

## **Steering Committee Meeting Minutes**

September 26, 2012

### **Welcome and Clarification of Meeting Status**

The Government of Brazil and Warren Krafchik welcomed representatives and noted that due to the absence of the incoming chairs (Government of United Kingdom and Government of Indonesia) during the early portion of the meeting, the discussions on the transition of chairmanship and multilateral outreach would take place at the conclusion of the meeting.

Some Steering Committee (SC) representatives noted confusion about the nature of the Steering Committee meeting—given that in April, the minutes note that September was intended to be a fully-fledged ministerial level Steering Committee meeting, and yet participants had been told this was instead a working level meeting—albeit with some ministerial level representation—with a full SC meeting to follow in the fall. The co-chairs apologized for the confusion, short notice in the communication of the meeting, and agreed that going forward it was important for OGP’s leadership to communicate more clearly with SC members on the schedule and nature of meetings, especially when they entailed changes to plans previously noted in SC meeting minutes. The co-chairs clarified that this was a “working” meeting of the SC intended to capitalize on the presence of so many SC members in New York for the UN General Assembly, and to brief members and have substantive discussions that would lay the groundwork for more concrete decision-making on a range of topics at the next formal SC meeting in the coming months in the UK.

### **Criteria and Standards Sub-committee (C/S) Discussion**

C/S sub-committee members gave an overview of their meeting and recommendations from the previous day (see C/S full minutes for more details). This included an update on the status of constituting the International Expert Panel (IEP) of the Independent Reporting Mechanism (IRM) with senior advisors and technical experts, a discussion of IRM and government reporting guidelines, and a discussion of OGP’s eligibility criteria.

The C/S sub-committee is still working to identify the final senior advisors for OGP’s IRM, and is awaiting firm feedback on several outstanding invitations before moving forward with additional invites. The sub-committee will return to the full SC with input and recommendations after the first round of invitations has been concluded. SC members noted a desire to achieve regional and gender diversity among senior advisors and technical experts, and also to ensure that experts had sufficient bandwidth to conduct effective outreach and fully participate in the panel.

The C/S sub-committee noted the importance of developing general guiding principles for the IEP to help frame their work and get them started with clear expectations, while ensuring that these principles were not so detailed as to interfere with the independence of their work. Some of these principles included ensuring that IRM reports have a component that is clear, concise, easily digestible

and visually compelling wherever possible, and would allow for comparison across countries, and also emphasizing national ownership of reports and allowing for diversity of content based on the needs and desires of each country's stakeholders. Other principles included ensuring wide dissemination of reports, ensuring that they included stakeholder feedback on OGP processes and commitment implementation, and ensuring that the SC honors the expertise of IEP members and does not interfere with their efforts to independently construct an effective methodology by being overly prescriptive up front.

SC comments also included a desire to set expectations around the appointment of local researchers to ensure that they do not become politicized and respect their role as researchers and collectors of broad stakeholder input at the local level. There should also be general guidance from the SC for the IEP around what the desired outcome of reports is. Finally, it was re-emphasized that governments will only have the ability to propose corrections to factual inaccuracies in draft IRM reports, but not to offer broader "comments," which should be reserved for their own self-assessment reports.

The C/S has received comments on the IRM concept note and will work to include those in a new IEP principles document to be drafted in preparation for the next SC meeting this fall. The C/S will also draft a set of guiding principles for government self-assessments for review at the next SC meeting.

On eligibility, the C/S subcommittee relayed their discussion the previous day of the current OGP eligibility criteria, and the group's agreement to not propose the addition of new criteria right now, but to focus on improving indicators and sourcing for the current criteria, especially on asset disclosure. The SC affirmed it does not want an overemphasis on eligibility to take away from or compete with action plan implementation, while ensuring that the criteria help OGP identify a set of committed reformers and target the right areas for progress to meet a minimum open government standard.

The C/S shared their intention to draft a note on eligibility that would include the process for periodic review, for providing input to aspiring countries, for registering external concerns about eligibility and for verifying the eligibility of countries not covered by the current indicators. There was also a strong endorsement by the SC of the C/S recommendation to begin actively encouraging OGP governments to make continual progress on the eligibility criteria after joining the initiative (e.g. adopting FOI where it does not exist, publishing audit reports or executive budget proposals where they are not disclosed, etc...).

Finally, participants noted how important it was for other sub-committees to get up and running more effectively, specifically the Peer Learning and Exchange Sub-Committee, which can help provide OGP countries with support on self-assessments, stretching themselves with respect to the eligibility criteria and other issues discussed.

### **Peer Learning and Support (PLS) Discussion**

PLS sub-committee members noted a desire to have begun meeting sooner, and an intention to ramp up their activity in the near term with assistance from the Support Unit and Networking Mechanism. They noted a desire to learn more about the organization and outcome of regional meetings in Europe and Latin America to date, and to build a strategy for the sub-committee that uses the current NM strategy as a departure point.

Members would like to ramp up outreach and peer engagement in the Africa and Asia regions specifically, and agreed to come up with an outreach strategy prior to the December peer learning and exchange meeting in London. There was also a suggestion that one of the PLS sub-committee members agree to chair the group.

