

Annex A. Methodology

This OECD report, *The Protection and Promotion of Civic Space: Strengthening Alignment with International Standards and Guidance*, is based on data collected through the 2020 OECD Survey on Open Government (hereafter “the Survey”) and desk research. The Survey was primarily aimed at monitoring the implementation of the 2017 OECD Recommendation of the Council on Open Government. The Survey was sent to 67 OECD Members and non-Members in November 2020 (43 Adherents to the Recommendation and 24 non-Adherents).¹ It builds on the mandate of the OECD Public Governance Committee and draws on the OECD Civic Space Scan Analytical Framework in the Area of Open Government (GOV/PGC/OG(2020)6).

The Survey included four complementary sections:

- The governance of open government (Section 1).
- The open government principle of citizen and stakeholder participation (Section 2).
- Civic space as an enabler of open government reforms (Section 3).
- The open government principle of transparency and access to information (Section 4).²

This first OECD report on the protection and promotion of civic space is primarily based on data gathered in Section 3 and complemented with data gathered in Section 4.

A total of 51 OECD Members and non-Members (of which 32 are OECD), (Table A A.1) responded to Section 3 of the Survey and 51 responded to Section 4 (of which 33 are OECD Members) between February 2021 and May 2022, giving a total of 52 survey respondents overall. An OECD team validated the data over the same period and the data reflect the situation as of June 2022.

Table A A.1. OECD Members and non-Members referred to in this report

OECD Members	ISO code	Non-Members	ISO code
Australia	AUS	Argentina	ARG
Austria	AUT	Armenia	ARM
Belgium	BEL	Brazil	BRA
Canada	CAN	Cameroon	CMR
Chile	CHL	Dominican Republic	DOM
Colombia	COL	Ecuador	ECU
Costa Rica	CRI	Guatemala	GTM
Czech Republic	CZE	Honduras	HND
Denmark	DNK	Indonesia	IDN
Estonia	EST	Kazakhstan	KAZ
Finland	FIN	Lebanon	LBN
Germany	DEU	Morocco	MAR
Greece	GRC	Panama	PAN
Ireland	IRL	Peru	PER
Israel	ISR	Philippines	PHL
Italy	ITA	Romania	ROU
Japan	JPN	Tunisia	TUN

OECD Members	ISO code	Non-Members	ISO code
Korea	KOR	Ukraine	UKR
Latvia	LVA	Uruguay	URY
Lithuania	LTU		
Mexico	MEX		
Netherlands	NLD		
New Zealand	NZL		
Norway	NOR		
Poland	POL		
Portugal	PRT		
Slovak Republic	SVK		
Slovenia	SVN		
Spain	ESP		
Sweden	SWE		
Republic of Türkiye	TUR		
United Kingdom	GBR		
United States	USA		

Note: OECD Members: 33, Non-Members: 19.

For the purposes of this report, Survey respondents were divided into regions. The majority of survey respondents are based in Europe (23)³ and Latin America and the Caribbean (LAC)⁴ (13), with a number of responses coming from other geographical regions, namely in Asia and the Pacific (6),⁵ Africa (3),⁶ the Middle East (3),⁷ Central Asia (2)⁸ and North America (2).⁹ The report's overall analysis focuses on civic space in the respondents to the Survey but is informed by global trends.

The large sample sizes from Europe and LAC permitted a focus on regional trends and Chapter 5 presents a series of comparative graphs showing different approaches to supporting civil society in the two regions.¹⁰ Smaller samples from other regions did not permit a similar regional trend analysis of OECD data. However, a contribution from an external contributor, the Mo Ibrahim Foundation, provides a detailed regional analysis of civic space in Africa (Section 5.7 in Chapter 5).

Relevant considerations

The aim of relevant sections of the Survey was to understand the legal, policy and institutional frameworks and practices that protect and promote civic space and citizen and stakeholder participation in decision and policy making at the national level. More specifically, it aimed to provide a baseline of information on government practice in relation to protecting and promoting civic space, in addition to identifying good practices, trends and discussing implementation challenges.

The resulting baseline of government data on which the report is based provides a unique perspective on civic space that complements the rich literature, data and analysis that are available from civil society. The data are presented as follows:

- **Chapter 2:** The protection and promotion of civic freedoms (e.g. freedoms of expression, peaceful assembly, association and the right to privacy).
- **Chapter 3:** Protecting and promoting the right to access information.
- **Chapter 4:** Media freedoms and civic space in the digital age.
- **Chapter 5:** Fostering an enabling environment for citizens and civil society to effectively participate in public life.

The impact of the COVID-19 pandemic on civic space is discussed as a cross-cutting issue throughout the report, as are the themes of equality, inclusion, non-discrimination and democratic participation.

Based on the Survey, the report conducts an exploratory analysis across a wide variety of themes, while acknowledging that complex implementation challenges cannot be grasped through a limited number of survey questions. Given this limitation and the need to focus on gathering quantifiable and verifiable data to facilitate the OECD's rigorous data validation process, the Survey focused on *de jure* aspects of civic space. The data provided by governments are complemented with data and analysis from independent sources (e.g. civil society organisations [CSOs], research institutions, United Nations [UN] bodies, regional human rights bodies and academic sources). Data and analysis from sources other than governments are clearly indicated as such throughout the report.

