Author's initial scan | Community input | First draft | Public draft | Final draft

This is the public draft of a chapter for the **State of Open Data project**: reflecting on 10 years of action on open data, and providing a critical review of the current state of the open data movement across a range of issues and thematic areas.

This builds upon the earlier environment scan which contains a range of additional links and resources for exploring this topic.

Open Data & Anticorruption

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Key Points

- An established international field working on anticorruption and accountability has existed only marginally longer than the open data movement.

- Despite an increase in attempts to use open data in anticorruption and accountability initiatives, there is scant evidence that open data actually catalyzes results. This is not surprising as research shows that the relationship between transparency and accountability is not causal or linear. Anticorruption practitioners continue to debate about how to best address the challenges at the heart of corruption problems.

- Open data for anticorruption and accountability is published by both governments and civil society groups who access, structure, and share data from public records or private sector sources. These efforts hold great potential but often face the common challenge that data availability does not translate into effective data use.

- The strategies employed by reformers to address corruption and accountability challenges vary across context and include approaches such as strengthening the capacity of different local stakeholders to work with open data, or tailoring the implementation of technical solutions to the institutional and political dynamics prevalent in a particular context.

> - A growing number of initiatives is testing methods to better understand the use and usefulness of open data for accountability and anticorruption. These efforts would be most helpful if they systematically explored underlying assumptions, strengthened the connections between those working on open data and those working on anticorruption, shared evidence and lessons learned, and generated knowledge to help build the field.

Introduction

The expectation that open data (OD) might serve as a strategic tool used by reformers around the world to improve anti-corruption and accountability results has been a major argument for OD advocates to demand more and better open government data. The underlying theory appears to be straightforward: OD "can reinforce anti-corruption efforts by strengthening transparency, increasing trust in governments, improving public sector integrity and accountability by reinforcing the rule of law through dynamic citizen participation and engagement, and multi-stakeholder collaboration."[1]

Excitement about the promise of OD has been shared by large and small organizations alike: The G7 and the G20 have recognized its value and multilaterals such as the World Bank and the Inter American Development Bank have invested heavily in OD. Bilateral aid agencies, including DFID and USAID, and philanthropic foundations, such as members of the Transparency and Accountability Initiative[2], have supported OD work. In addition, multi-stakeholder initiatives like the Open Government Partnership, the Open Contracting Partnership, and International Aid Transparency Initiative – among many others – have facilitated and promoted efforts by government agencies, civil society, and media organizations across the world.

Yet, emerging evidence about the impact of this work is scant and points in different directions. Some argue that OD efforts have proven successful in "improving government by tackling corruption and increasing transparency, and enhancing public services and resource allocation," and in "empowering citizens (...) by enabling more informed decision making and new forms of social mobilization."[3] Yet, others have found that that OD has not been widely used in corruption investigations[4] while other research questions the linearity and simplicity of the idea that data availability will lead to results, finding that "transparency, information or OD are not sufficient to generate accountability"[5]. It is fair to conclude that there are challenges in identifying and measuring the impact of OD and its use to improve accountability and anticorruption results. This raises questions about whether and how the OD community can deliver on the promise that greater access to OD is key to achieve results.

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[1] OECD (2017) P. 11
[2] The members of the Transparency and accountability initiative are: Ford foundation; Omidyar Network; Open Society Foundations; Hewlett Foundation; UKaid; and MacArthur Foundation.
[3] The Govlab (2016)
[4] TACOD (2015) P.2
[5] MAVC (2017) P.11

One of the reasons for why the evidence is patchy is that there is no agreement in the literature about the definitions for accountability and anti-corruption[6]. Definitions are often overly broad, defining accountability as the combination of answerability – the obligation to inform and justify public decisions – and enforceability – the ability to sanction or remedy contravening behavior[7]. Corruption, in turn, is often used as an umbrella term to group behaviors related to the abuse of entrusted power, ranging from bribery to embezzlement to clientelism[8]. Both accountability and anticorruption are about preventing, detecting, and disrupting abuses of power. OD is a very powerful tool to reduce information asymmetries about the ways in which power is used, however more information is not enough to actually curb the institutional and political dynamics that allow those in power to abuse it and remain impune.

