

# OGP Steering Committee Meeting Minutes

September 20, 2017 New York, New York

# Steering Committee Meetings September 20, 2017 (UNGA 72)

## **Meeting Minutes**

# Access the Agenda and Reference Materials here

#### Ministerial Level

# Session 1: The Steering Committee's role in advancing OGP's Strategic Refresh

 State of the Partnership and the Role of Steering Committee (access full presentation here)

Sanjay Pradhan, OGP CEO, delivered the State of the Partnership (SoP) presentation to begin the Ministerial Steering Committee meeting. The SoP outlined critical global challenges that society is facing, such as unprecedented attacks on civic space, crises of trust and inequality, as well as exclusion, corruption and sustainability. These challenges underscore why this is a pivotal moment for leadership of OGP.

In its six years since being founded, OGP has become a global platform of more than 70 countries, 15 subnational pioneers, and thousands of civil society organizations. Together, OGP stakeholders have co-created 167 National Action Plans (NAPs) that include over 3,000 commitments, making OGP an action-oriented platform. OGP has also developed global partnerships, including with multilateral organizations, and a newly established multi-donor trust fund to help OGP countries co-create and implement ambitious action plans.

In these times of uncertainty, some OGP countries and subnational participants are implementing innovative and inspirational reforms that show a different way forward. However, these efforts need to be scaled up as part of a global campaign for openness and deeper democracy around the world.

Reference materials: State of the Partnership presentation, September 2017

 Call to action: Steering Committee members share commitments to advance OGP's country, thematic and global priorities

Steering Committee members shared recent developments in their OGP processes and engagements, as well as future commitments to help take forward OGP's priorities at the country, thematic and global levels. The three overarching themes that stand out from the various interventions from Steering Committee members were:

- 1. A need for a refreshed narrative and improved awareness around OGP that goes beyond openness and focuses on rebuilding trust. The narrative that is adopted must resonate with the current geopolitical context, offer a hopeful alternative, and depict in a practical manner what OGP can do.
- 2. A collective commitment from the Steering Committee to protecting the integrity of OGP, including true government-civil society co-creation, which is the foundation of OGP and what makes this Partnership distinct. Yet, as pointed out in the State of the Partnership presentation, there are thirty countries, including some Steering Committee members, who are not engaging in meaningful co-creation, or not doing it at all. Co-creation must be extended beyond National Action Plans so that there is a permanent dialogue in OGP countries. The Steering Committee asked the Support Unit to develop a proposal for how they as a group could show greater leadership on co-creation.
- 3. There is increased focus on thematic leadership in OGP, and many Steering Committee members have shared exciting stories on what they are leading on. There is now a need to engage in more serious and in-depth exchanges on various themes being championed by Steering Committee members, and define the Steering Committee role in catalyzing the Partnership's race to the top. This should be led by the new Thematic Leadership Subcommittee.

## **Session 2: OGP Subnational Program**

An update on the OGP Subnational program was provided by Nathaniel Heller, one of several Steering Committee members leading the taskforce on subnational participation. The OGP Subnational program has been one of the most exciting and energizing initiatives taken forward since the Ministerial Steering Committee meeting on the sidelines of the UNGA in 2016, and has advanced the open government agenda in many cities and states. The fifteen pioneers of the program have demonstrated robust co-creation processes, which many of us can learn from.

Pablo Soto, Madrid City Council Member in charge of Citizen Participation, Transparency and Open Government delivered guest remarks on the experience of Madrid, one of the 15 pioneers of the OGP Subnational program. Madrid has made great strides in opening up decision making, and is now striving to share what has worked for Madrid in a way that other cities, and national governments, can replicate. The online platform developed by the City of Madrid which allows citizens to propose and vote on policy decisions, <a href="Decide Madrid">Decide Madrid</a>, is now used by over 50 cities around the world, including other OGP Subnational pioneers such as Buenos Aires. Mr. Soto also highlighted that OGP's role was instrumental for Madrid to achieve these results, and advised that if more subnational governments are able to participate in OGP, it would have tremendous potential for positive change thanks to the direct democracy mechanisms that subnational governments employ.

A resolution on the future of subnational participation in OGP was then presented for discussion and decision by the Steering Committee.

