting public consultations to develop capacities and increase open government literacy.
- Monitor the implementation of the legal framework on stakeholder consultation and consider an evaluation of the Act on Legislative Drafting and the Outcome of Law, B.E.2562 (2019) according to a set timeline with the aim to revise and adapt the regulation. In order to collect input for this evaluation, the Office of the Council of State could draw from the feedback of a large variety of relevant governmental and non-governmental actors. In particular, the expertise

and knowledge of civil society organisations, which, for instance, closely follow environmental impact assessments in public construction and urban development projects, could be valuable.

- Consider the creation of a National Council for Citizen Participation that advises the national government on the definition, development, design, M&E of a public policy on citizen participation.

Recommendation 17. Expand the use of stakeholder engagement practices beyond the consultation of citizens on draft legislation.

- Besides the consultation of citizens on pieces of draft legislation, the government of Thailand may consider other forms of participation to interact and engage with stakeholders in the policy-making cycle to broaden the country's participatory approach. Practices that go beyond mere consultation and focus on the active engagement of stakeholders during co-design processes could bring further value. Similarly, the participation of stakeholders in budget processes is an open government practice Thailand could consider.

Building the legal foundations for a digital government

Thailand has put in place different instruments covering different aspects related to public sector digitalisation including cyber security and digital transactions. These include: the 2002 and 2019 revised version of the Electronic Transactions Act, B.E. 2544 and No. 3, B.E. 2544 respectively; the Computer Crime Act, B.E. 2550 (2007); the Cyber Security Act, B.E. 2562 (2019); the Licensing Facilitation Act, B.E. 2558 (2015); the Personal Data Protection Act, B.E. 2562 (2019); and Cabinet Resolution 187/2558 (2015) establishing common data platform for the public sector and an integrated database on citizen information and public services. In 2019, the publication of the Digitalisation of Public Administration and Services Delivery Act, B.E. 2562 (2019) provided stronger legal support for the development of a digital government in Thailand. The act, commonly known as the digital government law, is intended to accelerate digital transformation in the public sector. It is therefore ambitious and complements previous legal and regulatory instruments on digital government and will provide a more solid legal basis to deliver the medium- and long-term goals for digitalisation in Thailand.

Agility and regulation

Thailand does have a history of introducing reforms to update its system of regulatory policy making in accordance with international good practices as explored in the previous sections and in the OECD report *Thailand: Regulatory Management and Oversight Reforms: A Diagnostic Scan 2020* (2020_[19]). Yet, technology and citizens' expectations change rapidly and governments (including the Thai government) should be able to adapt and meet the needs of citizens and businesses in this fast-paced context in order to stay relevant. Thai public officials were quite vocal in this respect, as they indicated considering the legal and regulatory framework both an opportunity and an obstacle for the open and connected agenda, stressing the need to ensure the right balance between issuing new regulations and the need for adapting existing ones. They also raised concerns in relation to the capacity of the Thai government and its regulatory bodies to keep up with technological developments to avoid perpetuating or creating bottlenecks blocking the agility and capacity of the public sector to adapt and leverage technology and data in the pursue of value for society.

Applying an agile approach to regulatory activities can help the Thai government to make more informed decisions and tackle the challenges of the digital era in a more efficient fashion. In Thailand, the Office of the Public Sector Development Commission (OPDC) is aware of how bureaucracy, the lack of collaboration (including with external actors and within the public sector) and the passive cultural approach to engagement and innovation constrain the delivery of the open and connected agenda. For this reason, the

OPDC self-identifies as a “mentor” that can help in driving organisational and cultural change and explore new ways of public management. Initiatives such as its Innovation Lab could be further leveraged to enable safe spaces to explore the implementation of agile regulatory initiatives in Thailand.

Recommendation 18. Explore the implementation of agile regulatory practices in balance with more traditional approaches such as *ex ante* and *ex post* regulatory impact analyses.

- This would require bringing on board all relevant stakeholders within the public sector working on the intersections of digitalisation, regulatory policy and innovation – including the OPDC, the Office of the Council of State, the Digital Government Agency and the National Innovation Agency (NIA). Scaling up the value of the OPDC’s Innovation Lab can help in this regard.
- Allocate funds (such as the MDES Digital Economy and Society Development Fund and the NIA Innovation Fund, see next section) to promote the implementation of specific projects on innovative regulation at the national level.

Reinforcing public sector coherence through an open and connected government

Funding to leverage inclusion, equality and better services

In Thailand, the Bureau of the Budget (BB) plans and allocates government expenditure to secure that line ministries, such as the MDES, count with the needed financial resources to implement the 20-Year Digital Economy and Society Development Plan (2017-2036) or Digital Thailand. The BB also has a strong political lever given its location in the PMO and the fact that the deputy prime minister chairs it.

Proposed projects are also assessed drawing upon their contribution to an integrated budget plan prepared by the BB, which covers: i) connectivity and Internet access; ii) digital government; iii) data sharing within the public sector; and iv) public officials’ digital skills. Yet, the integrated budget plan does not contemplate any specific policy elements relevant for open government. Adequate funding is crucial for efficient and sustainable implementation of open government reforms and for supporting open government priorities. Beyond the total amounts spent to support open government initiatives, it is important that funding sources are as clear and consistent as possible, appropriate recipients are identified to support the government’s open government reform goals and that funds are spent on both implementation and co-ordination. In that regard, earmarking funds for open government in the integrated budget plan could help to advance the open government agenda in Thailand.

In Thailand, open government initiatives are funded through a mixed system. The OPDC that is in charge of the open government agenda centrally co-ordinates funding of initiatives across public sector institutions, while ministries and agencies also fund their own policies and initiatives themselves. The allocation of funds through a central institution such as the OPDC may facilitate coherence and consistency of reforms and can help to ensure that all initiatives follow a national open government strategy (NOGS). Endowing the institutions responsible for implementation with their own funds can however also reduce overdependence on a single actor and may help to improve the efficiency and effectiveness of the allocation of funds.

Recommendation 19. Promote inclusiveness and openness.

- Applying gender-based schemas to the public funding mechanisms. This can help in using the budgetary process to secure the development of women's digital skills, including their increased participation and role as digital leaders within and outside the public sector in the medium and long terms.
- Perform and sustain the implementation of open and participatory practices at the national and local levels. This would however imply the definition of ring-fenced funds exclusively devoted to implementing those initiatives and projects identified as a priority by citizens.

Recommendation 20. Include earmarked funds for open government in the budget plan.

- Include adequate funding for open government in the integrated budget plan to facilitate the efficient and sustainable implementation of open government reforms and to support open government priorities.
- Ensure that funding sources are as clear and consistent as possible and that appropriate recipients are identified to support the government's open government reform goals.
- Ensure that funds are provided for both implementation and co-ordination of Thailand's open government agenda.
- Endow the institutions responsible for implementation with their own funds to improve the efficiency and effectiveness of the allocation of funds.

Commissioning of digital government projects: A focus on user value*ICT/digital project planning and approval*

In Thailand, evidence collected during the OECD peer review mission to Bangkok and the survey (OECD, 2019^[8]) administered for the purpose of this review point to two different processes for ICT/digital project planning and approval running in parallel rather than in a structured way underpinning their synergies.

On the one hand, the MDES manages the Digital Economy and Society Development Fund, which is resourced with financial resources from the Thai central government and the Office of the National Broadcasting and Telecommunications Commission with a threshold of THB 5 000 million per year. Public sector organisations can apply for funding with a budget threshold of THB 100 million (USD 3 million) without the need for ministerial approval. However, projects above that threshold require approval from the Government Computer Procurement Committee within the MDES, and of which the DGA is a member. For those projects over THB 1 000 million (USD 30 million), approval takes place at the cabinet level. This process is in line with the provisions of the Government Procurement and Supplies Management Act, B.E. 2560 (2017). MDES funding for public sector organisations is highly devoted to ICT/digital infrastructure projects.

Other funding mechanisms include that of the Ministry of Telecommunications' NIA, which manages the National Innovation Fund (NIF). The NIF aims at promoting social and business innovation in Thailand; thus, its focus is to a lesser extent on ICT/digital projects within the public sector. Through the NIF, the NIA provides funding for business and social innovation from THB 500 000 to THB 1 million (roughly USD 15 000 to USD 30 000).

On the other hand, the second process is directly related to the BB budget allocation process for digital government projects discussed in the previous section. This process has not been fully capitalised on by the Thai government due to the lack of a more solid governance structure for ICT/digital project management and approval. For instance, similarly to the MDES project funding process, the DGA, which

like the BB also comes under the PMO – is not actively involved in the BB financial process. This limits the DGA's capacity to advise the BB in terms of which digitalisation projects would require (or not) priority budget allocation. But separately, in the fiscal year of 2019, the DGA set up the Annual Digital Government Integration Programme, with the official appointment of the programme committee signed by the prime minister. The programme's concept focuses on digital government transformation within three project spheres: i) to enhance digital government capacity building and formulate digital data; ii) to focus on digital government platforms in potentially competitive sectors; and iii) to support the development of digital services in line with the Digital Government Development Plan. The Thai government allocated a budget of THB 1.903 billion for the 2021 fiscal year and THB 2.409 billion for 2022.

In this respect, the DGA plays a key role as primary secretariat in digital government budget allocation and monitoring processes of the project outputs and outcomes, along with the MDES as vice-chairperson, the ONDE as co-secretariat and committee member and the BB as a committee member of the programme. Together, the committee members. i) set the objectives and key performance indicators for participating public sector organisations; ii) co-ordinate on the programming planning, execution and budgeting; iii) oversee the initial allocation process; iv) ensure that plans and budget proposals are in line with the programme objectives and goals; and v) compile all the plans and budget proposals for compliance with budgetary procedures.

In all these planning and approval processes of digital government projects, while the MDES, DGA and BB are involved in the budgetary process, the budget is only approved by the Parliamentary Budget Committee and the cabinet. As the primary secretariat of the programme, the DGA is required to know all of the details related to the programme execution and proposals from participating public sector organisations as it defends the budget proposals in front of the Parliamentary Budget Committee.

Fundamentally, the Annual Digital Government Integration Programme and the Digital Economy and Society Development Fund do not overlap. The programme is specifically dedicated to advancing the digital government agenda while the fund has a broader scope that includes digital security, infrastructure, workforce and application in addition to digital government. More active participation of the DGA in the budgetary process at a higher level (namely, across the MDES and BB budget planning process where relevant) would help in building greater coherence among ICT/digital projects. For example, as suggested by peers during the OECD mission to Thailand, there are clear opportunities to tie the budget allocation for these projects with the precondition of meeting digital and data standards – if available.

The participation of the DGA could also help in reducing duplication of efforts among different project proposals so that synergies could be scaled up and resources better utilised. This could help in avoiding duplication and higher expenditure when procuring ICT/digital services and solutions. For instance, the Working Group of the Information and Communication Technology Centre within the Thai Ministry of Justice's Office of the Permanent Secretary conduct a redundant project analysis when analysing departments' ICT/digital project proposals. If duplications are found, owner agencies are recommended to integrate the different projects into a single proposal. These practices could be scaled up in relation to the DGA's involvement in the budgetary process.

Thailand also lacks a common business case model to standardise the preparation and analysis of ICT/digital project proposals across public sector organisations. Evidence from the OECD mission to Bangkok indicates that these efforts are ad hoc and – if done – take place at the sectoral or ministerial level.

Moreover, the absence of core elements for the design of digital services (e.g. digital services and technology standards) also opens the window for asymmetries in relation to the development of new digital services. Without guidance and standards, the quality of digital services across government can vary. Setting enforceable tools would be one way to create, share and use standardised technology and services across government (including for internal software and services for the civil service). This could become

part of the budget process, where the budget would only be allocated if the relevant body complies with these standards.

Recommendation 21. Whenever relevant, secure the participation of the DGA in the approval of ICT/digital projects in the public sector in the context of the MDES' and the BB's ICT/digital project planning and approval mechanisms.