OD activists often assume that the solutions needed to strengthen accountability and to reduce corruption are already known by specialists, and that OD will increase the effectiveness of those working to implement such solutions. However, international development-focused anticorruption and accountability work has been around only marginally longer than work on OD[9], the communities working on these issues have not reached consensus on several issues. Debates on anticorruption and accountability revolve around: concerns about how to prioritize and address corruption challenges in different contexts[10]; explorations on how to design, monitor and implement interventions[11]; questions about how to understand and track changes on political and technical dynamics shaping institutional reform and behavioral change[12]; discussions about how to identify and assess impact[13]; and ways to ensure that interventions actually empower marginalized groups and provide them with the means to improve their lives[14].

Reflection on the overlap between the OD and the anticorruption and accountability agendas offers important opportunities to methodically test underlying assumptions about how power abuses work in practice, what role information can play in addressing these abuses, and how different approaches can be effective in addressing them. However, up to this point such work has often been done by pioneers from one of the agendas with little collaboration across agendas and with little attention the pathways from data availability to the use of the data to address systemic or sectoral problems and achieve impact.

This chapter highlights the challenges, gaps, and progress made on key issues at the intersection between open data, accountability, and anti corruption. Section one focuses on the rationales underpinning efforts to open data, how advocates have approached this work, and the ideas that are emerging on the issue. Section two dives into the ways in which OD reformers have promoted the use of OD – especially in regards to the use of public money – and lessons from this work. Section three explores how OD has been used to understand, activate and challenge democratic processes and institutions (i.e. elections, legislative and

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[6] For an interesting review of the practical implications of this ambiguity see Fox (2018)

[7] World Bank (SF)

[8] DFID (2015)

[9] Carothers & Brechenmacher (2014) and Savedoff (2016)

[10] Heywood (2016)

[11] Marquette (2016)

[12] Menochal and Taxell (2015)

[13] Malito (2014)

[14] MAVC (2017)

judiciary branches) including the successes and limits of this work. Finally, section four concludes by presenting open questions that should be addressed in order to make greater progress towards curbing corruption, improving accountability, and most importantly improving development results.

Why and how have efforts to open data been implemented?

In the mid-2000s, reformers pushing for OD began to demand the publication of data by governments in reusable formats that could be accessed by the general public. This effort later evolved towards identifying and then closing gaps in the publication of datasets[15] with an additional focus on the implementation of data standards and data interoperability. Advocates have been successful in framing the OD agenda, advocating for standards, and convincing civil society, governments and – to a lesser extent – the private sector to engage. However, questions have emerged about whether and how opening data is enough to achieve impact.

OD initiatives have tended to focus on summarizing existing government processes while paying little attention to uses and users of the data, often treating OD as an end in itself. This has created momentum for the publication of datasets but has also led to instances of governments focusing solely on transparency around issues they care about, without paying attention to revising the underlying processes represented by the data – processes in which transactions and decisions remain closed. OD and open government advocates have labeled these types of efforts as "open-washing" or "passing off the release of inconsequential government-held data as transparency"[16].

The – mostly implicit – theory of change in many OD initiatives is that more information will (almost) automatically be used by those working on anticorruption and accountability and enable them to produce better outcomes and achieve impact. However, while information and technical improvements are great tools to better understand accountability and corruption challenges, they are not sufficient to shift incentives of local stakeholders, address entrenched power structures that oppose governance reform, and generate systemic changes.

The OD barometer found in 2016 that a number of datasets relevant to anticorruption work – budgets, company registries, spending, contracting, and land ownership – "still tend to be highly opaque, and often the least open" and that important differences persist within and across regions[17]. A review of key datasets in five G20 countries also shows that these datasets are often not yet published, that public officials lack skills to leverage OD, and that initiatives to strengthen citizen engagement on OD rarely link anticorruption and sectoral areas[18].