Reference materials: OGP Subnational Program Recommendation; "What's in the OGP Subnational Action Plans?" publication.

#### Decision:

The following resolution was unanimously adopted by the Steering Committee:

The Steering Committee welcomes the strong early results of the subnational pilot program and the 15 pioneer local governments. We recognise the crucial link between the emphasis in OGP's overall strategic refresh on citizen-centric governance and the importance of further integrating local governments into OGP.

The Steering Committee recognises that the subnational pilot Pioneers model has worked well, and that OGP should build sustainably based on learning from the initial program (including from the IRM), while balancing the availability of resources and the opportunity costs associated with continued subnational expansion. We support maintaining the involvement of the current 15 Pioneers with new action plans in 2018, and we agree to recruit up to an additional 15 Pioneers to join the program in 2018. In addition, we agree to re-launch the OGP Leaders tier of subnational governments and civil society partners with an emphasis on lightweight peer learning and networking.

-----End Resolution-----

## Session 3: OGP co-chairmanship handover

The Government of France and Manish Bapna from the World Resources Institute officially handed over the Steering Committee co-chairmanship to the Government of Georgia and Mukelani Dimba from the International School for Transparency, who will serve as lead co-chairs until October 1, 2018.

The incoming co-chairs are the Government of Canada and Nathaniel Heller from Results for Development (R4D), who will serve as support co-chairs until their lead co-chairmanship term begins on October 1, 2018.

Reference materials: Joint vision statement by <u>Government of Georgia and Mukelani Dimba</u>; Key priorities outline from the Government of Canada and Nathaniel Heller.

# **Working Level**

#### Session 1: Criteria & Standards

#### **A.** Rules of the Game review

The Rules of the Game review that has taken place in 2017 marks the third and final part of OGP's Strategic Refresh. This review was led by the Criteria and Standards subcommittee and aimed to address a broader set of concerns expressed by civil society and governments, including which countries get to participate in OGP; countries that undermine OGP principles; countries that do not adhere to the OGP process; countries who get away with not delivering ambitious commitments; and addressing lack of flexibility and burden associated with participation in OGP.

As indicated in the <u>June 2017 Steering Committee meeting minutes</u>, a first package of proposed changes were approved by the Steering Committee, including:

- *Eligibility Criteria*. The SC endorsed the proposal of expanding the criteria and mandated C&S to work on a proposal.
- National Action Plan. The calendar was adjusted to give more flexibility to countries.
- Procedural Review. Changes to the Procedural Review which outlines the actions which will be considered acting contrary to OGP process;
- Response Policy review. The proposed direction of travel for updating the Response Policy.

To facilitate the implementation of the changes approved in June, the Criteria and Standards subcommittee tabled the following resolutions which have been unanimously adopted by the full Steering Committee:

#### 1. Values Check

At the June 2017 Steering Committee meeting, the Steering Committee endorsed the proposal of expanding the list of OGP Eligibility Criteria, particularly on civic space, to address concerns related to permitting countries to join OGP that, in practice, do not adhere to the democratic governance norms and values set forth in the Open Government Declaration. It is the recommendation of the Criteria and Standards subcommittee to include a "Values Check" assessment in addition to the current four Eligibility Criteria before new countries are admitted to OGP in the future. This Values Check would be measured by country scores on two Varieties of Democracy (V-Dem) indicators, namely "12.2: CSO entry and exit - To what extent does the government achieve control over entry and exit by civil society organizations (CSOs) into public life?" and "12.3: CSO repression - Does the government attempt to repress civil society organizations (CSOs)?". Countries who wish to join the Partnership in the future will need to be eligible according to the current four OGP eligibility criteria as well as pass the Values Check assessment by earning an ordinal score of "3" or higher on at least one of the two proposed V-

Dem indicators. This additional Values Check would be applicable only to those countries who wish to join the OGP in the future and will not be applied retroactively to currently participating OGP countries. If approved, this resolution and the proposed Values Check process will be implemented immediately.