- Although the government had launched the Annual Digital Government Integration Programme in 2019 in which the DGA plays a key role in the planning, execution and budgetary processes, the DGA should also take on a key and extensive role in MDES and BB ICT/digital project planning and approval mechanisms. This is to secure alignment and synergies between the Annual Digital Government Integration Programme and the Digital Economy and Society Development Fund, the National Innovation Fund and the BB's budget allocation process.
- The DGA's involvement could be triggered by two preconditions, namely the focus of the ICT/digital projects (e.g. with an impact on public service design and delivery, data and tech infrastructures) and above a specific budget threshold.
- The potential involvement of the DGA (e.g. as an advisory body) could help to: i) use the budget allocation process as a digital government policy lever; ii) align ICT/digital projects with digital government and data policy priorities; iii) increase the DGA's awareness of the project pipeline to reduce duplications; and iv) enforce the compliance of ICT/digital projects with the digital services and data standards.

Recommendation 23. Develop a common ICT/digital project business case model for the public sector.

- The development of a standardised business case model should aim at reducing the availability of these instruments across the public sector, secure alignment with digital and data standards and reinforce the synergies between the budget allocation schemes of the MDES and BB.

Procurement: Openness by default as a precondition for trust

Key players involved in public procurement include the Public Procurement Management Office (PPMO), which comes under the Comptroller-General's Department (CGD) within the Ministry of Finance (MoF). The procurement of digital products and services does not benefit from any specific arrangements; thus, it follows and adheres to the same regulations and guides developed mainly by the CGD (ADB/OECD, n.d.^[20]) and the MoF (including the 2017 Procurement Act and its secondary regulations).

As expressed by public officials during the OECD mission to Bangkok, public procurement in Thailand – including that of ICT/digital products and services – can be improved in terms of speed and coherence. Also, while the 2017 Procurement Act is itself an achievement for the Thai government as it aims at reducing corruption and paved the way for the use of integrity tools such as Integrity Pacts and greater external monitoring, the procurement of digital products and services could be better structured in the pursuit of more efficient government expenditure.

Results from the survey (OECD, 2019^[8]) administered for the purpose of this review indicate that most procurement activity for digital products and services takes place in the form of open public tenders. Yet, the process does not take into consideration the implementation of framework agreements that could help in consolidating government expenditure and reduce the risk of multiple agencies procuring similar technology products at a higher cost.

There are also great opportunities to sustain the implementation of “open-by-default” and data-driven approaches across the ICT/digital procurement process. For instance, the CGD collects and uses data from different public sector organisations to assess procurement requests from different ministries. It also

created a government spending website¹ in collaboration with the DGA, where public bodies publish information and datasets on government expenditure and procurement. Yet, the Comptroller-General has struggled to make the case for the funding of open governance initiatives at the BB level as its benefits are hard to prove. This would also require securing top leadership support so that open and data-driven approaches in public procurement (including those of digital products and services) are the rule and not the exception.

Second, trust-based and collaborative instruments like the Integrity Pacts could integrate specific arrangements on the mandatory publication of procurement information as open data from both public bodies and private providers. This would follow the premise that those projects funded with public resources should comply with open, digital and data standards so that watchdogs from inside and outside government (including the Comptroller-General and Audit Offices) can monitor these practices drawing on the value of digital technologies.

These efforts would also benefit from implementing a broader approach that comprises the publication of additional categories as open data (e.g. declarations of interest, beneficial ownership). By doing so, watchdogs could cross-match data linkages and obtain more insights at hand to prevent, identify and prosecute corruption based on their capacity to create relationships (e.g. public officials' interests or links with private companies) that otherwise would go unnoticed.

ICT/digital project management and monitoring

Thailand lacks a common ICT/digital project management mechanism and monitoring actions take place mostly at the ministerial or sectoral level. Bodies like the Securities and Exchange Commission (SEC) and the National Science and Technology Development Agency report involving external actors such as project managers and other relevant stakeholders to conduct joint evaluations of digital projects. Yet, this is not a common practice.

Evidence collected during the OECD mission to Bangkok indicates that the assessment or monitoring of ICT/digital projects does not take place in an active, iterative and agile fashion beyond the audit process at the end of the year. This lengthy process increases the risks of over expenditure (particularly in large-scale digital projects like those of the MDES) and reduces the capacity of the government to deliver as expected, intervene earlier during the project implementation phase and take corrective measures (including the cancellation of projects) when needed. It is also not clear how bodies such as the OPDC, the DGA, the MDES and the NIA are taking proactive action to promote more innovative approaches in the management of digital projects.

Recommendation 24. Consider the development of framework agreements for the acquisition of digital products and services.

- This approach would also benefit from creating a curated pool of providers, including small providers (e.g. SMEs and GovTech actors) to level the field in terms of their participation in procurement processes, which are often overtaken by major players and suppliers.

Recommendation 25. Use integrity pacts as tools to promote the publication of open data for projects funded with public resources.

- The Thai government could also consider expanding the publication of open data for anti-corruption to broader areas including declarations of interest and beneficial ownership.

Recommendation 26. Develop and implement a common ICT/digital project management tool.

- An efficient management and monitoring tool for ICT/digital projects would focus on reducing their complexity (e.g. disaggregate projects into smaller components to facilitate intervention

whenever needed) and increase the capacity of the Thai government to deliver as expected and reduce vendor lock-in.

Building talent and competencies for implementing the open and connected government agenda

Thailand's central government recognises that greater public sector capability for the digital era requires building, upskilling and attracting the right talent to the public sector. The OCSC, under the PMO, plays a key role in building a public sector workforce that is skilled enough to face societal change and address citizens' growing expectations and changing behaviours.

The 2017 Cabinet Resolution on Digital Transformation and the Skill Development Framework for the civil service and public sector human resources have played a central role in how the OCSC has structured its approach for building greater digital capability within the public sector. As a result of the 2017 resolution, the OCSC developed a Skill Development Framework for Digital Capability within the public sector. The framework covers different skill levels applied to specific public official roles (from executives to managers and technicians) as a measure to assess the digital maturity of the public sector workforce. The OCSC also conducted an internal assessment (which covered 15 000 samples collected across the public sector) to identify skills needs and implement development programmes drawing upon identified capacity gaps.

Thailand, however, has no specific skills development framework to enhance the capability of public officials with regard to open government. In order to advance a culture change towards more openness, the principles and values of open government need to be identified, discussed and reinforced at every possible opportunity (OECD, 2016^[7]). They should therefore not only be included in policy documents and aspirational statements but directly incorporated in people management systems by enshrining them in public sector values statements and civil servant competency frameworks. The OCSC could thus consider updating the Skill Development Framework for Digital Capability to ensure that it includes all of the skills needed (e.g. skills related to engaging with citizens or the co-creation of services) to advance the open and connected government agenda. Alternatively, the government could also explore developing a separate skills framework for open government. Moreover, Thailand could also consider specifying the competencies needed to enhance open government reforms in job descriptions and recruitment criteria.

In terms of implementation, results from the OECD mission to Bangkok and the survey (OECD, 2019^[8]) administered for the purpose of this review, show that the development of public sector digital capability follows two main approaches. The first focuses on upskilling the public sector workforce through digital leadership development, continuous learning and capacity-building programmes, whereas the second focuses on attracting new talent to the public sector. By April 2019, the OCSC was working on a skill development strategy for the Thai public sector, which would aim at further clarifying the goals and actions to be implemented for this purpose. Other bodies such as the DGA, the Thailand Digital Government Academy (TDGA), the MDES and the NIA are taking action to develop digital talent within the public sector.

In terms of digital capability, capacity-building programmes should remain a priority in Thailand as evidence collected during the OECD mission to Thailand showed that the current lack of digital talent in the public sector has led to a situation where most digital projects are outsourced. Putting aside the specific implications of this context in terms of ICT/digital commissioning (see the previous section), peers clearly expressed the dangers of this approach. Experience at the international level has shown that outsourcing can lead to technology-driven solutions, rather than on developing projects that focus on the needs of users of both public organisations and citizens.

In terms of attracting and retaining new digital talent to the public sector, examinations are held for entry into the civil service, including assessments on digital skills. This helps not only in assessing the abilities

of applicants but also in ensuring the possibility of long-term professional development, in line with the digital skills framework of the OCSC. The latter has a huge Digital Literacy Project that aims to enhance digital literacy among public officials by equipping them with skills needed in the digital era and for them to integrate technology into their work for better efficiency and productivity. However, while a key aspect of the process is to secure long-term employment, including for those hired for digital core competencies, the recruitment process is cumbersome and long. Public officials expressed that the process can last 5 to 12 months on average, which underlines the need for balancing long-term policy goals in terms of digital capacity with the need for delivering in the short and medium terms, particularly given the current digital skills gap in the public sector.

There are two approaches that could help in this regard. First, the creation of a pre-approved digital talent pool, integrating external service providers and talent, could help in streamlining the hiring process. Indeed, during the OECD mission to Bangkok, public officials expressed their preference for collaborating with external suppliers and outsourcing digital projects as they were unable to recruit the relevant talent (e.g. data scientists, engineers) given cumbersome hiring processes and the challenge of catching up with more competitive salaries in the private sector (as evidence from the OECD survey also confirmed).

Second, talent mobility could help in securing continuous learning and tap the valuable digital talent available across the public sector so that skilled officials can apply and share their knowledge in other areas outside their organisation. The OCSC is already taking steps in this sense. For instance, the OCSC's High Performance and Potential System (HiPPS) Administration Program, established in 2003, focuses on hiring, retaining and securing the mobility of highly performant officials so they can become senior leaders in the future. The programme includes an intensive applicant selection process plus one-year policy work in different areas within the public sector. The OCSC has a Strategist Development Programme under the Policy Study/Work Team Project, which is a talent mobility programme that allows top-notch public officials in different public sector organisations to work on assigned projects that have high impact at the national level. Yet, the HiPPS Administration Program and the Strategist Development Program are limited to management positions, therefore opening a window of opportunity to expand its scope to other levels including those defined in the digital leadership and skills framework of the OCSC. Also, greater mobility could help develop informal knowledge-based networks and promote self-learning opportunities for public officials and build a better base of expertise to reinforce Thailand's public sector capacity and digital maturity to develop new digital services at the institutional level whenever needed.

Similarly to the development of digital capacity, it is also important to keep enhancing capacities related to open government. Capacity building in the form of courses for public officials can help to advance their understanding of the benefits of the open government principles of transparency, accountability, integrity and stakeholder participation in their respective areas of work.

In October 2020, the OPDC launched a seminar to provide background knowledge on open government to representatives from 42 public sector organisations that have work related to the open and connected government agenda. The seminar aimed to provide an understanding of open government to public officials, address the role of central government agencies in promoting open and innovative government and the various resulting direct and indirect benefits. Going forward, the OPDC is planning to host more events related to open government for public officials to increase their understanding of open government and drive transformative changes within their organisations.

To support the development of a culture of openness, Thailand could thus consider further integrating open government principles into existing courses or introducing a government-wide training programme focusing specifically on open government. The programme's courses could be tailored to the needs of public officials and their respective areas. Needs-based courses, which for instance focus on the engagement with citizens, the private sector and CSOs, could help to raise awareness among officials of the economic, political and social benefits of open government. Concretely, the courses could make the case for the economic, political and social benefits of mainstreaming open government in policy making in all policy

areas, including the environment, health and education, among others. As the designated institution in charge of co-ordinating open government, the OPDC could support the conceptualisation and implementation of the training programme.

In addition to training courses, the collection and communication of good open government practices within the whole administration could help to advance Thailand's open government agenda. To that end, the OPDC could consider identifying ministries and agencies that lead with reforms and promote these open government champions within the government. The OPDC has already begun to identify relevant stakeholders within public sector organisations with which to co-operate in advancing Thailand's open government agenda. These stakeholders have been categorised into central government agencies, local administrations, law enforcement agencies and public service entities.