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[15] The World Wide Web Foundation (2017)
[16] Khan & Foti (2015) P. 1
[17] The World Wide Web Foundation (2017)
[18] Transparency International and The World Wide Web Foundation (2017)

In 2017, the "Open-Up Guide: Using OD to Combat Corruption"[19] identified 30 key datasets[20] for fighting corruption and standards that can make these datasets interoperable. The guide was tested in Mexico[21] and produced evidence about the value of the guide for enabling government officials to open key datasets. It also highlighted the need to define clear data governance frameworks and to promote dialogue between data users and producers in government and civil society.

Testing the "Open-Up Guide: Using Open Data to Combat Corruption" in Mexico[22]

A joint effort by the government, Cívica Digital, Transparencia Mexicana, the Open Data Charter, and the Inter American Development Bank tested the Open-Up Guide by publishing key datasets in Mexico[23]. This work provides relevant insights on challenges and opportunities in opening key datasets to fight corruption:

- The list of key datasets and guidelines for data publication facilitates collaboration with institutions. However, this collaboration can be improved by prioritizing data publication based on locally relevant corruption challenges and user needs. The process also provides entry points for opening datasets beyond the executive branch.

- Data publication needs to be complemented with strengthening the capacity to work on data and providing targeted support about gaps, legal challenges, and data use. The test enabled researchers to produce a process that can be used by governments elsewhere in their efforts to improve the publication of key datasets related to anticorruption.

- Agencies with the mandated to open government data and civil society organizations are key to ensure the actual implementation of commitments to OD and to help revise the processes and practices that underlie data production and use. This collaboration can be improved by instituting and/or strengthening formal data governance frameworks.

Efforts to open up data that are directly relevant to local accountability and corruption challenges are becoming more frequent, but they remain siloed, with a low degree of interoperability among released datasets and often used by a limited number of stakeholders active in specific issue area. Such efforts are often led by civil society and – to a lesser extent – by governments. Examples of government-led efforts include the publication of commercial agreements, business relations, payments, and gifts by the private sector to

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[19] Open Data Charter, Transparencia Mexicana & Open Contracting Partnership (2017)

[20] https://airtable.com/shrHY9KFJ5bircwvx/tblOY2aw1hYUuJze9

[21] Open data Charter (2017)

[22] Echeverria, D'Herrera, and Alanis (2018)

[23] https://datos.gob.mx/busca/group/guia-de-datos-abiertos-anticorrupcion

health providers by France[24] and Germany[25] and budget and/or spending data by governments – at different levels – often with support from international actors like the Global Initiative for Fiscal Transparency[26], the World Bank[27], and Open Budgets[28]. These government-led efforts have also spread to areas related to government performance on particular issues such as the publication of the use of public resources for natural risk management and response by Italy[29] and Mexico[30].

In other cases, civil society and media organizations have stepped in to close important gaps in the official publication of data related to accountability and anticorruption. Most commonly, these efforts focus on areas where governments do not show the will to act – or explicitly oppose the publication of datasets – by using a wide array of strategies to get a hold of information and transform it into OD. Such efforts usually seek pressure governments to release information that can create incentives and spaces for future publication of OD by these governments. Some of the more common strategies used by these organizations include:

    a. Making public information requests[31] and publishing structured data from the results such as the work by 'La Nacion' newspaper on asset declarations[32];

    b. Obtaining data from candidates running for public office and from government officials about their assets, tax compliance, and interests, as is the case in the work done by the the civil society coalition behind the "tres de tres" initiative in Mexico;[33]

    c. Scraping documents and connecting different sources of data, such as the publication of OD on political finance[34] in Perú by "Ojo público" and in Taiwan[35] by the Council Voting Guide;

    d. Transforming complex data into open formats as has been done by "Ciudadano Inteligente"[36] in Chile in regards to Party financing;

    e. Turning information published by non-government actors – i.e. reports by private companies – into OD, like the Data Extractors Programme by Publish What You Pay [37].

    f. Combing through public records and linking up data to enable the investigations of potentially corrupt transactions and schemes like the work by the Open Data Institute