SC representatives followed with a series of updates on regional and multilateral outreach, including:

- Mexico recently held a meeting with access to information authorities in Latin America engaged in the Transparency and Access to Information Network (RTA<sup>1</sup>) and these authorities expressed their desire to become more engaged with OGP processes.
- Mexico also hosted a regional OGP peer engagement event in March linking the OAS and OGP, and is now working to make recommendations from the OAS on corruption prevention part of OGP action plans for all participating countries in the region, as well as getting the next G20 anticorruption working group to support OGP.
- Chile's plans to host a regional outreach meeting in January 2013, with a possible focus or specific session on access to information and the RTA.
- South Africa has agreed to host a regional outreach meeting for Africa in 2013.
- Indonesia has done a great deal of knowledge exchange with the Philippines to date—including Indonesia's decision to replicate the "check-my-school" program from Philippines and as well as sharing around EITI experiences. Indonesia will include an OGP session at the upcoming Bali Democracy Forum on November 8-9, 2012. 16 head of States have confirmed attendance and this will be the first time they talk about OGP in Asia—Asian civil society will not be well-represented at the forum, which has a very specific format, and there was discussion about identifying other opportunities for outreach there in the near term.
- The U.S. noted the recent launch of an "open government innovation partnership" with the U.S. Conference of Mayors. Cities agreed to a set of open government principles, develop plans, and share tools on a common platform around improving service delivery. The first three pilots will be San Francisco, California, Louisville Kentucky and Tampa, Florida. The conference's goal is to add 20-40 cities by next summer's annual meeting.

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<sup>1</sup> *Red de Transparencia y Acceso a la Información*, in the original.

- Croatia will host the next European Regional outreach meeting in October 2012, which will include governments and civil society in sessions on specific thematic and procedural issues related to implementation of OGP action plans.
- A number of OGP SC members recently attended the Open Knowledge Festival in Helsinki, where OGP was featured prominently, with numerous sessions devoted to it.
- The EITI global conference will be in Sydney in May 2013. This event could be a helpful networking and exchange opportunity for participating countries and other stakeholders, especially for Asia Pacific colleagues.
- Omidyar announced a new fund inspired by OGP that will ultimately dedicate between US\$35-\$50 million to help civil society, governments and the private sector work together to achieve OGP commitments in innovative partnerships.

The SC noted the need for a better running roster of upcoming events, which the Support Unit will create and maintain.

The Networking Mechanism (NM) then gave an update on their new strategy, noting their two priorities of proactively boosting demand for NM engagement by OGP countries and institutionalizing learning and knowledge exchange processes. The NM has analyzed the existing country action plans, and now has a better understanding of what the needs and key areas of focus are, and will be proactively reaching out to country officials to offer assistance and provide ideas and advice.

As part of this effort the NM will also host regional networking sessions at all OGP meetings, as they are doing at the upcoming Croatia meeting around access to information. In terms of learning, the NM will continue hosting webinars and encouraging specific sessions based on country interests and needs identified by OGP countries and civil society. They will also play a more active role documenting OGP learning within and across countries through the regular creation of case studies to distribute to all stakeholders. Finally, the NM noted that it has received direct requests for support from a number of OGP countries, and hopes to ultimately begin working this intensively with 4-5 countries and document the experience to demonstrate the value-added that the mechanism can provide to interested countries.

The NM welcomed the tremendous energy behind regional outreach among SC members and offered to assist. SC members noted a desire to more closely integrate the work of the NM and the PLS sub-committee/SC, so that all work is done according to the same common plan and maximizes resources. SC members also noted the importance of circulating a reliable contact list among OGP participants for each OGP focal point within government, to facilitate cross-country exchange.

The SC moved to a discussion of more strategic engagement with multilaterals, many of which have open government programs and have expressed strong interest

in partnering with OGP (including, but not limited to, the World Bank, the OECD and UNDP). The Governance and Leadership sub-committee offered to develop a concrete proposal on how to take partnership with specific multilaterals forward in preparation for the next SC meeting. Such partnership could include technical and financial support around action plan development and implementation, as well as country eligibility.

Finally, SC members stressed the importance of having a single point of contact within each multilateral to handle OGP engagement within those institutions.

### **Strategic Plan, Support Unit, Finances and Disclosure Policy**

The Governance and Leadership (GL) sub-committee noted that it has received a large number of substantive comments on the strategic plan, which relate to branding and communications, IRM work around commitments and the consequences for failing to implement them, the eligibility criteria, how to implement the strategic plan with key benchmarks and milestones, grants and funds for open government initiatives, OGP's relationship with journalists, opening up data from non-governmental sources, and the country level relationship between governments and civil society.

The group agreed that the GL sub-committee would take over analyzing and integrating these comments into a new plan, and present to the Steering Committee for final approval.