Recommendation 27. Enhance capacity building related to open and digital government.

- Consider offering government-wide training courses with a special focus on open government to advance public officials' skills and understanding of the benefits of the open government principles of transparency, accountability, integrity and stakeholder participation in their respective areas of work. As the designated institution in charge of co-ordinating open government, the OPDC could support the conceptualisation and implementation of the training programme.
- Amend the skill development framework for digital capability to ensure that it includes all of the skills needed to advance the open and connected government agenda. Alternatively, the government could also explore developing a separate but complementary skills framework for open government.
- Specify the competencies needed to enhance open government reforms in job descriptions and recruitment criteria.
- Collect and communicate good open government practices within the whole public sector to advance Thailand's open government agenda. To that end, the OPDC could consider identifying ministries and agencies that lead with reforms and promote these open government champions within the government.

Recommendation 28. Sustain and scale up skill development, mobility and talent procurement programmes for digital talent and leadership in the public sector.

- Digital capacity and capability programmes could help in building greater digital and data maturity in the medium and long terms and finding the right balance between outsourcing and insourcing projects in line with the government's plans for digital transformation and the strategic relevance of specific projects for such a purpose.
- Programmes such as the OCSC's HiPPS would benefit from specific leadership clusters focused on the procurement, development and mobility of senior digital leaders. This would help in building digital capacity across the broad public sector in the long run in line with the goals of the Digital Economy and Society Development Plan, particularly those related to the development of the public sector workforce.
- Create a pool of pre-approved external talent could help to address immediate needs while streamlining talent procurement processes.

Improving the design and delivery of public services in Digital Thailand

The governance for a paperless government and services

As discussed in the section “Driving national development and innovation through digital government”, the OPDC, DGA, ETDA and MDES play a fundamental role in taking Thailand to the next level in terms of its digital transformation, including in building a digital government. Also, Thailand’s tradition of using legal instruments as a lever for digital transformation is reflected in how the country drew upon these mechanisms to build a paperless government.

For instance, in 2019, the OPDC, revised the Royal Decree on Criteria and Procedures for Good Governance, B.E. 2562 (2019) as a means of improving the governance for service delivery. Specifically, Section 6 of the Royal Decree requires that the provision of services and co-ordination among government agencies must be done through a central digital platform for data exchange, the Government Data Exchange Centre (GDX) – and Section 10 appoints the DGA as the body in charge of developing the GDX. For this purpose, the decree sets a two-year transitional window (subject to an extension to be requested to the OPDC) so that the heads of public agencies can move towards the full use of this platform for public service delivery and collaborative purposes.

Decree 2562 adds to the extensive list of legal and regulatory instruments for digital government and digitalisation (e.g. the Acts on Electronic Transactions, Cyber Security, and Data Protection) developed by the Thai government as presented in the section “Building the legal foundations for a digital government”.

Key enablers for digital services

The DGA is the main provider of infrastructure and the required technical support to build a paperless e-government. It promotes information sharing within the public sector and secures the delivery of public services, information and data to citizens and businesses through government platforms, among others. For this purpose, the DGA has developed different technical solutions and platforms in its pursuit to improve government-to-government (G2G) services (DGA, 2018^[21]). These include the Government Information Network (GIN), as an integrated network for information sharing within the public sector, and the Government Cloud Service (G-Cloud), offering a secured government-owned tool for data storage and the hosting of cloud-based services and digital solutions.

Digital identification and authentication

Three different approaches for digital identity are presently being taken in Thailand. First, the basis for identity in Thailand is the longstanding National Identification Card (ID Card) that was first introduced in 1943 and is issued, for free, to all Thai nationals from the age of seven. This card provides the physical identity infrastructure and is managed by the Department of Provincial Administration (DOPA), within the Ministry of the Interior (MOI). In 2005, DOPA first introduced a smart version of the citizen’s card, the fifth generation ID card, by integrating a chip containing relevant public and private citizens’ information. Nevertheless, the ID Card and its associated systems provide an opportunity on which to build efforts to move ahead with government ambitions to dematerialise official documents. However, this needs to form part of a strategic approach to digital identity that would include establishing the right legal and regulatory framework for the ID Card to be a valid digital document and require investment in the necessary enabling tools for members of the public and the necessary back-end technical support and data infrastructure for implementation in government services.

Second, the DGA has taken steps to standardise digital authentication for accessing services with the Single Sign-On system, based on the OpenID Standard, as a one-time login system that allows users to access online formalities and services from different government agencies. The Single Sign-On is designed such that users only need to log in once to access multiple government systems without re-login.

Users either access the services aggregated on egov.go.th or via a single login on openid.egov.go.th. While the use of this tool by public bodies and users is not mandatory, by October 2020, nine public sector organisations have agreed to integrate the digital authentication system into their services: the OPDC, the Thai Bankers' Association, the Government Financial Institutions Association (GFA), the National Digital ID Co., Ltd., the Revenue Department, the Department of Business Development, the Department of Lands, the National Health Security Office and the Student Loan Fund.

Third, the ETDA sets the authentication standards and rules for digital ID and digital signature for businesses and supports public sector organisations to adopt these tools in order to prepare, improve and transform for the digital economy. For this purpose, the ETDA has issued a set of guidelines and standards for the use of digital identification, electronic communication and digital signature tools adopters should comply with when deploying these solutions to their services.² Security is ensured in line with the U.S. National Institute of Standards and Technology (NIST) standards and it has three different security layers: single-factor authentication (i.e. password, SMS one-time password, one-time password device, crypto software, crypto device), multi-factor authentication (the former including biometric) and multi-factor authentication with a cryptographic key.

The aforementioned activities of the ETDA are framed in the context of the National Digital ID (NDID) project launched in 2017 by the MoF and the MDES. The NDID is a collaborative effort between the public and private sectors to mainstream the use of a single digital identification tool in the country and simplify citizens' and businesses' day-to-day activities, with a strong focus on preventing and reducing fraud and promote a safer environment for e-commerce. Subsequently, a group of private companies created the National Digital ID Co., Ltd. (NDID Co., Ltd.) to connect the relying party, the identity provider and authoritative sources. The NDID Co., Ltd.'s shareholders comprise public and private banks (i.e. Stock Exchange of Thailand, Government Saving Bank, Thailand Post, insurance companies, fund management firms, mutual funds, financial technology (FinTech) companies). None of the governing board members are a government agency. This initial phase involving the banks will involve the provision of services using the digital identity for opening bank accounts and applying for credit online. The scope will then expand to cover various other public services across sectors including opening investment accounts and insurance policies on line or conducting doctor appointments on line. For this purpose, the NDID Co., Ltd. relies on the use of application programming interfaces (APIs) and other technologies such as blockchain for decentralised, secured and federated data exchange. Data sharing functions come under the principle of "privacy by design", therefore citizens' consent is needed before any data are shared among different organisations, without the intervention of the NDID Co., Ltd. Broadly, the ETDA is leading the process of sandboxing and testing digital ID solutions to build their efficiency and align them with data governance according to the Amendment to the Electronic Transactions Act No. 4, B.E. 2562 (2019), on Digital Identification, formerly known as the (draft) Digital ID Act.

In the future, the intention is to embed biometric identification functionalities to these tools (such as face recognition) and to develop a cross-border digital ID based on the NDID (e.g. following the interoperability approach promoted by European Union eIDAS Regulations). The goal to have interoperable, mutually recognised, secure, reliable and user-friendly e-identification and authorisation schemes are addressed in the Association of Southeast Asian Nations (ASEAN) Community Vision 2025 (ASEAN, n.d.^[22]) under the section for e-commerce. The intention is to strengthen co-operation in the facilitation of cross-border e-commerce transactions towards regional economic integration.

In February 2020, the Bank of Thailand launched a pilot initiative to deploy the NDID Co., Ltd. under a regulatory sandbox in collaboration with six private banks in Thailand. This approach is not new and mirrors the approach taken in other countries like Sweden where digital identity solutions are provided not only by the central government but also by other actors such as banks. At the start, the MoF and MDES played key roles in the National Digital Identity Committee (NDID Committee), along with experts from relevant sectors to oversee the initial establishment of the NDID Co., Ltd.

During the OECD mission to Bangkok, peers expressed their support to the MDES and ETDA focus on building a safe ecosystem for digital identity to secure e-payments and e-commerce. Nevertheless, there is a need for increasing the understanding and sustaining the support provided to these initiatives at the policy-making level, so that a sufficient budget for its implementation is secured in the medium and long terms.

Moreover, co-ordination between the ETDA and DGA will remain key in relation to the development and/or application of digital ID solutions. The ETDA is working with the DGA and other government agencies to explore and co-create the most practical digital ID solution. Presently, the DGA is expanding its Single Sign-On system to integrate with the NDID as well as with D.Dopa, a digital ID system piloted by DOPA. This enables the use of private digital ID in the government sector (via the NDID), allowing citizens to use any secured digital ID to access public services in the future. The expanded service shall be available within 2021.

The evidence presented in the previous paragraph indicates that, to date, Thailand is following a path towards an electronic identification (eID) approach where user choice will play a key role when deciding which digital identity tool to use. Other eID solutions are already in place, such as those of the Ministry of Commerce and the Tax Agency. In either scenario, securing the deployment of coherent solutions or a common infrastructure for eID from the start will play a key role in reducing the risk for legacy challenges in the long term.

Also, beyond the development and deployment – or not – of whole-of-government digital identity solutions, challenges would remain in terms of the adoption of these tools by citizens and businesses. From a public sector service perspective, this would require making sure that current or future digital services and the underlying digital infrastructure are up to the innovation and technological development level required by tools such as the NDID. Additionally, Thailand also lacks other tools such as citizen mailboxes and folders, which could help in streamlining communication with citizens and also reinforcing transparency and integrity in terms of how and which public agencies in Thailand access, share and use citizens' private data. This would help in further building citizens' trust in Thai public agencies and the Thai government as a whole.

Recommendation 29. Define and implement an integrated approach for digital identity "as a service" to address and prevent legacy challenges, simplify the access to services and facilitate technical implementation by teams within the public sector.

- Secure the deployment of a common infrastructure for digital ID can help in reducing the risk for legacy challenges in the long term while promoting citizens' choice and agency in terms of the specific identity tool (government-owned or not) they would like to use.
- Promote take-up within the public sector of innovative digital identity solutions will require stressing the supporting and guiding role of the DGA and ETDA to facilitate the adoption and implementation of these tools by public sector organisations, particularly those providing services to citizens and businesses. This would require the constant communication, interaction and engagement of the digital government ecosystem within the public sector (e.g. service owners) and the supportive units within the ETDA and DGA as a means to reinforce the business case for the adoption, implementation and impact measurement of common digital ID solutions.
- Consider the development of a citizens' mailbox and folder, accessed through digital ID tools. This could help in streamlining the communication with citizens and also reinforce transparency and integrity in terms of how and which public agencies in Thailand access, share and use citizens' private data, thus further building citizens' trust in Thai public agencies and the Thai government as a whole.

Data as the foundation for digital services

The use of data for public services in Thailand is still under development and faces significant challenges from legacy overheads with some key public bodies managing data registers on the basis of paper records. For instance, during the OECD mission to Bangkok, the Department of Business Development (DBD) (a body under the Ministry of Commerce [MoC] in charge of managing the business register in the country) explained that business registration takes place either on paper or on line. Information provided by the Thai government indicates that paper-based registration takes up 96% of the share while online takes only 4%. This results in an additional administrative effort to include that data in the business register. However, the DBD is making improvements in streamlining business processes and data sharing to abide by the once-only principle (currently citizens can use their business registration number for tax procedures as well). Before the introduction of this simplification measure, citizens had to follow different processes to get a tax ID number and a business registration ID number.