[24] www.transparence.sante.gouv.fr
[25] Transparency International and The World Wide Web Foundation (2017)
[26] http://www.fiscaltransparency.net/
[27] http://boost.worldbank.org/
[28] https://openbudgets.eu/
[29]http://italiasicura.governo.it/site/home.html
[30] http://www.transparenciapresupuestaria.gob.mx/es/PTP/fuerzamexico
[31] For more information and evidence about this strategy see Fumega (2016)
[32] http://interactivos.lanacion.com.ar/declaraciones-juradas/
[33] https://www.3de3.mx/
[34] Luna (2017)
[35] Pei-yi (2018)
[36] https://partidospublicos.cl/
[37] http://www.publishwhatyoupay.org/our-work/using-the-data/the-data-extractors/

in Kenya[38] and the Organized Crime and Corruption Reporting Project in Eastern Europe[39].

g. Collating and systematizing data from different sources and jurisdictions, such as the work by Open Ownership merging public registers, government reports and voluntary disclosure[40] to show beneficial ownership, or the work by Govtrack[41] in regards to the US congress.

These efforts hold great potential but have often faced challenges to translate work spent on data gathering, into work on data use. Data is often siloed and dispersed with, for instance, information on the same topic being scattered across different agency datasets or provided in different ways by different levels of government. Even where data can be collected and connected concerns about its quality, completeness, usability, and sustainability of publication are common. When working with data questions of trust inevitably arise. Data users often doubt the reliability of the data and question whether the design and evaluation of public policies and decisions is based on evidence and data. Finally, there are challenges related to the lack of opportunities around the production and use of data and the threats posed by the emerging tendency in many governments to close civic space[42].

Opening sensitive data in closed contexts

Most conversations around OD are based on experiences from countries with some conditions and willingness to release OD on contentious issues. Yet, there are efforts to open data for accountability and anticorruption led by civil society mavericks in repressive countries with high levels of secrecy. In Venezuela, the Transparency International chapter and the Instituto de Prensa y Sociedad de Venezuela have led an effort to compile, systematize, and publish OD[43] about regulations and decisions with regard to the use of public money. In Malaysia, Sinar Project and the Web Foundation produced and linked data about politically exposed persons[44] in an effort to shed light on how power is used and misused in the country. These admirable efforts challenge repressive and secretive governments and put issues of corruption and accountability up for public debate.

Progress and challenges in achieving accountability and anticorruption results have led the community to gradually revise theory and practice underlying work on OD. Activists are moving beyond models based on supply and demand of data[45] towards focusing their work on locally relevant problems that help to unpack the elements needed to connect data production, use, and impact. Some of these ideas include:

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[38] Young, A and Verhulst, S (2016)
[39] Radu (2016)
[40] https://openownership.org/what-we-do/
[41] https://www.govtrack.us/
[42] https://monitor.civicus.org/
[43] https://vendata.org/site/
[44] Canares, Yusof & Meng (2017)
[45] Khan & Foti (2015)

a. Making explicit the steps needed to go from data production to taking action that can activate institutional responses[46];

b. Moving from linear models towards the use of cyclical and iterative approaches that enable a focus on specific governance challenges and the use of learning and adaptation[47].

c. Integrating OD into the operation of anticorruption institutions and mechanisms[48].

d. Revising how to measure progress in the implementation of OD initiatives[49].

Now that the Data is out, who is going to use it?

Progress with the publication of data, even if uneven and patchy, has raised important questions about who will use the data, how they can do it, and what results can be achieved. There are no silver bullets when it comes to promoting the actual use of the data by local stakeholders to address corruption and accountability challenges. The approaches that have been used attempting to bridge the gap between data production and use can be roughly classified into three overlapping groups: those focused on data standardization and tech tools; those focused on engaging users and focusing on particular problems; and those focused on changing government processes and practices.

Firstly, the initiatives focused on standardization and technological tools have paid great attention to the development of data standards and their implementation by governments. They aim to improve the quality and comparability of published data and enable the development of tools that can be adapted according to the needs of audiences in different contexts. These efforts have been deployed in different areas, from democratic processes, to resource flows and – to a lesser extent – development results. Examples[50] include the International Aid Transparency Initiative standard[51], Fiscal Data Package[52], the Popolo data specification[53], the Opencorporates schema[54], and the Open Contracting Data Standard[55].