-----End Resolution-----

## 2. Steering Committee Eligibility for Governments

To be eligible to run for election governments must have the following:

- 1. Improved or maintained their eligibility score since submitting a letter of intent to join OGP:
- 2. Published all OGP required documents (action plans, self-assessment reports, etc.) within four months of the agreed deadlines; and
- 3. Acted in accordance with the Open Government Declaration
- 4. Acted in accordance with OGP process for the most recent completed NAP cycle.
- 5. Meet the minimum OGP Participation and Co-creation Standards

In addition to the above requirements, current SC members running for reelection must have the following:

- 6. Provided financial support to OGP (except in cases of extreme financial hardship); and
- 7. Attended and participated actively in SC meetings and subcommittee meetings, with ministerial level participation in the required meetings.

-----End Resolution-----

#### 3. Commitment Cap

The Steering Committee continues to encourage action plans between 5 and 15 commitments according to current guidance to encourage specificity, relevance, ambition, and credible implementation. The Steering Committee strongly recommends that, beginning in 2018, countries cap the number of commitments per action plan to 20 with a suggested maximum of 5 milestones per commitment, with the aim of incentivizing more ambitious commitments in National Action Plans. The Steering Committee will review the effects of the commitment cap at the appropriate time, factoring in the costs associated with supporting and reviewing National Action Plans and the growth of OGP's Subnational pilot program.

-----End Resolution-----

#### 4. Response Policy

A final revised version of the Response Policy proposed during the June Steering Committee meeting has been approved by consensus. This finalized version will be published on the OGP website in the coming weeks.

## B. Update on the Mexico Envoys Decision from June 2017

On May 23rd, the Steering Committee received a letter from Mexican Civil Society Organizations announcing their decision to withdraw from the Tripartite Technical Secretariat that oversees the OGP process in their country. This issue was discussed during the Steering Committee meeting on June 28, 2017 in Washington, D.C. As indicated in the <u>June 2017 Steering Committee meeting minutes</u>, the Steering Committee resolved to appoint two representatives, one from government and one from civil society, to serve as OGP envoys to engage with Mexican stakeholders regarding the events that transpired in the lead up to, and since the May 23 letter was received.

A call for volunteers and <u>Terms of Reference</u> were circulated within the Steering Committee on 1 August 2017. A visit was planned for August 28-30 for a delegation conformed by the Government of South Africa, Maria Baron from Directorio Legislativo, and Support Unit staff. Unfortunately, the Government of South Africa informed the Support Unit at short notice that, due to extraordinary circumstances, it was no longer able to be part of the delegation. The terms of reference explicitly prescribed equal representation by the Steering Committee of a civil society leader and a government representative. After consulting with stakeholders from civil society and government involved in the proposed meetings, it was agreed that due to these circumstances, and in the interest of upholding the approved terms of reference, that the visit be postponed until a Steering Committee government representative can be included in the delegation.

In addition, in its June 2017 meeting, the Steering Committee also mandated the Support Unit to draft Terms of Reference for a task force on rapid response to situations that come up in OGP countries and require the Steering Committee to respond in a rapid and efficient manner.

#### Decision:

To fulfill the decision agreed upon by the Steering Committee in its June 2017 meeting, the Steering Committee mandated that a new delegation be confirmed, and that the mission to Mexico be rescheduled to take place during fall of 2017. The Support Unit will announce the new members of the delegation once a government representative is confirmed to join Maria Baron from the Civil Society Steering Committee.

Further, the Steering Committee resolved that a Rapid Response Mechanism should rest within the Criteria and Standards subcommittee. The Steering Committee mandated the Support Unit to develop the corresponding Terms of Reference, and invite other Steering Committee members outside of the Criteria and Standards subcommittee to participate in the Rapid Response Mechanism.

-----End Decision------

The Mexican civil society coalition requested that, through Steering Committee member Alejandro Gonzalez (GESOC), a copy of a letter addressed to the Steering Committee be

shared. This letter, in <u>English</u> and <u>Spanish</u> versions, may be found in the <u>Steering Committee</u> <u>communications page</u>.

Alejandro Gonzalez further requested to go on the record, on behalf of the Mexican civil society coalition, with the following remarks:

As a sign of good will, and to protect the integrity of the OGP Steering Committee, we respectfully -but formally- request the Mexican Government to recuse itself from participating in the Steering Committee until this situation has been addressed and resolved to re-establish the basic conditions of trust that OGP demands to operate. Governments participating in the OGP Steering Committee should lead by example, and unfortunately, the Mexican Government at this moment is far from doing that.