In addition, the transition from paper-based to digital data registers and the development of tools such as high-value data catalogues will remain key to enable the exchange of core data within the public sector through common interoperability and data infrastructures. The DGA is piloting different projects as a means to promote greater data exchange within the public sector and connect available data registers and relevant data sources. These projects include an API system that, by April 2019, provided access to data registers from four government agencies including the National Health Security Office (NHSO), the Department of Business Development, the Department of Provincial Administration (DOPA) and the Ministry of Public Health (DGA, 2018^[21]). Other examples include the Government Data Exchange (GDx)³ platform, which responds to the DGA's mandate to develop a tool for information and data exchange for the public sector as stated in the Royal Decree on Criteria and Procedures for Good Governance 2019, B.E. 2562. By April 2019, the GDx platform was still under development. The DGA is also exploring the use of the G-cloud tool (the Thai government's cloud service) to facilitate the management of government-wide content (e-CMS).

Yet, while the application of specific technologies and tools such as APIs or the cloud helps in reducing data fragmentation, building resilient and scalable data infrastructures and promoting the integration of data, this also requires making sure that data itself is created as the infrastructure those tools are built upon. In other words, this means that while the right data should be available for access and sharing, those data should be generated with a focus on their re-use either inside or outside the public sector.

Recommendation 30. Promote a Data as a Service (DaaS) approach for public sector data.

- Develop data governance tools such as digital data catalogues for public services. The DGA and ETDA should play a significant role in creating, guiding and enforcing the creation of these data governance tools to secure data discoverability and map data assets in the public sector.
- Identify priority data sets which interoperability and standardisation are needed to facilitate automated data exchange between government agencies, relying on the cross-cutting value of those data, e.g. in terms of their frequent use by different public sector entities, their contribution to digitalise internal and external services and their horizontality across different policy areas.
- Run a consultation exercise with relevant actors within the public sector so that high-value datasets are identified, prioritised and generated with a focus on their re-use. These activities could be performed in the context of the tasks performed by the committees under the Steering Committee for Big Data, Data Centres and Cloud Computing (see the section “Capacity for coherent implementation”). This, in order to promote collaboration between different policy areas including commerce, education, health, finance, justice and transport, e.g. in line with

previous or current efforts, such as the MoC, Ministry of Agriculture and Cooperatives (MOAC) and Rice Department web service data pilot project (see following sections).

- Develop and communicate data standards (including updates) for the generation of high-value datasets for access and exchange within the public sector, supported by tools for data exchange such as public sector APIs, web services and the Cloud.
- Grant enforcement powers to relevant agencies (e.g. the DGA and ETDA) to promote compliance with data standards whenever needed. This would require exploring the use of policy levers (e.g. such as conditional funding) in line with the recommendations on budget allocation presented in the section “Funding to leverage inclusion, equality and better services”.

Service design: End-to-end services that focus on users

Thailand's government and its leading agencies are in the midst of a transitional period where legacy e-government aspects and the eagerness to move fast collide and create tension and resistance to change from different government bodies. Thai agencies comply with government regulations but fail to understand that delivering on governments' digitalisation and digital government goals would require self-acknowledging that things should be done differently from the start.

For instance, during the OECD mission to Bangkok, public officials expressed that, in practice, the 2015 Licensing Facilitation Act, B.E. 2558, is more of a mapping exercise that identifies the availability of services rather than identifying service overlaps or opportunities to redesign underlying processes as a priority for greater service consolidation. Public officials also expressed that there is a significant regulatory burden while regulators are failing to take real action to decrease it, leading to strenuous formalities and below-optimal services provided to citizens and start-ups. This top-down approach is a legacy challenge by itself as decisions on what services should be prioritised for improvement are left to those agencies who own them, ignoring the insights and needs of the final users.

Also, results from the OECD mission to Bangkok indicate the lack of any formal principles or guidance for service owners (e.g. government agencies providing services to citizens) in relation to assessing, embedding and taking into consideration the opinions of users in an iterative fashion (e.g. when kicking off new projects or assessing ongoing delivery). Moreover, current initiatives focus on the interoperability of data systems within government but there is little indication that there were any overall standards set for technology in government, even though government agencies mentioned service interoperability and integration as key policy priorities during the OECD mission to Bangkok. This is surprising given the DGA's strong focus on technology and data (e.g. development of platforms and technical tools). In this line, although focusing on the design stage of digital services is not currently a priority, it might be in Thailand's interest to start with small pilot projects, built by multi-disciplinary teams. This would allow agencies, led by the DGA, to experiment with service design, based on data and user research before having to commit to a national roll-out of digital services.

One key aspect in this regard is related to the lack of capacity within the public sector to build services and other tools such as (open) software, which has led to most government projects being outsourced to third parties, often in a fragmented fashion in terms of both procurement and standards. By starting “small” with a focus on scalability, the DGA could help in building a greater understanding of the frameworks for digital services, their connection with budgetary innovation and the application of service and data standards needed to deliver full digital transformation.

The DGA could also start on building a better understanding of the capability gaps that should be addressed to meet user expectations for digital services and build a more mature digital government where service owners (agencies) are able to cope with digital transformation challenges on their own.

Delivery and access to public services: Inclusion and digital by design

The DGA provides one-stop services following a multi-channel approach through physical kiosks, mobile and web-based channels.

For this purpose, the DGA has deployed a system of Government Smart Kiosks (GSKs) across the Thai territory to address the digital divide for those citizens without access to the Internet or the required connected devices such as personal computers and smartphones. The GSKs offer the possibility for citizens to: access basic and useful information; register, apply or transact for some services such as identification verification, document delivery, data entry or issues reporting; and payment. These kiosks are available in 119 locations, including hospitals, government complexes and service points, one-stop service centres, shopping malls, provincial halls, bus terminals and schools. The GSKs have a strong focus on access to information, namely information on citizens' financial situation, civil registers and public sector health systems. To date, the lack of a more advanced eID system in the country requires citizens to hold a smart version of the citizen's ID card to use the GSKs network.

Adding to the accessibility focus of the GSKs, the MDES is deploying connectivity infrastructure across the national territory. For instance, the MDES is working on improving digital inclusion through the Village Broadband Infrastructure Program "Smart Thailand". This is due to the fact that 90.1% of the population surveyed use the Internet via mobile devices and 65.6% do so through a home-based Internet, according to the 2019 "Survey of the use of information technology and communication in households" conducted by the National Statistical Office (2019^[23]). In early January 2021, the MDES deployed 20 000 free Wi-Fi hotspots in public areas as the first phase of the Smart Thailand scheme. An additional 20 000 hotspots to provide coverage of 88% of districts in all 77 provinces will be rolled out as part of the programme's second phase.

In addition, the government of Thailand launched Village Broadband Internet (Net Pracharat) as a way to bridge the rural-urban digital divide and increase Internet accessibility. The project involved strengthening the national broadband network by expanding the high-speed Internet network to reach every village in the country, such that people living in remote areas will be able to access high-speed Internet like those in the cities.

In relation to web-based access, there are approximately 2 574 government websites from 454 government agencies, and no fewer than 299 online applications that are administered by public sector organisations. All of these websites and online applications are owned, administered, updated and monitored independently. Additionally, the Thai government offers a set of government-owned mobile applications developed by different agencies accessible through the Government Application Centre (GAC) apps.go.th.

In 2015, the DGA launched govchannel.go.th as a means to provide a single window for citizens to access government information, open data, statistics, formalities and services, and relevant mobile applications (more extensive than GSKs for services). However, the GovChannel follows a more e-government approach where the platform works more as an alternative "search engine" to browse among the different available government websites (e.g. services are hosted on separate websites therefore accessible through different government domains).

The next steps would consider the underlying assimilation and integration of the different sparse website platforms providing access to such topics in view of simplifying access to public sector information, data, formalities and services. However, this will require facing the potential organisational resistance of those agencies that own the specific available domains available for access through GovChannel, and that of line ministries and other bodies administering their own government websites. Yet, the case and rationale for this reform should not be merely understood from a look-and-feel or a technical angle, but from the intricate user journey resulting from multiple available government websites.

This would also require securing a consolidated and consistent user experience through the different channels (omnichannel) rather than simply offering online access points (multi-channel) for scattered and often fragmented government websites, services and applications. For instance, both the GovChannel and Government Applications Centre (GAC) function as catalogues of websites and applications rather than single platforms for greater public services' integration and consolidation.

Recommendation 32. Work towards omnichannel public service delivery.

- Promote a consistent user experience across different access points for public services offered to date, including the Government Smart Kiosks, GovChannel and the Government Application Centre.
- Explore the reduction and consequent integration of dispersed government websites into one single platform for government services. This would imply securing a co-ordinated communication policy, supported by the highest political sponsorship, so that the business proposition for a single government platform, including its focus and benefits in terms of cost reductions resulting from the integration of multiple websites, is well understood by public sector officials.
- Use the National Register of Services that is undergoing development, or a similar exercise, to inform the transition towards the development of a single government platform for digital services. This would require mapping the existent formalities and services offered through online channels, the number of government websites and their owners, and the underlying maintenance costs of each of the different available websites.
- Promote business innovation and co-creation by making available open government data, in line with international principles of machine-readability and accessibility, so that services can be developed by external innovators.
- Explore the escalation of the GovChannel brand to the mobile sphere could help in securing the same user experience across different channels. However, this would require increasing the number of available services to a potential GovChannel dedicated application and granting secure access to those services through digital identity tools.

Enabling a data-driven public sector

The government of Thailand is not oblivious to the importance of data governance in the public sector. The DGA developed the Data Governance Framework 1.0 in 2018, which emphasises the importance of governing data to support the development of Thailand's digital economy and society but also highlights the challenges it faces, namely data duplication, data quality, data security and information disclosure (DGA, 2018, p. 10_[24]). In this context, the DGA defines data governance as a mechanism for determining the direction, control and verification of the management of data, such that the data are secure, of quality, cost-effective and economically and socially valuable, and the acquisition and use of government information are accurate, complete, current, safe and private (DGA, 2018, p. 10_[24]). It establishes the right, duties and responsibilities of every stakeholder, and defines the policies and standards for creating, using and managing data such as the data value cycle, quality of information and metadata (DGA, 2018, pp. 13-14_[24]). Yet, while there is ambition in Thailand to build a digitally-enabled and data-driven public sector, the digital foundations built from 2018 are still not sufficiently robust and need to be further strengthened.

Leadership

The MDES is the public sector organisation with the highest political and administrative leadership for the national data agenda, Thailand's National Big Data Policy. Both the MDES and the DGA led the development of the data governance framework.

The DGA delivers policy recommendations on digital government transformation and data governance backed by political support too, with its government-to-government (G2G), government-to-citizen (G2C) and government-to-business (G2B) initiatives issued either as prime minister's orders or cabinet resolutions (DGA, 2018, p. 33^[25]). The DGA's leadership and role in building a data-driven public sector are set out in B.E. 2561 (2018), a Royal Decree that established the DGA under the supervision of the prime minister and the PMO. However, the DGA should play a stronger co-ordination and enforcement role in the implementation of data governance actions at the national, regional and local levels. This again opens the discussion in relation to the role the DGA plays in the budget allocation process (as discussed in the previous sections) so that the opportunities brought by financial management mechanisms could be further levered on.

Also, public sector co-ordination and capability limitations do not only bring data governance challenges at the central level but translate into multi-level data governance issues, in particular when specific data is generated by local bodies but consumed by central authorities as an input for policy and decision making. For instance, as reported by some interviewees during the OECD mission to Bangkok, previous efforts to build bottom-up and multi-level data governance arrangements to use development data for effective policy making did not move forward. The latter happened due to the disparities in terms of data capacities, protective data management practices at the local level and the complex multi-level governance arrangements and accountability mechanisms between local, provincial and central authorities. In this light, the DGA's devising, executing and enforcing the implementation of its G2G (including central-local data exchange), G2C and G2B initiatives at the operational level for national, department and provincial public sector organisations require imparting greater authority to the DGA to attain better co-ordination on and the coherent implementation of digital standards, digital infrastructure and digital services.