The development and management of data standards has shown a similar trend to that of the broader open data space. Initially, standardization was focused on finding ways to better present the information that was produced by governments. Afterwards, those leading the standards begun to pay greater attention to data users' needs and to the types of uses that standardized data needs to be able to support, thus starting to go beyond representing government processes and into using data to reshape those processes. Still, important challenges remain in terms of the technical features and tools needed to make the implementation of data standards more useful, and in relation to ensuring that local stakeholders have the capacities and motivations to use the standards to address locally relevant challenges. Increased collaboration between standard setters, implementers, and

[46] Carolan (2017)
[47] Perini and Davies (2016) and Peters (2017)
[48] Open Data Charter, Transparencia Mexicana & Open Contracting Partnership (2017)
[49] Brandusescu & Lämmerhirt (2018)
[50] For more examples see: https://airtable.com/shrHY9KFJ5bircwvx/tblOY2aw1hYUuJze9
[51] International Aid Transparency Initiative standard http://iatistandard.org/
[52] Kariv (2018)
[53] McKinney (2013)
[54] https://opencorporates.com/info/about
[55] https://www.open-contracting.org/data-standard/

data users – at the global and in-country level – is needed to find a balance between developing technical solutions and doing so in a way that is sensitive to local capacities to produce the data and to put it to use in complex political systems.

Even though there are a number of stakeholders working around implementing data standards, promoting their interoperability, and developing tools to facilitate data use, the actual use of OD hasn't increased proportionally. New projects that pay greater attention to supporting users trying to use data presented according to data standards to achieve local impact are emerging including strategies to promote data use[56] and explorations about the use of OD to fight corruption in particular countries[57].

Secondly, those that have paid greater attention to engaging users and achieving particular outcomes have shown important results. A clear example is the work of journalists – at country and global levels – in collaborative networks such as the International Consortium of Investigative journalists (ICIJ). Recent scandals like the Panama[58] and Paradise[59] Papers have not only uncovered corruption cases, but have had consequences such as the launch of prosecutions and the resignation of public officers, even presidents[60].

After publishing the stories, data has been made available in open formats that can enable the work of others. While these examples could be used to question the value of open government data on politically salient issues when compared to data obtained through leaks, the disparity in outcomes says more about differences in the way in which these data is being produced, treated, and used rather than about the potential of each type of data.

Leaked data often includes full versions of documents that are used to set in motion collaboration among journalists both online and offline. These networks review the data thoroughly to organize it, clean it, and make sense of it. The same networks then use the data to find leads that are further corroborated and developed through other sources – including open government data, documents, and on-the-ground research. This intense work is not focused on merely making the information available, it is aimed at making the information useful to identify and expose illegal activities carried out by those in power.

Lastly, there are a number of initiatives that have focused on fostering and supporting changes in government processes and administrative practices. Some of this work relies heavily on data to explore the value of new technologies like machine learning, blockchain[61], and algorithms[62]. However, using these tools to analyze open government data has not yet reached a widespread level of popularity[63]. The hype about these technologies comes with important challenges with regard to the violation of privacy, the possibility of reproducing and

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[56] IATI (2017)

[57] Two good examples of these type of programs are being led by Omidyar Network in collaboration with Avina in Latin American countries (see Alianza Latinoamericana para la Tecnología Cívica https://altec.lat/es/inicio/) and in collaboration with DFID in African countries.

[58] ICIJ (2016) The Panama Papers: Exposing the rogue offshore finance industry. Available at: https://www.icij.org/investigations/panama-papers/

[59] ICIJ (2018) Paradise Papers: Secrets of the global elite. Available at: https://www.icij.org/investigations/paradise-papers/

[60] Fitzgibbon & Diaz-struck (2016)

[61] Santiso (2018)

[62] World Economic Forum (2018)

[63] See an interesting example from Brazil here: https://github.com/okfn-brasil/serenata-de-amor

increasing existing biases, and the threat of using automation to hide questionable decisions and practices[64].