-----End Remarks-----

# **C. Country Updates**

The Support Unit provided an update on the Azerbaijan Response Policy process, Tanzania's withdrawal from OGP, and the participation status of Turkey.

- Azerbaijan: As per the <u>June 28 2017 Steering Committee resolution</u> on the participation of Azerbaijan in OGP, the Criteria and Standards subcommittee, with support of the Support Unit, has developed an <u>updated set of recommendations for the Government of Azerbaijan</u> to improve the unresolved issues related to the operating environment for civil society in Azerbaijan. The Government of Azerbaijan will have 12 months, beginning on September 25, 2017, to address these recommendations.
- Tanzania: On July 1, 2017, the OGP Support Unit received an unofficial copy of a letter from the Government of Tanzania addressed to the OGP co-chairs withdrawing the government from OGP. The Support Unit drafted a memo and proposed next steps which were shared with Governance and Leadership subcommittee. On September 12, 2017, the Support Unit sent a letter to the Government of Tanzania on behalf of the Steering Committee co-chairs in response to Tanzania's withdrawal. The OGP co-chairs agreed that the Government of Kigoma, a subnational pioneer, will continue to participate in OGP.
- Turkey: One year has passed since Turkey was designated inactive in OGP by decision of the Steering Committee on September 21, 2016. As per the current OGP rules, since Turkey remained inactive for a period of one year without re-engaging with the OGP Steering Committee and the Support Unit, the Criteria and Standards subcommittee informed the Steering Committee and recommended that the Support Unit removes the country from inactivity status, and is no longer listed as part of OGP. The Support Unit has sent a letter to the Government of Turkey informing them about this procedure. In light of failing to deliver a National Action Plan by the one-year inactivity anniversary, Turkey will no longer be listed as an OGP member, and its country page will be archived in the OGP website effective September 21, 2017.

## Session 2: OGP country performance check-in

As part of an "early warning system" for the Steering Committee, the Support Unit presented an update on OGP countries where Steering Committee support or interventions are needed. This update is in response to the Steering Committee request to be regularly informed on where diplomatic or civil society interventions would be useful to support the OGP process. This update included a snapshot of countries that are inactive or under Criteria and Standards review (Bosnia and Herzegovina, Montenegro, and Trinidad and Tobago), countries where civil society has walked away from the OGP process (Mexico and Guatemala), countries in which there are political leadership challenges, and countries where elections have recently taken place, or will be held in the near future.

In order to facilitate support for these countries, the Support Unit was requested to provide further guidance materials to the Steering Committee and indicate which countries are a priority for outreach.

#### **Session 3: Thematic Leadership**

The mandate of the newly established Thematic Leadership Subcommittee (TLS) was presented to the Steering Committee. The TLS aims to:

- Advance ambitious reforms at the country level across priority thematic areas set out in the Paris Declaration
- Catalyze a global race-to-the-top by recognizing and showcasing leaders (SC and non-SC) and supporting peer countries on ambitious reforms
- Elevate a discussion on action plan content and issues among SC members
- Identify frontier thematic priorities for OGP
- Leverage events (e.g. Georgia Summit, G20, Commonwealth Summit) more strategically

The strategic and political work of the TLS will be complemented by a new model for peer exchange, which consists of replacing the working groups with flexible, strategic thematic partnerships. These thematic partnerships will be created to ensure greater responsiveness to emerging country priorities. Additionally, the new model will rely on a transparent and competitive process to leverage resources, including from the OGP Trust Fund, should some partners need funding.

The Steering Committee approved the TLS mandate and the decision to sunset the working groups as a component of the new model for peer exchange. The Steering Committee also encouraged the TLS and Support Unit to develop the the new partnerships and peer exchange model to follow up on Paris Declaration sign ups and pin down the more difficult aspects of the strategic refresh, including ambition and quality of commitments in action plans.

Reference materials: Thematic Subcommittee Mandate & Revised Peer Exchange Model

#### Decision:

The proposed mandate for the Thematic Leadership Subcommittee and the decision to sunset the working groups was approved by consensus.