The leading role of the MDES, while inclusive and relevant, risks that public sector data initiatives under the National Big Data Policy will not be granted enough political support *vis-à-vis* other digital economy policy goals. clarity on leadership and accountability in an institutional governance model is a core element of good data governance. In this light, the government of Thailand should clearly identify the key public sector organisations that will officially lead public sector data governance efforts. This would require the political leadership to confer a higher degree of power to the DGA, such that the DGA has greater oversight beyond its advisory role in the context of the National Big Data Policy. This is to secure good data governance as the first step towards data access and sharing, with the publication of good quality open data.

Recommendation 33. Clearly identify the public sector organisations that will officially lead public sector data efforts.

- Consider granting the DGA greater authority for better co-ordination on digital and data standards, digital infrastructure and digital services. The location of the DGA under the PMO should be levered for this purpose. As discussed in the section "Commissioning of digital government projects: A focus on user value", the DGA can consider using the budget allocation process to enforce compliance with data standards to help move towards a more integrated data-driven public sector.

- The MDES and OPDC should continue to maintain oversight in the background, provide an overarching direction and play a wider co-ordinating role for the National Big Data Policy. Yet, the leading role of the DGA in relation to public sector data governance should be confirmed beyond its current operational focus and de facto role as a provider of technology and data solutions and platforms for the public sector.
- While the DGA's leadership implies a stronger co-ordination and enforcement role on the implementation of data governance actions at the national, regional and local levels, the DGA would benefit from implementing an open and collaborative governance model. Thus, bringing central and local authorities closer to designing, planning and implementing a potential Action Plan for Public Sector Data (see next section) and make the strengthening of central and local data capacity (including at the departmental and provincial levels) a priority in the short, medium and long terms.

Towards an action plan for public sector data

Thailand's national data strategy is contained in its National Big Data Policy, which is placed within the broader national digitalisation plans for the government. The National Big Data Policy is led by the MDES and the DGA Steering Committee for Big Data, Data Centres and Cloud Computing.

Under the MDES, the ONDE has the mandate for drafting national policies on digital economy and society for the Office of the National Digital Economy and Society Commission (ONDE) and co-ordinating with DEPA (ONDE, 2020^[26]) (see next section). During the OECD peer review mission to Bangkok, the ONDE shared that one of its main objectives is for big data to generate economic and social value by improving operational efficiency in production and services (ONDE/MDES, 2019^[27]). As such, the National Big Data Policy is framed in the context of the larger 20-Year Digital Economy and Society Development Plan (2017-2036) or Digital Thailand. Furthermore, big data is treated as the architectural foundation on which other data initiatives and innovations are built, such as open government data, digital government services and more broadly, digital businesses and innovations (ONDE/MDES, 2019^[27]).

However, Thailand's National Big Data Policy can be made more coherent and sustainable by further clarifying its role, positioning and scope as a metadata governance instrument (i.e. a policy governing policies) that addresses data policy issues related to different sectors. The demarcation of the purposes, corresponding actions and intended outcomes for specific public sector organisations or segments need to be clear. This implies reinforcing the relevance of those areas that fall directly under the government sphere. Additionally, the government of Thailand fares well in providing strong political support and will to create and see through its National Big Data Policy – but falls short on the operational aspect for its execution and implementation, in particular, addressing data access, sharing and re-use in the public sector.

From the outset, the government of Thailand should focus on developing a comprehensive yet specific policy instrument addressing public sector data issues at the central, subnational and local levels (i.e. open government data, data ethics in the public sector). Therefore, the Action Plan for Public Sector Data should also set the right accountability and enforcement mechanisms supported by a stronger leading role of the DGA as proposed earlier. As such, it will need to specify targets, monitoring mechanisms and impact assessments for each key stakeholder and milestone. A way to move forward in the short term could involve an inclusive approach for the development of the Action Plan for Public Sector Data in consultation with the wider ecosystem of public and private sector stakeholders.

Recommendation 34. Underline the relevance of public sector data governance by developing an Action Plan for Public Sector Data as a sub-element of the National Big Data Policy and the Digital Government Policy (including under the 20-Year National Strategy [2018-2037], the 12th National Economic and Social Development Plan [2017-2021] and the Digital Government Development Plans).

- The DGA could take the lead in developing an Action Plan for Public Sector Data that aligns with future National Economic and Social Development Plans and National Digital Government Development Plans, and connects with other data policy aspects such as open government data, data ethics and data sharing within the public sector.
- The Action Plan for Public Sector Data should be acknowledged as a core element of the National Big Data Policy and define the right accountability and enforcement mechanisms, supported by a stronger role by the DGA, with clearly defined objectives, timelines and milestones.
- The development of the Action Plan for Public Sector Data would benefit from an open, inclusive and collective approach thus done in consultation with the wider ecosystem of public, social and private sector stakeholders. This is necessary for the government of Thailand to integrate the systems, data and information from over 400 government agencies. This approach can also help to build policy ownership in the public sector and identify policy priorities that could be otherwise ignored by public sector leaders based on the contribution of the data ecosystem.

Capacity for coherent implementation

Co-ordination

The MDES co-ordinates the National Big Data Policy through the Steering Committee for Big Data, Data Centres and Cloud Computing, with the former acting as secretary. The composition of the steering committee involves 20 line ministries that carry out projects in diverse line and horizontal policy areas like agriculture, tourism, taxation, mobility and natural resources (NSO, 2019^[28]). The committee members are the permanent secretaries of the 20 ministries, the Office of the National Economic and Social Development Board (NESDB) and the DGA.

The steering committee aims to steward the management of all of the data generated by the state agencies and inform policy and decision making for the digital transformation journey – by consolidating data from all ministries involved into a centralised big data management system. This process involves the conversion, identification and structuring of the data for public value to be generated across different policy areas: citizens' quality of life, smart operations, citizen-centric services, resource sharing and budgetary savings. The committees under the Steering Committee for Big Data, Data Centres and Cloud Computing are currently charged with fundamental tasks such as discovering, naming and verifying datasets, and identifying areas to generate public value – with the objective of creating an ecosystem to facilitate policy and business decisions (Tortermvasana, 2018^[29]).

In this context, collaborative data governance across the public sector is pivotal and the MDES and DGA are at the helm of fortifying good data management practices across the public sector towards greater integration. The signing of memoranda of understanding (MoUs) is still used for linking data among government agencies. As covered in Chapter 5, the DGA is piloting various projects such as the Government Data Exchange Centre (GDX), the Linkage Centre and the G-Cloud computing tool. At the same time, the Steering Committee for Big Data, Data Centres and Cloud Computing is overseeing the formation of a centralised big data management system and a central cloud computing centre but still has not defined which government agency will be responsible for them due to the complexity and variety of datasets (Tortermvasana, 2018^[29]). However, these nascent digital government initiatives may fail if co-

ordination and the enforcement of centralised data standards are weak. The DGA, as the leading public sector organisation responsible for ensuring that government agencies properly determine the purpose, control and verification of the management of their data, could provide greater assistance by providing more practical measures, guidelines and good practices on top of the Data Governance Framework.

In addition to the high ambitions and long-term goals set out in the broad 20-Year Digital Economy and Society Development Plan (2017-2036) or Digital Thailand, the government of Thailand needs to pay keen attention to developing the essential capacities for coherent implementation – particularly in involving and co-ordinating different policy areas and levels of government for coherent implementation. This area was identified to be a weakness in the governance of Thailand's open and connected government (OECD/ADB, 2019, p. 90^[30]). This is to ensure that there is government-wide policy coherence and a common approach to data governance and implementation.

Institutional data leadership and skills

The DGA pointed out through the 2018 Thailand Digital Government Readiness Survey Project that central, departmental and provincial chief information officers (CIOs) lack the digital capability and have not been able to perform what the role requires (DGA, 2018, p. 50^[25]). In this respect, more training was offered as the solution such that the government agency CIOs can fulfil their roles and responsibilities (DGA, 2018, p. 50^[25]). Another instance is the Government Big Data Institute (GBDI) that was established as a subsidiary of the MDES and DEPA to train public officials in big data skills. As presented in Chapter 4, this mandate is also undertaken by the DGA and OPDC (through the Thailand Digital Government Academy [TDGA]) and connects to Thailand's Skill Development Framework developed by the Office of the Civil Service Commission (OCSC). The OCSC's framework would however benefit from further clarifying its connections to the DGA Data Governance Framework, for instance, by including data leadership and other related data competencies and skills as a subset of the digital roles described in the framework.

Still, for the level of data capacity to be translated into effective co-ordination and implementation, the government of Thailand would need to define a clear network of data leaders at the institutional level to promote better administrative co-ordination across the country, departments and provinces. Institutional networks are a growing priority for countries, as they enable the design and achievement of strategic goals with a problem-solving and citizen-centric approach more than just the technical perspective (OECD, 2019, p. 40^[31]). The proposed Action Plan for Public Sector Data should have a proper institutional setup and co-ordination mechanism that identifies specific stakeholders for leadership and accountability.

For instance, the Data Governance Framework 1.0 had underscored that successful governance means that the person with the oversight role should have the responsibility for defining the scope, rules and policies around data (DGA, 2018, p. 10^[25]). It also proposes a data governance structure for government agency personnel to carry out data supervision in their departments: i) a data governance council comprising the chief executive officer (CEO), chief data officer (CDO), chief information officer (CIO) and chief strategy officer (CSO); ii) a data steward team comprising the lead data steward and other data stewards covering the business, data and quality; and iii) wider data stakeholders comprising the data creators, users, managers and owners (DGA, 2018, pp. 52-56^[24]) – which can be further enriched.

The DGA should support national, department and provincial government agencies to carry out the proposed data governance structures but in line with the agreed competency and skills frameworks for data to be decided by the OCSC. The DGA could oversee the specification of the roles, responsibilities and key performance indicators according to the operational context of different agencies such as the missions and budgets, and in line with the Data Governance Framework 1.0.

Also, a good strategy goes beyond setting up new government agencies, commissions and committees, or designing new frameworks, plans and roadmaps. The details in the actual governance arrangements matter significantly to ensure successful sustainable execution, for instance in light of the change of political

administrations – a common risk several OECD countries face in terms of securing the data capability achieved so far in the long run. Therefore, the government of Thailand could also consider formalising more non-political and non-technical data leadership roles by attaching them to current administrative structures, an important precondition to achieve and materialise policy goals in the long term.

Recommendation 35. Strengthen the operationalisation of Thailand’s Data Governance Framework 1.0.

- Provide more practical measures, guidelines and good practices on good data management and further stress the relevance of the Steering Committee for Big Data, Data Centres and Cloud Computing and its committees as the government-wide forum for the co-ordination of the proposed Action Plan for Public Sector Data at the strategic and operational levels.
- Underline the role of the DGA as the co-ordinator of public sector data governance efforts in the context of the activities of the Steering Committee for Big Data, Data Centres and Cloud Computing, including its role as a provider of standards for data management across the data value cycle (from data generation, interoperability to its publication, when feasible, as open data).

Recommendation 36. Further clarify the synergies of the OCSC Skill Development Framework and the DGA Data Governance Framework 1.0.

- Include data leadership and other related data competencies and skills as a subset of the digital roles described in the OCSC’s framework.
- Support national, department and provincial government agencies to carry out the proposed data governance structures but in line with the agreed competency and skills frameworks for data to be jointly decided by the OCSC and the DGA.

Recommendation 37. Sustain and scale up the DGA’s efforts to deploy a data governance structure and network of data leaders and practitioners across the public sector in line with the job roles and descriptions defined in the DGA Data Governance Framework.

- These activities would also benefit from: i) clarifying the roles and responsibilities related to data protection and data ethics in the public sector; and ii) formalising non-political data leadership roles by attaching them to current administrative structures in order to advance the implementation of a potential Action Plan for Public Sector Data.