Other important work promoting changes in government practices through the use of OD are those led by multi stakeholder initiatives on procurement, aid, extractives, and public infrastructure. Even though these initiatives are at different levels in their uptake and use of OD, all of them alter long-established government processes. While some initiatives use formal multi stakeholder forums for the production, verification, and use of data, others promote the integration of OD into government processes, beyond the publication of data. These initiatives have led to important results – even if not yet widespread[65] – ranging from identifying diversion of money[66] to misuse of public resources[67] to achieving savings and better service delivery through improvements in the planning and implementation of government processes[68].

Open contracting: From open data to Improved procurement and development results

From saving millions in public resources[69], to fueling citizen mobilization demanding accountability[70], to improving the implementation of service delivery programs[71], open contracting is one of the most successful efforts in the use of OD to improve anti-corruption and accountability results. Three features place the work of the Open Contracting Partnership (OCP) and its local partners[72] at the forefront of work on OD:

- Its approach and the data standard that enables the opening of procurement information were built from the get go in wider collaboration with government reformers, lawyers, private sector companies, and the media.

- It has gone beyond promoting a particular standard, working with local reformers to address concrete challenges relevant in different contexts: increasing value for money, strengthening public integrity, boosting market opportunities, enhancing internal efficiency, and improving the quality of goods and services.

- It has used agile and adaptive ways for promoting the implementation of procurement reforms, user engagement, and the actual use of data, being quick to learn and adjust strategies as needed.

In addition to the benefits from improved procurement, opening information on government contracts is widening the lenses activists and journalists can use to

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[64] Upturn & Omidyar Network (2018)
[65] Brockmeyer & Fox (2015)
[66] EITI (2012)
[67] CoST (2017)
[68] Brown (2016) and Brown and Neumann (2017)
[69] Brown (2016)
[70] Brown and Neumann (2017)
[71] Brown and Neumann (2018)
[72] https://www.open-contracting.org/why-open-contracting/worldwide/#/

understand and challenge the structures in place for siphoning public resources and reproducing inequalities[73].

An example of this work in action is the joint effort by the government of Bogota and Colombia's procurement agency to use OD to identify inefficiencies, corrupt practices and areas of opportunity around the delivery of school meals in the city[74]. The use of this data by government and suppliers led to reshaping the way the program was being tendered, opening opportunities for more suppliers to participate, and enabling the busting of a price-fixing scheme for fruit. This improved the accountability of the process, and enhanced the quality and timeliness of the meals provided.

The wide variety of approaches tried by government and civil society to address anti-corruption and accountability challenges should not be read as an attempt to identify the "best" strategy to achieve results. Instead, the OD community needs to distill, share, and debate the lessons emanating from successes and failures, and reflect on what these lessons mean for developing and implementing projects. Additionally, it is not only a matter of choosing between approaches focused on tech, stakeholder engagement, or government reform, it is a matter of identifying and exploring, in practice, how a combination of these approaches can help to address particular corruption and accountability challenges in specific contexts.

If the data is now open, why aren't we seeing more impact?

As discussed, more data does not necessarily lead to a proportional increase in either use of data or anticorruption and accountability results. However, increased access to standardized, machine readable, and reusable data has enabled sharper investigations into instances of corruption and abuses of power, and additional research to identify inefficiencies in the use of public resources, systematic biases against particular groups, and understanding of corrupt practices and networks. Nonetheless, current advances are insufficient to address the root causes that underpin corruption and accountability challenges: the ways in which power is distributed in a given society and the subversion of existing (democratic) institutions for private gain.

There are emerging efforts to demand greater openness beyond the executive branch[75], including by addressing corruption and accountability challenges[76] in other branches of government, and even at the heart of democratic practice by monitoring elections and undue influence of money in politics through campaign and party financing. Some initiatives – like those of organizations in the Openingparliament.org[77] network – have paid attention to the

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[73] Open contracting is currently building links to other efforts to open data in budgets, public infrastructure, extractives, and beneficial ownership.
[74] Brown and Newman (2018)
[75] Nasser, Ramirez-Alujas, & Rosales (2017) and OECD (2016)
[76] Open Data Charter (2016)
[77] See more at https://www.openingparliament.org/ and at https://www.transparencialegislativa.org/

legislative branch demanding increased openness[78] about how it operates. These efforts to open and communicate information about legislators, how they perform their duties, and about legislation itself[79] have been at the center of work to strengthen democracy. Yet, they still face important challenges in relation to the availability of data in machine readable formats, the use of the data to demand accountability from members of parliament and in relation to how the data can help to inspire lobbying reform.