# **Session 4: Process updates**

This session provided a brief information update on elements discussed in the June 2017 Steering Committee meeting:

• IRM Refresh update: A consultancy, Blomeyer and Sanz, has been commissioned to undertake the IRM Refresh. Data collection for the refresh included desk research, interviews and surveys. These surveys collected comparable feedback on IRM relevance and effectiveness from government and civil society stakeholders, as well as efficiency feedback from IRM researchers. The interviews provided more in-depth views from stakeholders aiming to provide illustrative example for the review questions. Interview feedback was collected from a total of 78 individuals (29% from government stakeholder, 28% civil society, and 36% OGP stakeholders, which includes International Expert Panel members, Support Unit staff and IRM researchers.

Early findings indicate that the use of IRM products is rather positive, with over half of users utilizing the OGP Explorer and IRM technical papers. The timing and length of IRM findings was mentioned as an obstacle, therefore the Refresh will explore how reports and communication around them can be enhanced.

OGP's proposed "State of Open Government" flagship publication: In its June 2017
meeting, the Steering Committee discussed options for a "State of Open Government"
report, including what kind of data and evidence would be most useful for OGP
members, and what value would this flagship publication would bring to OGP. There is
generally widespread agreement that a State of Open Government report would be
helpful to help enable learning and comparison between countries.

During the September 2017 Steering Committee meeting, Joseph Foti from the Independent Reporting Mechanism (IRM), presented a concept of the report. Such a report will cover (1) major trends; (2) innovations in policy reform and delivery; and (3) country-by-country comparison. The country-by-country reporting will show major achievements, co-creation, as well as need, ambition, and completion across policies of strategic priority. The next step for this proposed report is to convene experts about the availability of third-party data in key policy areas, and to fundraise accordingly to support a broad campaign and multi-year commitment around this project.

Reference materials: <u>State of Open Government Report Presentation</u>

# Session 5: Wrap up and close

Steering Committee members and the OGP Support Unit took the opportunity to extend sincere gratitude to the outgoing co-chairs, the Government of France, and Manish Bapna and Mark Robinson, for their leadership, dedication and exceptional chairing role over the past year. Together, they have led OGP through a critical stage, including a strategic refresh, the Paris Summit and the expansion of the subnational program.

Similarly, heartfelt thanks were extended to the outgoing Steering Committee members, the governments of Brazil, United Kingdom, United States, and Alejandro Gonzalez who together have helped OGP take great strides since its foundation six years ago, including through chairing the Steering Committee and its subcommittees, hosting global summits and exchanges, leveraging their diplomatic networks and political influence, and leading in key thematic areas to achieve ambitious reforms for open government.

Finally, a warm welcome was extended to the new lead co-chairs, the Government of Georgia and Mukelani Dimba, and the new incoming co-chairs, the Government of Canada and Nathaniel Heller.

#### **List of Attendees**

## **Government Steering Committee Members**

**Government of Brazil** 

Fernando Antonio Wanderley Cavalcanti Junior Brazilian Permanent Mission to the UN