Regulation

Regulation plays an important role in defining the set of rules around the use and treatment of data (OECD, 2019, p. 42^[31]). As discussed in Chapter 3, the government of Thailand has risen to the act of solidifying and reinforcing the legislative support and guidance for its policies to build a data-driven public sector in recent years. In 2019, the National Legislative Assembly of Thailand (NLA) passed six technology-related legislations to improve and clarify the regulatory environment for public and private digital services:

- Electronic Transactions Act No. 3, B.E. 2562 (2019), and No. 4, B.E. 2562 (2019).
- Electronic Transactions Development Agency Act, B.E. 2562 (2019).
- Digital Economy and Society Council Act, B.E. 2562 (2019).
- Personal Data Protection Act, B.E. 2562 (2019).
- Cyber Security Act, B.E. 2562 (2019).
- Digitalisation of Public Administration and Service Delivery Act, B.E. 2562 (2019).

These efforts in digital reform are notable. Yet, legislation is a first step but it does not guarantee effective and sustained implementation. During the OECD peer review mission in Bangkok, the Office of the Council of State under the PMO in charge of drafting the Digitalisation of Public Administration and Service Delivery Bill shared that the legislation is intended to change the public sector culture, enforce data sharing and facilitate the operations of the Government Data Exchange Centre (GDx) and Open Government Data Centre. The prime minister of Thailand actively supports this but still faces resistance from various government agencies due to the lack of readiness and capability.

Hard and soft regulatory instruments (e.g. regulations, standards, guidelines) need to be enforced actively with strong co-ordinated efforts across the public sector. This process requires structural support such as human resources, digital infrastructure and public trust. It also calls for softer regulatory instruments that address culture and behaviour such as understanding the potential of data, growing interest and aptitude in data, and practising data ethics.

One area is the regulatory tension between data protection and data sharing. The ONDE highlighted during the OECD peer review mission in Bangkok that it has not embarked on open data or data-sharing initiatives due to restrictions and legislative burden from the data protection law. This balance between a flexible and structured approach can help to foster common understanding, alignment and coherence of data initiatives. It creates greater support for concerted actions when addressing challenges and delivering results (OECD, 2019, p. 33^[31]).

Recommendation 38. Use agile regulation initiatives to:

- Carry out a regulatory guillotine exercise to identify legal and regulatory barriers blocking data generation, sharing and access within the public sector and the publication of open data by public sector organisations. These exercises would benefit by stating on a smaller scale (within specific policy areas such as environment and development) in order to help in the definition of sectoral data strategies addressing data access and sharing within and outside the public sector.
- Use fora such as the OPDC Innovation Lab and the DGA Digital Academy to perform capacity-building exercises to develop further awareness in relation to the implications of data protection, ethics and open data in order to promote data-driven innovation while safeguarding citizens' digital rights.

Leveraging data access and sharing to deliver public value

While a strong focus on technical issues for data governance can be a weakness and mislead data policy decisions (OECD, 2019, p. 27^[31]), underpinning the transition to a data-driven public sector calls for the definition of a complex set of data access and sharing arrangements, including standards and guidelines, to support the delivery of value, as explored in the technical layer of data governance.

A key working principle of the DGA's G2G, G2C and G2B infrastructure, platforms and enablers is to link and exchange data and unlock greater public value. The DGA aims to create "an effective data management system [that is] accurate, complete, updated, and connectable promptly and securely" (DGA, 2018, p. 12^[25]) to be used for developing new platforms, tools and services, such as the Government Information Network (GIN) for connecting government agencies at all levels to facilitate a wide range of applications, the Government Data Exchange Centre (GDx) for digitally transferring documents among agencies and the one-stop service for citizens to access public services.

Most initiatives for data integration are oriented around identifiable data on citizens and businesses and data related to national security and critical infrastructures, following the first phase of integrating government databases directed by the Prime Minister Operations Centre (PMOC) and the Steering

Committee for the Integration of Government Databases (EGA/MICT, 2016^[32]). While the central government is prioritising data, information and systems integration as the foundation for a data-driven public sector at a strategic level (EGA/MICT, 2016^[32]), there is a considerable lack of operational expertise and understanding to deal with the heterogeneity of the data and the complexity of data integration at the executional level.

As identified in the previous subsections, a key challenge faced by the government of Thailand is the execution of the data plans and especially at the departmental and provincial levels. There needs to be a stronger understanding of what data are available or not, and if those data are valuable, compatible and interoperable to be used and re-used, this together with the experiences and capabilities related to data management and analytics that need to be consolidated – such that data governance can be carried out effectively. These were the challenges for the use of national data registries that are often cited in the surveys conducted by the OECD for the purpose of this review.

There are different types of data with widely different economic and social value and data value cycles. On the technical front and delivery layer for a data-driven public sector, the government of Thailand needs to have a comprehensive and coherent approach towards organising, categorising and integrating government data. Doing this step correctly can provide the leverage to achieve developments in data sharing and public trust in the government's use of data – together with open government data as explored later in this chapter.

Data integration: Infrastructures, standards and guidelines

Government data are not naturally harmonised because government agencies of different responsibilities and policy areas have different datasets and formats (Ubaldi, 2013, p. 31^[33]). During the OECD mission to Bangkok, various public sector organisations expressed their aspiration and plans in the use of big data and data analytics but the main barrier that constantly resurfaced was the lack of standards and guidelines, in addition to flawed human resource capability, which made the process of data management and analysis challenging. The government of Thailand currently has policies, standards and guidelines on data security and stability, data disclosure, data link and exchange, data confidentiality, open data, personally identifiable information, data innovation design and data governance assessment (DGA, 2018, p. 45^[25]). But it would need to focus on the data generation stage to secure integration in the later stages of the data value cycle. So far, the guidelines and standards available address data access and sharing once the data has been already generated or assume data assets are discoverable and accessible.

A good case in point is the National Information Committee, which was under the Ministry of Information and Communication Technology (MICT) and now the MDES. The National Information Committee drives information policy, manages the geographical information system (GIS) and geospatial datasets from 30 public sector organisations. Still, it faces difficulty in data discoverability and data ownership for a large number of datasets under its purview. In response to such a challenge, different countries have had different responses. Another example is the Ministry of Commerce (MoC) that expresses strong support for digital integration and greater alignment and co-ordination in the development of digital policies and initiatives. It has a pilot project to share web service data with the Ministry of Agriculture and Cooperatives (MOAC) and the Rice Department, in view of real-time data-sharing projects for maize, palm oil and sugar in the future. However, as shared during the OECD peer review mission in Bangkok and the OECD survey, the MoC has not yet been able to complete the basics such as mapping the business ecosystem and datasets or harmonising operating models and metadata standards.

Data value cycle: Gaps, challenges and solutions

The data value cycle presents the crossroads and synergies of the most strategic, tactical aspects of data governance (e.g. regulations and policies) with the technical aspects (e.g. architecture and infrastructure for data management, open data and sharing). It is a continuum of inter-related stages where different

stakeholders add value and contribute to data re-use (OECD, 2019, pp. 46-47^[31]). Looking at the data value cycle, the government of Thailand is still held back in the first two phases of collection, generation, storing, securing and processing.

This explains why multiple public sector organisations in Thailand are still struggling with the heterogeneity of government data and the complexity of data integration. They are unable to progress to the third and fourth stages of creating value from data and data-driven processes. Oftentimes, governments get stuck in the first two stages of understanding what kind of government data exists, what form and how they can be used – in order to organise, categorise and integrate the data after.

In sum, the government of Thailand is progressing well by creating new digital tools, platforms and services that accelerate data integration, open data and data sharing. More resources should be devoted to ensuring that these data architectures and infrastructures are replicable and scalable across sectors of the digital economy and society to allow smooth and trustworthy access and sharing of data within and outside the public sector. For this to happen, data policies, standards and guidelines in legislation and executive decrees that make up the backbone should be strengthened centrally and harmonised at all levels of the government.

Recommendation 39. In line with the Data as a Service (DaaS) approach presented in the section “Data as the foundation for digital services”:

- Promote and monitor the development of data catalogues at the institutional level to identify data assets availability in order to promote data discoverability, access and sharing.
- Pursue the design and implementation of standards for data generation, including metadata standards, towards data integration. In line with the previous recommendation, this would benefit from addressing challenges at a sectoral level, first towards their scalability, including that of data sharing tools, in the medium and long terms.
- Explore data federation approaches for data exchange within the public sector to avoid the centralisation and reliance on centralised data management platforms. Such an approach would also help in deconstructing complex data management systems into smaller pieces so that issues in specific hubs can be addressed in a simplified and more agile fashion.
- Based on the budget for the Annual Digital Government Integration Programme, the flagship project Agency Data Catalogue and Services Catalogue must follow through in its implementation.

Establishing the role of data for public trust

The government of Thailand understands the importance of governing and managing data with trust as the backbone to improve citizens’ well-being. Its digital government services have qualified for international standards, such as the Cloud Security Alliance (CSA) Security, Trust and Assurance Registry that enhances transparency in cloud computing services and the Business Continuity Management Systems (BCMS) that enable holistic management of threats to business operations (DGA, 2018, p. 30^[25]). Trust is also a major component of the 20-Year Digital Economy and Society Development Plan (2017-2036) or Digital Thailand. The sixth strategy in this plan is focused on building trust and confidence in the use of digital technologies by updating laws and regulations, encouraging investments and ensuring security (Segkhoonthod, 2017^[34]). This also ties tightly into the 6th strategy of the 12th National Economic and Social Development Plan (2017-2021) that aims to root out corruption and achieve good governance in the public administration (Segkhoonthod, 2017^[34]). Measures taken under this strategy towards data ethics and the use of digital technology and tools are most critical in determining public outcomes.

Ethics

Handling data ethically can balance innovation with data protection while placing data subjects and users at the centre of the public service design process. A discussion of data ethics should also involve a discussion of digital rights, which have become increasingly important due to the emergence of new technologies such as artificial intelligence (AI): the right to the transparent use of data, the right to access open algorithms and the right to data ownership and management to name but a few. Also, ethical approaches play a pivotal and significant role to guide the behaviours of the public administrators and public officials in the public sector. They ensure that data will be managed in ways that do not harm or undermine the utility of others, even when done in a lawful way.

The government of Thailand has not yet designed ethical principles, frameworks or guidelines on data management and use in the public and private sectors. This presents an opportunity to consider various paths to achieving the goal of shaping behaviour that is conducive to a healthy data-driven public sector that centres on the human aspects of data management and respects the rights of individuals.

Data ethical frameworks or guidelines should contain principles, information and approaches to conduct value-driven practices and decision making that aim to increase understanding of what it means to manage and use data in a way that places human rights at the core of government practice when using data.

In a later stage, enforcement and compliance with ethical practices can be executed via an independent government agency, with a lead role in supporting other public sector organisations in capacity building and data management. The DGA has a strong fit for this role with its anti-corruption policy and mandate in “supporting and promoting personnel at all levels to be aware of the importance of behaving in compliance with morals, ethics and anti-corruption awareness” (DGA, 2018, p. 83_[25]). For this to be achieved effectively, the DGA should be given the power and authority across the public sector and country in supervising and monitoring the practices in accordance with the laws and regulations around data management and use. While the Personal Data Protection Committee (PDPC) is the supervising authority for data protection, the DGA should be the main steward for the government’s trustworthy and ethical data management and use. Both bodies will need to co-ordinate closely, set strategies and exchange information.

This approach could suit the government of Thailand too, with strategic co-ordination between the DGA and PDPC. To strengthen the DGA’s efforts in data ethics, it could create a data ethics advisory group to assist the government to understand, advise and comment on issues around new and emerging uses of data. Seven independent experts from different fields like privacy, human rights law and innovation, which are relevant to data use and ethics, were appointed as members. Diversity of perspectives is ensured too, with one position reserved for a member of the Te Ao Māori Co-Design Group to support Māori data governance (Stats NZ, 2019_[35]). Such a data ethics advisory group can support the DGA by looking into new initiatives in the early stage of development, such as exploring the idea of using data trusts to facilitate ethical and trustworthy data sharing. Similarly, in this area, ensuring the success of establishing an ethical environment will require consistent communication and engagement over these ethical frameworks, guidelines and principles in the data access and sharing ecosystem that include actors from the private sector and civil society.