Other countries have seen interesting efforts to open up data about the judiciary[80] and oversight bodies such as audit institutions. However, these efforts are not yet widespread and often face challenges related to claims about hampering due process and the risk of mismanaging evidence during trials. The aim is to get a fuller picture about how cases are assigned to judges and how they progress until final decisions are made. These initiatives remain siloed in their focus on particular branches or processes and have weak connections the institutional systems in which they operate: the functioning of democratic institutions, the use of public resources, and the application of effective sanctions to those who are unaccountable or engage in corrupt practices. The challenges faced in relation to these institutions hinder progress towards anticorruption and accountability results, given that they enable impunity and facilitate the consolidation and replication of corrupt networks that exploit – and reinforce – democratic challenges.

Opening up the judiciary and advocating for greater accountability results

Due process and managing evidence during trials is often used as an excuse taken to the extreme by judicial bodies, preventing the public to know the most basic information about how cases are taken forward and how they evolve after a corruption scandal has been uncovered. However, slowly things are beginning to change: one example to obtain and use such information is the work done by the "Asociación Civil por la Igualdad y la Justicia" (ACIJ) in Argentina.

After years of litigation efforts to access information about corruption cases in the judiciary – and the burdensome work of turning hard-copies into machine-readable data – ACIJ was able to create an observatory of cases[81]. This has enabled them to demand greater accountability about the delivery of justice in corruption-related cases. Recently, this work has been further enabled by the opening of judicial information by the Argentine government[82]. Based on investigations about how corruption cases are allocated[83], delivering insights about how impunity is sustained, there are now calls for reform to tackle more profound systemic issues in the judicial system with the ultimate goal to curb impunity in the country.

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[78] See more at https://beta.openparldata.org/about/ and http://everypolitician.org/

[79] https://www.regardscitoyens.org/la-fabrique-de-la-loi/

[80] See for example the open data portal of the judiciary in Argentina at http://datos.jus.gob.ar/ and the publication of data gathered by audit institutions in the city of New York at https://www.checkbooknyc.com/ and the state of Veracruz en Mexico at http://sistemas.orfis.gob.mx/simverp

[81] http://acij.org.ar/causas-de-corrupcion/ this website was built using data from http://datos.jus.gob.ar/

[82] A new version of the observatory is being built using data from the Supreme Court https://www.cij.gov.ar/causas-de-corrupcion.html

[83] Jastreblansky (2017) from more information see https://conocimientoabierto.github.io/visualizaciones/sorteosJudiciales/

The theory of change behind the idea to use open data for anti-corruption and accountability also highlights the potential value data can have in empowering citizens and enabling social mobilization. Some organizations have used data to pursue an activist approach to crafting stories, uncovering wrongdoing, and identifying entry points to enable others to mobilize. However, these approaches can put activists in peril and – as of today – there are no established safety networks such as those that exist to protect human rights defenders or journalists. The absence of such safeguards and the weak links with other established mechanisms might lead activists to take unnecessary risks and expose them to legal, reputational, or physical attacks.

Despite the emergence of activist approaches, it is organizations that focus on governance, transparency, participation and accountability, that most frequently lead initiatives. These organizations play an important role but haven't found effective ways to engage key stakeholders such as organizations working in particular sectors or territories, on rights, through social movements, or through mechanisms such as strategic litigation. The lack of connections between OD initiatives and other stakeholders deepens the challenges related to the usability and actual use of the data and hinders impact in addressing problems that affect citizens.