**Government of Canada** 

Minister Scott Brison President of the Treasury Board of Canada

Kelly Murdock Policy Advisor of the President of the

**Treasury Board** 

Taki Sarantakis Associate Secretary of the Treasury Board

of Canada

Jordan Zed Director of Open Government of the

Treasury Board of Canada Secretariat

Garnett Genuis, MP MP for Sherwood Park — Fort

Saskatchewan, and Opposition Deputy Critic for Human Rights and Religious

Freedoms

**Government of Chile** 

María del Carmen Domínguez Director of Strategic Planning, Ministry of

Foreign Affairs

Rodrigo Mora Executive Secretary, Commission on

Probity and Transparency, Ministry General

Secretariat of the Presidency

**Government of Croatia** 

Sandra Pernar Senior Advisor, Government's Office for

Cooperation with NGOs

**Government of France, Lead Co-Chair** 

Minister Mounir Mahjoubi Minister of State for the Digital Sector,

attached to the Prime Minister

Mathieu Maucort Deputy Director of the Minister's Office, and

Advisor for economic and Digital Sector

Naomi Peres Advisor on Public Innovation and Inclusion

Layla Rahhou Chief of staff, in charge of Communication

and Relations with the Parliament

Henri Verdier Chief Data and Digital Officer, Prime

Minister Office

Laure Lucchesi Director, Etalab, Prime Minister Office

Amelie Banzet Open Government Office, Etalab, Prime

Minister Office

Mathilde Bras Open Government and OGP, Etalab

David Martinon Ambassador for Cyber Diplomacy and the

Digital Economy, French Ministry of Europe

and Foreign Affairs

Rachel Ruamps Advisor, Accountability, Transparency and

Anti-Corruption Program, French Ministry of

Europe and Foreign Affairs

Paula Forteza, MP MP for Latin America and the Caribbean

**Government of Georgia, Incoming Co-Chair** 

Minister Thea Tsulukiani Minister of Justice

Zurab Sanikidze Director of Analytical Department at the

Ministry of Justice of Georgia

**Government of Indonesia** 

Raden Siliwanti Director, Ministry of National Development

**Planning** 

**Government of Italy** 

Minister Maria Anna Madia Minister for Simplification and Public

Administration

Patrizio Caligiuri Head of the Technical Secretariat

Nicoletta Santucci Head of Press Office

Pia Marconi Head of the Department for Public

Administration

Stefano Pizzicannella Director of Institutional and International

Relations Office and Member of the OGP

Team

Ernesto Belisario Member of the OGP Team

**Government of Mexico** 

Eber Omar Betanzos Torres Deputy Minister of Public Administration

Alejandra Rascón Head of Open Government and

International Cooperation Unit, Ministry of

**Public Administration** 

Dante Preisser Rentería Head of the Liaison Unit to the National

Anticorruption System

Pablo Villarreal Deputy Director General of International

Affairs, Ministry of Public Administration

**Government of Romania** 

Minister Radu Puchiu State Secretary, Secretariat-General of the

Government

Larisa Panait Counsellor, General Secretariat of the

Government

**Government of South Africa** 

Minister Dipuo Letsatsi-Duba Minister for Public Service and

Administration

Willie Khisimusi Vukela Deputy Director-General at the Department

of Public Service and Administration

(DPSA)

Thokozani Thusi Chief Director-Public Participation and

Social Dialogue (PPSD), Service Delivery

Branch, DPSA

**Government of South Korea** 

Seongho Park Director General of Government Innovation

Planning Bureau

Junhee Kim Counsellor of the Permanent Mission of the

Republic of Korea to the United Nations

Sangwoo Ha Secretary of Minister

Sudok Han Deputy Director of Government Innovation

Planning Division

Yujin Lee Deputy Director of Government Innovation

Planning Division

Suhyun Jung Deputy Director of Good Governance

Jongsoo Yoon Co-chair/civil society member of OGP

Forum Korea

Wonjae Park Executive Principal of National Information

Society Agency

**Government of United Kingdom** 

Minister Rory Stewart Minister of State for the Department for

International Development and Minister of State for the Foreign and Commonwealth

Office

Hazel Hobbs Director of Strategy and Engagement,

Government Digital Service

Thom Townsend Senior Policy Officer, Data Team, Cabinet

Office

Doreen Grove Director of Open Government, Engage

Scotland: Local Government and Communities, Scottish Government

**Government of United States** 

Tess McEnery Director for Democracy, Human Rights and

Governance, National Security Council,

White House

# **Civil Society Steering Committee Members**

Manish Bapna World Resources Institute (WRI), Lead Co-

Chair

Mark Robinson WRI, Second for Manish Bapna

María Baron Directorio Legislativo

Alberto Alemanno The Good Lobby, Second for Helen

Darbishire

Mukelani Dimba Open Democracy Advice Centre (ODAC),

Incoming Co-Chair

Aidan Eyakuze Twaweza

Alejandro Gonzalez GESOC

Nathaniel Heller Results for Development

Robin Hodess Transparency International

Suneeta Kaimal Natural Resource Governance Institute

(NRGI)

Marie Lintzer NRGI, Second for Suneeta Kaimal

Colleen King NRGI (observer)

Zuzana Wienk Fair Play Alliance

Tur-Od Lkhagvajav Asia Democracy Network (ADN)

Giorgi Kldiashvili Institute for Development of Freedom of

Information (IDFI)

#### **Others Attendees**

Pablo Soto Bravo Madrid City Council Member in charge of

Citizen Participation, Transparency and

Open Government (observer)