Privacy

In the effort to design and offer more citizen-centric services, the government of Thailand has committed to balancing the security of lives, assets and public data with the need to address constant changes of public needs and facilitating public service delivery. To protect privacy and allow users to give consent with explicit knowledge of how the data is collected, processed and used, the government of Thailand passed the Personal Data Protection Act, B.E. 2562, in May 2019 that came into full force in May 2020. The Personal Data Protection Act established the PDPC, with the vice-chairperson as the Permanent Secretary

of the MDES and directors as the Permanent Secretary of the PMO, the Secretary-General of the Consumer Protection Board, the Director-General of the Rights and Liberties Protection Department and the Attorney General (ETDA, 2019^[36]). This follows from the Official Information Act, B.E. 2540 (1997) that had specific provisions to prevent the misuse of personal data by public officials and the right for citizens to know how their data are being used by public sector organisations.

The Electronic Transactions Development Agency (ETDA) said during the OECD peer review mission to Bangkok that it aims to build awareness in the public sector and among citizens and businesses on privacy and how to protect their data in using digital tools. It was involved in the drafting of the Personal Data Protection Act. In May 2018, the MDES set up a Data Protection Knowledge Centre (DPKC) as the centralised unit to create awareness about data protection in the public and private sectors, with the ETDA as the operator and lead.

Transparency

Transparency is about creating an open and trustworthy environment where policy and government information, decisions, processes, frameworks and rationales are made known to the public in a timely, accessible and comprehensible manner, which has an effect of increasing public officials' accountability to each other and the public (OECD, 2019, p. 115^[31]). This approach has direct applications on how personal or sensitive data is used by public sector actors, by whom, for what purpose and with what outcomes. With emerging technologies, transparency about how data is used and processed is fundamental for public trust and the good use and scaling of machine learning.

As the DGA of Thailand continues to create data policies, standards and guidelines on open data, data sharing and the re-use of data in the public sector, it could consider opening its actions, sharing data informing decisions processes and performance to public scrutiny as a way of gaining public trust. This often serves as a powerful and practical tool to gain the support and trust of citizens and businesses in the complex process of digitalising the government and public sector, since it allows them to see, understand, know how various data subjects' data are used and therefore participate in the best possible way to create value for the economy and society.

Citizens can have the chance to contest should the data seem biased or wrong, which can help to augment the quality of data, fairness and value creation. Finally, the policies, standards and guidelines centred on openness also serve as the foundation for when the government starts to incorporate more AI, to make the data processing sustainable and trustworthy. In Thailand, transparency in a data-driven public sector can be increased with the exposure of the data and algorithms in the pursuit of data subjects' self-determination and agency over the handling of their data.

Security

In line with plans for building Digital Thailand, the government of Thailand is ramping up efforts to secure the digital architecture and infrastructure in the public sector by consolidating the legislation, regulations and institutions. It plans to improve Thailand's ranking in the International Telecommunication Union (ITU) Global Cybersecurity Index with the development of national security policy, critical information infrastructure and standard operating procedures (Boonnoon, 2018^[37]).

Thailand's Computer Crime Act, B.E. 2550 (2007) provided a definition of computer-related crimes and authorised government officials to investigate them. Amendments in the Computer Crime Act No. 2, B.E. 2560 (2017) further clarified the ambiguity of illegal content and defamation and improved the efficiency and integrity of the law enforcement process. It also aimed to prevent hacking data and information that could be wrongfully exploited. But in the past years, the government has done a minimal amount operationally to respond to the thousands of cyberthreat incidents and government agencies still have a poor capacity to respond to cyberthreats (Leesa-Nguansuk, 2019^[38]). The Cyber Security Act, B.E.

2562 (2019) aims to change this with the creation of a National Cyber Security Committee, the National Cyber Security Agency (NCSA) and new rules to handle cyberthreats.

Since Thailand has just begun its efforts in security, the government should now focus on developing an independent national digital security strategy with detailed policies, directions and guidelines for public sector organisations to follow. Lastly, digital security skills are a cornerstone – extensive training in cyber security capability should ensure that the country has a sustainable supply of home-grown cyber professionals that can meet the demands for a digital economy and society.

Recommendation 40. Promote a trustworthy environment for data management and use in the public sector by:

- Designing or adhering to ethical principles, frameworks or guidelines on data management and use in the public and private sectors that are conducive to a healthy data-driven public sector that centres on the human aspects of data management and respects the rights of individuals. These data ethical principles should: i) align with other broader policies (e.g. public sector integrity, open government, procurement) and the tools that derive from them; and ii) be understood as a precondition for the successful implementation of trustworthy data-driven decision making and the development of AI systems in the public sector. For this purpose, the Thai government could consider using the *OECD Good Practice Principles for Data Ethics in the Public Sector* as guidance.
- Exploring the creation of a multistakeholder data ethics advisory group to assist the government to understand, advise and comment on issues around new and emerging uses of data.
- Sustaining the ETDA's, DGA's and PDPC's active joint leadership on securing privacy for data subjects in the treatment of public sector data, thus focusing on education and building consciousness and working culture of practising data protection to build a safe environment. It could also consider fostering interoperability of privacy approaches with other privacy frameworks to enable cross-border data flows, such as the OECD Privacy Framework (2013) and the Directive 95/46/EC General Data Protection Regulation (2018).
- Sharing data-informed decisions, processes and performance to public scrutiny as a way of gaining public trust. Transparency in a data-driven public sector can also be increased with the exposure of the data and algorithms through specific digital government tools (such as citizens' folders) in order to promote the values of self-determination, contestability and agency of Thai citizens over the use of their data.
- Developing a national digital security strategy with detailed policies, directions and guidelines for public sector organisations to follow – covering digital security skills to increase cyber security capability and capacity, and strong governance and co-ordination in the execution.

Promoting open government data in Thailand

Towards sound open data policies: Data availability, accessibility and re-use

In Thailand, open government data efforts are led by the DGA and OPDC. Since 2013, the DGA has had the responsibility of managing Thailand's national centralised open data portal, the Government Open Data Centre (data.go.th). The open data portal is designed to provide open government data in easy-to-find categories and in formats that meet Thailand's national Open Government Data Standard (DGA, 2018, p. 39^[25]). As of 2018, data.go.th hosted more than 2 000 open datasets. The DGA has also published the Open Data Handbook that provides guidelines for selecting high-value datasets and co-ordinating with

other government agencies, providing information and engaging with the public including inspection by the public.

In 2015, the government of Thailand released its first Open Data Strategy under the DGA with ten core principles for data publication: Open by Default, Protected where Required; Prioritised; Discoverable; Usable; Primary; Timely; Well Managed, Trusted and Authoritative; Free where Appropriate; and Subject to Public Input. These overarching requirements apply to all public sector organisations releasing open government data for public access and use.

The Digitalisation of Public Administration and Services Delivery Act, B.E. 2562 (2019), also known as the Digital Government Act, granted specific responsibilities to public sector organisations in relation to open government data. One of the main objectives of digital government development detailed under Section 4 of the act mentions the “disclosure of public data [...] produced and possessed by State Agencies [...] for the purpose of creating easy access to the public, promoting their involvement in and inspection on governmental operations, and enabling them to further use the data to develop innovations and services which would be beneficial to the Country in certain aspects”.

Specifically, under Section 17, public sector organisations have a responsibility to “produce the data which must be disclosed to the public under the laws on government information as digital data” and “enable the public free access without any expense”. It goes on to specify that these standards and rules on the disclosure of such data “shall be prescribed by the Digital Government Development Commission for the benefit of facilitating the people’s access to the data”.

Yet, despite these recent developments, the leadership and co-ordination by the DGA or the OPDC is still facing some key challenges to deliver value from open data. These gaps are analysed in further detail in the following sections based on Thailand’s performance in each of the three pillars of the OECD Open, Useful and Re-usable data (OURdata) Index (OECD, 2020^[39]).

Data availability

Results from Pillar 1 on “Data availability” demonstrates that while Thailand performs fairly, it still needs to greatly improve for Sub-pillar 1.1 on the “Content of the open-by-default policy” (scoring 0.19 in comparison to the Southeast Asian average of 0.12 and the OECD average of 0.22), better for Sub-pillar 1.2 on “Stakeholder engagement for data release” (scoring 0.21 in comparison to the Southeast Asian average of 0.11 and the OECD average of 0.20) and has much to improve for Sub-pillar 1.3 on “Implementation” (scoring 0.12 in comparison to the Southeast Asian average of 0.13 and the OECD average of 0.18). Overall, the results for each of the aforementioned sub-pillars contribute to Thailand’s ranking (scoring 0.52) to be slightly below the OECD average (scoring 0.59) and higher than the Southeast Asian average (scoring 0.36).

Sub-pillar 1.1 on “Content on the open-by-default policy” looks at the extent to which there are formal requirements supporting openness by default through instruments such as laws, regulations or guidelines. These foundational arrangements help to promote a public sector culture that encourages the release of open government data (OECD, 2020, p. 28^[39]), which is key for Thailand. The Thai government understands the value inherent in opening up the access and use of government data to a broader ecosystem of the public sector, private sector and civil society stakeholders, as reflected in its landmark Digitalisation of Public Administration and Services Delivery Act, B.E. 2562 (2019). However, the DGA and supporting bodies should now focus on comprehensive communication and implementation across the whole public sector, since formal requirements are not enough to secure actual implementation, as measured in Sub-pillar 1.3 and discussed later. Advancing implementation would also require further deepening the use of KPIs to monitor and promote greater capacities and capabilities of its public sector organisations in working with open government data.

Sub-pillar 1.2 on “Stakeholder engagement” measures the level of engagement with stakeholders to inform open data policies and support purposeful and user-driven data publication, which is critical for value generation. Engaging stakeholders boosts the efficacy of data publication and strategic re-use as data users’ needs are better understood and addressed. This is key from a data demand point of view: open government release should not solely be based on the government’s perceived user needs or what is most requested (OECD, 2018, p. 132^[40]), but also on strategic data supply (OECD, 2020, p. 30^[39]).

The DGA could take a greater lead in co-ordinating efforts concerning the engagement of the open data ecosystem to understand their needs. As expressed by public officials during the OECD peer review mission in Bangkok, evidence points to minimal public interest and participation in the government’s open data and data sharing initiatives. However, this negative context is aggravated by public sector organisations strong focus on compliance – indicating, again, a cultural challenge where the publication of open data is still understood as the main outcome rather than as a means to deliver value. During the OECD peer review mission in Bangkok, public officials shared that there is still a lack of emphasis on user needs and that data demand is not being met.

This highlights the importance of involving a wide variety of stakeholders in the design process of open data policies, the identification of data needs, and the government’s key role in promoting the shift towards a user-driven open data policy. Doing so can boost the effectiveness of addressing the technical, administrative and cultural challenges during the implementation stage.

Lastly, Sub-pillar 1.3 on “Implementation” assesses the results and outputs of open-by-default policies. A key element to consider here is to make quality and value a priority when sharing open government data, as opposed to focusing too much on the quantity of data. This mandates the availability of open government data in high-value taxonomies such as business registers, transport, environmental and geographical data and their integration into the data value chains towards greater government, economic and social innovation (OECD, 2020, p. 9^[39]). Results from the 2019 OURdata Index showed that OECD countries did not perform well in this aspect because creating quality open data and value requires governments to first focus on generating data that are standardised, interoperable and valuable before publication and release (OECD, 2020, p. 32^[39]). The latter stage will be covered in Pillar 2 on “Data accessibility”.