Assuming that improved capacity to identify instances of corruption can lead to activating institutional oversight mechanisms is not necessarily wrong. However, assuming that those mechanisms will actually deliver results in the form of successful reforms, grievance redress, or sanctions with no additional effort is – at the very least – an oversimplification. OD can be a tool useful not only to identify instances of corruption but also to engage, challenge, and reform the institutional designs and practices that enable corruption. Turning this potential into reality requires the use of approaches that are developed considering the institutional and political environments in which data is produced and used. Doing so will enable us to develop sharper thinking about how the use of data can be more effective in practice, how to counter the forces that oppose openness - be it for private gain or for aversion to change - and how to build stronger bridges between advocates for OD, activists working on sectoral and systemic challenges, and the democratic forces that can act on the findings and evidence obtained from the use of OD.

To do so, the OD community needs to explore and test innovative ways of using data that account for these insights. This could mean: improving or challenging institutional mechanisms and practices that perpetuate impunity, inefficiencies, and the abuse of power; reaching out to unusual stakeholders by finding ways to cater to their needs and interests, and tapping into – and strengthening – existing social mobilization processes; and joining the dots between efforts among stakeholders that engage with different but related government branches and institutions.

Reflections and open questions

Over the past decade, reformers have used open data in ways that have created ripples – in some cases even waves – uncovering and prosecuting corruption, in a few cases even reforming systems where corruption had been the norm. Through their work, these reformers have generated insights that can help us to understand how we can more effectively use

open data to take the fight against corruption forward. One of the key insights OD reformers have started to embrace is the value of taking problem-driven approaches to the publication and use of data to address particular corruption and accountability challenges. These approaches call for more collaborative models that are grounded in the characteristics of the contexts in which they are implemented, build on the needs and interests of local reformers, and move away from the replication of institutional "best" practice toward developing tailored "best-fit" solutions in particular contexts.

This shift in thinking about the use of OD for accountability and anticorruption does not mean a break with the ideals at the core of the OD movement – such as "open by default" – but it does call for refining our thinking about how to better articulate the advocacy goals, learning aims, and the impact we pursue. There is – and will continue to be – value in demanding governments to open up data on key issues related to accountability and anticorruption. However, these demands should be based on clear assumptions about the users and usefulness of data, and the technical, political, and institutional environments in which it plays a role.

Future work will require the community to develop holistic theories of change and the willingness to test them, implementing interventions in an iterative manner that enables reformers to more effectively ensure that open data is useful and used, including by strengthening the collaboration among stakeholders to achieve systemic reform and by explicitly confronting entrenched power dynamics. In addition, the community must move beyond simple dichotomies that either highlight the production or the use of data, towards models that start with problems, explore the opportunities and challenges faced by local champions, and embrace learning and adaptation to develop solutions that are a better fit in specific contexts.

To grapple with the implications of these insights, stakeholders would benefit from engaging with each other to develop explicit and non-linear approaches to better address particular corruption and accountability challenges. Learning about other perspectives and approaches will provide useful insights to improve how we devise and test methods, monitor progress and results, and spur dialogue and reflection about how and why specific approaches might yield better results. In particular, it is important to explicitly address the following questions:

a. How can the field facilitate and strengthen the work of local champions – government, civil society, and the private sector alike – to generate and use evidence to demand accountability more effectively and to lead in the fight against corruption?

b. What are the needs of different local stakeholders to use OD to challenge entrenched power dynamics? How can these insights help to tailor technical tools and methodological approaches to better support stakeholders in different sectors and contexts?

c. How can stakeholders build stronger and more effective connections among those working on OD, accountability, and anticorruption, and those who work in sectors, on specific issue areas, and on rights?

d. What is the potential and risk in using emerging technologies (such as machine learning, and artificial intelligence) in relation to accountability and anticorruption? And how can these tools and methods be combined with the social mobilization and

institutional mechanisms needed to generate and sustain change and prevent unforeseen consequences?

e. How can actors link the technical dynamics needed to ensure improved access and use of OD with the political strategies needed to effectively change systems and ensure achieving development results?

If we succeed in addressing these questions over the next decade, we will increase our chances to enable reformers to achieve significant accountability and anticorruption results and will have contributed to improving the lives of citizens across the world. Systematically addressing these will enable us to grow our community, build stronger links to other communities, and develop the knowledge tomake OD a more useful tool for shifting power dynamics, building stronger institutions, and creating a more equitable world.

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