An update on staffing was provided. The Support Unit has gone from three people to one, and is in the process of re-staffing in earnest at present. OGP has hired an IRM program manager who will start in mid-October, and is far into the process of hiring a new Executive Director. After the new Executive Director is hired, the SC will work with them to fill remaining positions as soon as possible. Julie McCarthy will continue with the Support Unit as a part-time senior advisor until at least the end of 2012. Members noted with the concern the high rate of turnover and the need to re-staff the Support Unit with people who will really commit themselves to OGP for a long period of time to avoid losing institutional memory and momentum. The hiring committee strongly agreed with these remarks and noted that the SC and SU are much wiser now about OGP's needs, and procedures required to get the right people in place.

The Steering Committee expressed its tremendous thanks and appreciation for Caroline Mauldin, former State Department official, and the fantastic work she did—at the very last minute—stepping in while Julie McCarthy was on maternity leave. Everyone observed that OGP would not be where it is at this point as an initiative without Caroline's support and work in the Support Unit over the last three months.

Participants also noted that going forward the Co-chairs would need to better capacitate themselves in terms of communication with SC members, since there has been a decrease in communication in most recent months.

The Support Unit gave an update on OGP's finances and donations to date, and reminded SC members of the expectation that each participating country contribute a minimum of \$50,000 per annum, and ideally more. SC members asked for a contribution reminder so that they could begin processing their donations. Private foundation donors noted the need to learn how much OGP will be requesting for the next budget cycle as soon as possible, to work into their own budget requests for next year. The SU and SC are working to finalize a new 12-month budget—taking into account additional staffing and IRM expenses—and will circulate for final approval at the next SC meeting in the next months.

On OGP's disclosure policy, the co-chairs and SU noted two key concerns that have emerged, related to the publication of draft documents and the disclosure appeals process. The disclosure policy OGP adopted with respect to draft documents seems to present a gap about the advance identification of what documents need to be reviewed and/or adopted by the SC before publication. In terms of the appeals process, the SU acting Director for the past three months found that due to short staffing as well as the amount of time necessary for SC member response, she was not able to respond to a request within the deadline, and that this may become an ongoing problem. This was then considered a "non-response" by the requestor, who initiated an appeal. The GL will work with independent access to information experts to propose solutions to these concerns around the current disclosure policy and table for discussion at the next SC meeting.

### **Transition of Chairmanship and Schedule of Upcoming Meetings**

The UK outlined a suggested schedule of SC meetings beginning in 2013, with an SC ministerial meeting in March, a working level meeting in June and an annual plenary meeting in October. The UK is also trying to schedule a SC meeting either in October or November 2012, and is working on nailing down schedules at present. Finally, the UK will host a peer engagement meeting with new OGP countries and SC members in December 2012 in London.

In terms of agendas, the UK proposed to take OGP's strategic plan and the sub-committee agendas and develop a roadmap for discussions over the coming year, with basic agendas for each upcoming meeting over the next 12 months identified, and amended as needed by events. The UK also noted the release of their OGP co-Chair vision document that morning for public comment and promised to come back with a final proposal after integrating feedback.

The co-chairs noted the need to hammer out a rotation proposal, which will require one additional government to volunteer to rotate off the SC, or else the SC will need to take a vote to determine who will remain next year.

Finally, the group noted that this was Brazil's last meeting as co-chair, and thanked Minister Jorge Hage, his advisor Roberta Solis Ribeiro and the Brazilian team for their tireless work and tremendous leadership in building OGP, getting the initiative

on a solid foundation and moving it forward during its first 18 months. The new incoming government chair Indonesia remarked that the U.S. and Brazil had laid excellent groundwork and it was very committed to picking up where they left off and continuing to drive OGP forward.

*Annex 1: Participants List*

**IBP/Co-Chair:**

Warren Krafchik, Center on Budget and Policy Priorities

**IMCO:**

Juan Pardinias, Director, IMCO

**RWI:**

Suneeta Kaimal, Deputy Director, Revenue Watch Institute

**TAI:**

Martin Tisne, Omidyar Network

Anthony Richter, OSF

**Government of Brazil:**

Roberta Solis Ribeiro, Comptroller General's Office

**Government of Indonesia:**

Tara Hidayat

**Government of Mexico:**

Joel Salas

Alfonso Oñate

**Government of Norway:**

Terje DYRSTAD, Ministry of Government Administration, Reform and Church Affairs

**Government of Philippines:**

Minister Butch Abad

**Government of South Africa:**

Deputy Minister Ayanda Dlodlo

**Government of Tanzania:**

Deputy Permanent Secretary Susan Mlawi

Minister Mathias Chikawe

**Government of United Kingdom:**

Sophia Oliver, Cabinet Office

**United States Government:**

Heather Flynn, U.S. Department of State

Andrew Stevenson, U.S. Department of State

Lisa Ellman, Chief Counselor for the Open Government Partnership, at OMB/OIRA/The White House.

Alice Ahn, U.S. Department of State

Chris Vein, White House

**Support Unit:**

Julie McCarthy, Director, OGP Support Unit

**Networking Mechanism:**

Abhinav Bahl

**OGP Civil Society Coordinator:**

Paul Massen