The Survey and report benefitted from inputs from different teams within the OECD Public Governance Directorate, including teams working on digital government, gender, rule of law, policy coherence for sustainable development, public integrity, youth, and governance indicators and policy evaluation, in addition to other OECD directorates working on development cooperation, science, technology and innovation, and the Office of the Secretary-General. Members of the Observatory of Civic Space Advisory Group, the European Union (EU) Agency for Fundamental Rights (FRA), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and Access Info also provided comments on the Survey.

Crucially, survey respondents were explicitly requested to provide data based on national legal frameworks that were applicable in normal circumstances, not emergency or temporary measures, e.g. due to the onset of COVID-19. This is because, when the Survey was drafted in 2020, temporary emergency measures had just been introduced in many countries. Recognising that in some respondents, measures are in fact still in place or have been partially or fully reintroduced, discussions on the impact of the pandemic are mainstreamed throughout the report and addressed in dedicated sections (see in particular: Section 2.1.5 in Chapter 2 on COVID-19-related changes to legal frameworks in OECD Members; Section 3.3 in Chapter 3 on trends, challenges and opportunities for strengthening access to information; and Section 5.3.2 on good practice in supporting CSOs in the context of COVID-19 and Section 5.6 in Chapter 5 on key challenges and restrictions for CSOs operating in the EU during the pandemic.)

The recommendations and suggested measures that are included in the report are drawn from a variety of sources, both descriptive (e.g. government data provided by respondents to the OECD Survey, analysis from CSOs and academia, good practices) and prescriptive (e.g. existing OECD standards, international standards). Sources are clearly identified throughout the text.

Given the complexity of the Survey and the fact that the COVID-19 crisis unfolded in parallel to the data collection process, some respondents did not provide answers to all questions. Wherever a respondent did not provide data on a specific question, the OECD either undertook desk research to fill the gap or noted the absence of data under the respective figure and adjusted the calculation baseline. Respondents were requested to validate the data based on desk research.

The report includes contributions by Reporters Without Borders (RSF), the EU Agency for Fundamental Rights (FRA), the Mo Ibrahim Foundation, the International Center for Not-for-Profit Law (ICNL) and the European Center for Not-for-Profit Law (ECNL).

Structure of relevant sections of the Survey on Open Government

Section 3 of the Survey included 33 questions for national governments, divided into 3 sub-sections – civic freedoms, digital freedoms and the enabling environment for CSOs – based on the OECD analytical framework for civic space. Section 4 examined access to information (ATI) in detail, as a core component of protected civic space. This section included 29 questions, divided into 3 sections on relevant legal frameworks, implementation of ATI laws and institutionalisation and governance of ATI laws.

Wherever possible, the report complements aggregate data with boxes and examples of good practices to reflect different country experiences, as well as background and context on specific topics. While it was not possible to include all insights and practices in the report, all input was thoroughly assessed to help contextualise the findings and interpret the data.

The data cleaning and validation process

In 2021, the OECD Secretariat conducted several rounds of validation with the survey respondents. The large size of the Survey and the onset of COVID-19 during the data collection process presented challenges and not all countries were able to respond to the follow-up, or only responded in part.

Some of the graphs and tables in the report go beyond the questions asked in the Survey and are based on a detailed analysis of laws and strategies that were provided as part of the Survey response process. Wherever this is the case, it is clearly indicated as such. On some issues, a qualitative analysis of data is presented based on a random selection of laws or policies from respondents.

Part of the data for Japan is based on the OECD Secretariat's research/secondary research in agreement with Japan.¹¹

Notes

¹ This document as well as any data and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

² The questionnaire was piloted in 2020 by Brazil, Denmark, Finland and Korea.

³ Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Norway, Poland, Portugal, Romania, the Slovak Republic, Slovenia, Spain, Sweden, the UK, Ukraine.

⁴ Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru, Uruguay.

⁵ Australia, Indonesia, Japan, Korea, the Philippines, New Zealand.

⁶ Cameroon, Morocco, Tunisia.

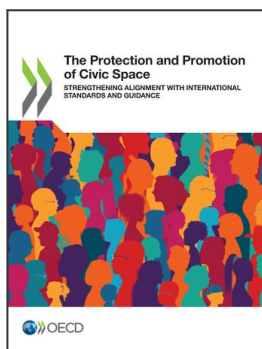
⁷ Israel, Lebanon, Türkiye.

⁸ Armenia, Kazakhstan.

⁹ Canada and the United States.

¹⁰ Data points that were analysed on other aspects of civic space did not reveal differences of approach between Europe and LAC and are therefore not featured in this report.

¹¹ The following survey answers for Japan are based on OECD desk research: Q1 on the legal basis for civic freedoms/rights and for their legally mandated exceptions (Q1.2); Q3 on defamation; Q7 on data protection; Q19 on CSO registration; and Q27 on special tax regimes to support CSOs' financial sustainability.



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