Another fundamental consideration needed for the government of Thailand is how to approach the data infrastructure for open data in the implementation process. At a more technical level, a data federation model can facilitate data discoverability and reduce data fragmentation while maintaining a balance between a good level of data autonomy and ownership at the subnational levels and quality assurance at the central level (OECD, 2020, p. 9^[39]). For instance, various ministries and agencies expressed during the OECD peer review mission in Bangkok that they have their own active open data initiatives but these may not be fully hosted on the central open data platform under the DGA and that they do not have knowledge of other counterparties’ initiatives. The DGA could develop data quality mechanisms and automation processes for open data and data sharing that cut across the over 400 government agencies through the Government Data Exchange Centre (GDX) and the use of the government API system. Thailand’s lower availability of data can be seen as a window of opportunity to start strengthening data governance and data quality at the source.

The DGA should take a greater lead in co-ordinating efforts for the engagement with stakeholders in the open data ecosystem early to understand their needs, invoke greater interest and participation and change the mindset and culture. It should also consider making the public consultations inclusive, innovative and encouraging of collaborations, in line with existing open government data frameworks, and strengthen stakeholder engagement with local governments and actors by providing technical-methodological support, promote good practices and strengthen capability and capacity.

Recommendation 41. Promote user-driven and purposeful open government data availability by:

- Enhancing communication of the open government data policy across the public sector and with the ecosystem, beyond formal requirements.
- Embedding open data as a cornerstone of a potential Action Plan for Public Sector Data. This would require emphasising the significant role of open data as a policy in itself.
- Promoting the inclusion of open data in sectoral and organisational policies, strategies and action plans for building a data-driven public sector as a core policy element towards openness by default and data-driven innovation.
- Deepening the use of open KPIs for monitoring (open data dashboards) of the public sector organisations working with open government data, ensuring greater compliance and adoption at an operational level. The Thai government would also benefit from including the OECD Open Government Data Index as part of the set of indicators to monitor the implementation of the Digital Government Development Plans and other broader policy instruments such as Digital Thailand.
- Mapping the most critical and “obvious groups” such as start-ups, journalists, researchers, academia, businesses, etc. towards greater user engagement. This would imply opening up the government and promote a collaborative approach from the very design of open data initiatives. The government of Thailand could research the needs of these different user groups in order to reach out to them more effectively. Public consultations should be conducted strategically and with a diverse group of stakeholders for inclusion and diversity.
- Identifying high-value datasets for publication by exploring their contribution to areas such as anti-corruption and development, business and social innovation. This would imply engaging data users in data demand identification exercises before data publication on a regular basis.
- Clarifying open data responsibilities in line with the DGA Data Governance Framework and the OCSC Skills Framework.
- Considering data harvesting as the infrastructure for the open government data portal, as it can facilitate quality data discoverability and reduce data fragmentation. The DGA should develop data quality mechanisms and automation processes for open data and data sharing among government agencies through the Government Data Exchange Centre (GDX) and with the use of the government API system.

Data accessibility

Results for Pillar 2 show that Thailand is slightly below the Southeast Asian average and has much to catch up on all three sub-pillars: Sub-pillar 2.1 on the “Content of the unrestricted access to data policy” (scoring 0.13 in comparison to the Southeast Asian average of 0.19 and the OECD average of 0.27), Sub-pillar 2.2 on “Stakeholder engagement for data quality and completeness” (scoring 0.13 in comparison to the Southeast Asian average of 0.07 and the OECD average of 0.14) and Sub-pillar 2.3 on “Implementation” (scoring 0.21 in comparison to the Southeast Asian average of 0.24 and the OECD average of 0.28). Overall, the results for each of the aforementioned sub-pillars contribute to Thailand’s ranking (scoring 0.48) to be just below the Southeast Asian average (scoring 0.50) and OECD average (scoring 0.70).

Sub-pillar 2.1 on “Content of the unrestricted access to data policy” looks at increasing the production and sharing of quality data that are released proactively, timely and in understandable and re-usable formats for users and machines (OECD, 2020, p. 36^[39]). It specifies that there should be the provision of

requirements and guidance on metadata, the active addressing of quality issues and biases throughout the data value cycle and the free provision of data (OECD, 2020, p. 37^[39]).

During the OECD mission to Bangkok and in line with earlier assessments, the DGA underlined how most government agencies disclose data in non-machine-readable formats (DGA, 2018, p. 50^[25]). This is because the government of Thailand has no formal requirements and only guidelines for its public sector organisations to provide data in machine-readable formats, with their associated metadata or that are interoperable, as shared in the Open Government Data Survey for the OECD and ADB report *Government at a Glance Southeast Asia 2019*. This poses a key challenge to derive value from data and poses a barrier to meet policy objectives in line with the Digitalisation of Public Administration and Services Delivery Act, B.E. 2562 (2019).

Sub-pillar 2.2 on “Stakeholder engagement for data quality and completeness” stipulates that the open government data portals should be treated as spaces for open engagement with the larger ecosystem rather than top-down approaches just to provide data supply. The larger goal should encourage innovation, collaboration, knowledge sharing and value creation towards enabling Government as a Platform (GaaP) (OECD, 2020, p. 39^[39]). While the government of Thailand enforces standards for accessibility, it should also strengthen its stakeholder engagement and design of its central open government data portal to allow data communities and ecosystems to thrive. According to the Open Government Data Survey results for the OECD and ADB report *Government at a Glance Southeast Asia 2019* (2019^[30]), the feedback loop and engagement with users on the Government Open Data Centre (data.go.th) is still largely one way as users are not allowed to add a dataset or create other outputs like data visualisation and are not notified about issues or the re-use of their data. In a similar fashion, the DGA can consider creating fora for discussion and notifications on chosen datasets beyond feedback sections, where users can connect, collaborate and share ideas directly with each other on the use of the open government data – a rare practice that only several OECD countries have in place (OECD, 2020, p. 38^[39]).

Sub-pillar 2.3 on “Implementation” emphasises that the non-formal requirements, cultural changes, political willingness and expertise among public officials are also a necessary part of the equation to enable the release of and access to re-usable datasets on open government data portals. The Open Government Data Survey results for Thailand in the OECD and ADB report *Government at a Glance Southeast Asia 2019* (2019^[30]) showed that even though there are points of contact for datasets provided on the Government Open Data Centre (data.go.th), in practice there is a very low proportion of structured data, data provided in multiple formats, data provided in machine-readable formats, the use of uniform resource identifiers, the provision of data visualisation tools and the provision of associated metadata – which is consistent with the findings that have been elaborated in-depth above.

Recommendation 42. Increase open data accessibility by:

- Redefining its central open government data portal towards a focus on data re-use and a platform for the open data community. This would require establishing a digital and analogue two-way feedback loop and engagement processes to monitor data quality. The DGA can consider creating fora for discussion and notifications on chosen datasets beyond feedback sections, such that users can connect, collaborate and share ideas directly with each other.
- Using the proposed open KPIs model (e.g. open data dashboards) to showcase good open data practices across the public sector and monitor, in collaboration with the ecosystem, the implementation and compliance with open data standards, including their publication in machine-readable and non-proprietary formats.
- Removing any registration process for open data access in order to reduce barriers for data re-use and increase users’ trust and confidence in the use of the data.

- Enabling open data access and sharing through APIs in order to allow for data integration across different sectors, and contributing to the digital and data-driven economy.

Government support for data re-use

Pillar 3 on “Government support for data re-use” is increasingly seen by governments as a key requirement for value creation and builds upon the previous two pillars addressing the availability and accessibility of good quality government data (OECD, 2018, p. 88^[40]).

Thailand performs well in Sub-pillar 3.1 on “Data promotion initiatives and partnerships” (scoring 0.22 in comparison to the Southeast Asian average of 0.12 and the OECD average of 0.16) but there is still a big gap especially for Sub-pillar 3.2 on “Data literacy programmes in government” (scoring 0.14 in comparison to the Southeast Asian average of 0.15 and the OECD average 0.21) and Sub-pillar 3.3. on “Monitoring impact” (scoring 0.04 in comparison to the Southeast Asian average of 0.06 and the OECD average of 0.14). Overall, the results for each of the aforementioned sub-pillars contribute to Thailand’s ranking (scoring 0.40) just above the Southeast Asian average (scoring 0.33) and markedly below the OECD average (scoring 0.52).

Sub-pillar 3.1 on “Data promotion initiatives and partnerships” measures the extent to which governments regularly conduct assessments, information sessions and focus groups with citizens, businesses and other stakeholders, hold co-creation and crowdsourcing events to promote data re-use and create partnerships with business incubators and CSOs that aim at solving specific public policy challenges.

Results from the OECD Open Government Data Survey also reveal that the government of Thailand does not formally encourage its public sector organisations to raise awareness among businesses on open government data opportunities but does so with citizens and non-governmental organisations. Public sector organisations are not regularly involved in any events or activities aimed at promoting the re-use of open government data, except for a few annual hackathon events. As this is well within the current scope of the DGA, the DGA should step up its leadership and initiatives in this respect. Long-term partnerships with the open data ecosystem can sustain user engagement and data re-use.

Sub-pillar 3.2 on “Data literacy programmes in the government” are indispensable for building skills and capacity in the public sector to support open data and data sharing efforts. The government of Thailand is progressing well, in general, with the creation of the TDGA that promotes, supports and provides skills and standards training between the public and private sectors, and the definition of digital and data roles as defined in the DGA Data Governance Framework and the OCSC Skills Framework.

However, Thailand is lacking the necessary human resources to unlock the full potential of a data-driven public sector and could channel more into this area. Based on the results of the Open Government Data Survey for Thailand, much more needs to be done to conduct information sessions, focus groups and training within the public sector and with public officials on the benefits, needs and methods of promoting the re-use of open government data – at all levels of the government and leadership. These programmes should raise public officials’ understanding and awareness on how data should be published and re-used within the public sector to improve internal processes, public policies and services. Finally, increasing the level of digital literacy can also help to build an organisational culture that embraces data, which the government of Thailand presently has as a programme but needs to further deploy through practical and consistent training sessions on the DGA’s Open Government Data Handbook. The Open Government Data Conference as a platform for internal consultation is another good channel that should be reinforced not just for feedback collection but strengthening the awareness and effective rolling-out of open government data efforts.

Sub-pillar 3.3. on “Monitoring impact” should be done by financing or conducting research on the economic, social and public sector performance impact of open government data. Indicators can include the amount of re-use of open government data and the types of re-use carried out such as data visualisations, mobile applications and news articles – through usage cases that are documented, displayed and promoted openly.

In reference to the results of the Open Government Data Survey (2019^[30]), the government has not conducted research on the economic or public sector performance impact of open government data but has done so for the social impact since 2015. While building the data architecture and infrastructure for GaaP, the DGA should continue to identify, collect and display to the public good examples of re-use on centralised and local open government data within and outside the public sector. In sum, attaining this stage of opening and sharing meaningful, accessible and re-usable data to generate value for stakeholders requires data-driven and user-centric approaches – with open government data laws that oblige public sector organisations to publish and share their data in complete, updated and appropriate formats and strong user engagement in the open government data ecosystem.

Recommendation 43. Target and increase open data re-use towards innovation and good governance by:

- Sustaining initiatives to promote the re-use of open government data on the Government Open Data Centre (data.go.th), beginning with conducting assessments and reports to understand the challenges and barriers to the re-use of open government data by external actors.
- Involving public sector actors in a rolling co-leading model where specific organisations can lead the organisation of user engagement events to address their own policy needs and challenges.
- Exploring deepening long-term partnerships in the open data ecosystem with the private sector and civil society. The Open Government Data Conference should be reinforced as a channel for feedback collection, raising awareness for effective implementation.
- Conducting practical and consistent training sessions on the DGA’s Open Government Data Handbook, along with the benefits, needs and methods of promoting the re-use of open government data at all levels of the government and leadership.
- Performing or commissioning research on the economic, social and government impact of open data to sustain policy sustainability in the long term. This would include identifying, collecting and displaying good examples of re-use on centralised and local open government data portals within and outside the public sector.

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Notes

¹ For more information, see <https://govspending.data.go.th/>.

² For more information, see <https://standard.eta.or.th/>.

³ For more information, see <https://gdx.dga.or.th/>.



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