

OGP Consultation During Implementation Guidance Note

Countries participating in the Open Government Partnership (OGP) are asked to co-create their OGP national action plans with civil society. In implementing their action plans, countries are also expected to consult with stakeholders on the implementation of the commitments included in their action plan. Consultation during implementation will help ensure that commitments achieve their intended outcome. We are starting to see examples from around the world of how consultation forums help transform the relationship between governments and citizens. They provide the space for transparency and dialogue that can lead to better targeted and more widely accepted policy.

This document briefly describes what governments can do to consult during implementation, including how to design a forum to keep the dialogue going between key actors throughout the implementation period. There are many ways to achieve such a forum. Here we highlight some of the basic design elements that meet the OGP expectation, along with some examples of how this could look. The Independent Reporting Mechanism (IRM) will report on the way that countries organize public consultation in both the design and the implementation of OGP action plans. This Guidance Note sheds light on the design elements that the IRM will assess.

Design Elements to Consider in Establishing a Multistakeholder Forum

In setting up a multistakeholder forum to discuss implementation of commitments, countries consider varying types of structures, activities, and levels of transparency that are well suited to their needs. The table below outlines the design elements in setting up a forum for regular consultation. It describes different arrangements and activities grouped by basic minimum requirements and by good practice.

The “Basic Minimum Requirements” column outlines what is required in a consultation forum for participation in OGP, as stated in the Articles of Governance. The IRM will assess these requirements. Meeting the basic requirements may help ease and strengthen implementation of commitments and deepen legitimacy. The “Good Practice” column describes the emerging practices among OGP countries that advance public consultation as a true partnership based on trust, understanding, an exchange of expertise, and monitoring of the process. The IRM will document these practices in reports as well.

The design elements outlined in Good Practice are consistent with setting up a permanent dialogue forum. Experience shows that establishing a permanent dialogue forum provides a mechanism for effective engagement during the implementation of a country’s OGP action plan. A permanent dialogue forum means there is a formal structure for regular, two-way communication between government and civil society.

Governments are expected to set up a forum that meets the basic minimum requirements, and are encouraged to strive for an approach in line with good practice to help strengthen the OGP process and outcome in their country.



DESIGN ELEMENT DESCRIPTION	BASIC MINIMUM REQUIREMENTS	GOOD PRACTICE
1. STRUCTURE OF FORUM		
<p>1.1 Clear Lead(s) There is a government entity leading coordination of implementation of OGP commitments. The entity leading the coordination forum may be the overall lead on OGP or the lead for a group of commitments or issue areas.</p>	<p>Clear lead agency for consultation identified; point of contact publicly available.</p>	<p>Consultation forum:</p> <ul style="list-style-type: none"> • Is co-designed by government and civil society; • Has a formal structure; • Has clearly defined roles and responsibilities (including documentation of forum's activities, accountability mechanisms, etc.); • Has clear rules on who participates as well as selection and rotation (if applicable) of members; • Ideally is co-managed or co-governed by government and civil society; and • Meets regularly (at least once every two months).
<p>1.2 Participants - The breadth of the call to participate in the multistakeholder dialogue forum. Depending on the context, participants may include a wide group of stakeholders or a smaller group that adequately represent the relevant players.</p>	<p>Minimum: Inform or invite interested government and nongovernment parties from the past and potential collaborators.</p>	
<p>1.3 Meeting Regularity - The frequency and format of the multistakeholder forum meetings. Depending on the action plan, it may cover all, one, or several commitments in a single consultation process.</p>		
2. FORUM ACTIVITIES		
<p>2.1 Preparing for Action Plan Development - The role of the consultation forum in the development of the national action plan.</p>	<p>The forum hosts co-creation of national action plans through a multistakeholder process, with the active engagement of citizens and civil society.</p>	<p>The consultation forum:</p> <ul style="list-style-type: none"> • Designs and executes an inclusive consultation process; and • Leads on reviewing input from consultation and jointly defines priorities.
<p>2.2 Commitment Tracking - Transparency Measures - The manner the consultation forum discloses information on progress of OGP commitments to the public.</p>	<p>The forum publicizes progress on OGP website and relevant government website. There is a two-week notice and comment period for the public.</p>	<p>Forum manages/supervises an online dashboard which:</p> <ul style="list-style-type: none"> • Clearly explains each commitment; • Communicates timetable and milestones; • Clearly shows progress of commitments; and • Is updated regularly.





DESIGN ELEMENT DESCRIPTION	BASIC MINIMUM REQUIREMENTS	GOOD PRACTICE
2. FORUM ACTIVITIES (CONT)		
<p>2.3 Commitment Tracking - Frequency of Updates - The rate at which the forum provides publicly available documentation on the progress of implementing OGP commitments.</p>	<p>Progress of commitments is published in the yearly self-assessment reports.</p>	<p>The forum provides supervision on periodic or ongoing tracking, including:</p> <ul style="list-style-type: none"> • Supervision of the collection of documentation regarding action plan commitments; and • Development of strategies to foster compliance.
<p>2.4 Awareness-Raising and External Communication - The activities carried out to foster participation in OGP and to communicate activities related to OGP in the country.</p>	<p>The forum posts online notice of meetings and request for public comments in advance.</p>	<p>The consultation forum:</p> <ul style="list-style-type: none"> • Conducts awareness activities that foster informed participation (both government and civil society) in the national OGP process; • Uses multiple, appropriate channels, clearly communicating expectations for level of public involvement; and • Has a clear communications mandate (i.e. on how to engage the media, etc.).
<p>2.5 Upholding Accountability - The format and timing in which the multistakeholder body informs the public about its activities and outcomes.</p>	<p>The forum keeps all attendees/ mailing lists informed of outcomes and status of implementing OGP commitments.</p>	<p>The forum:</p> <ul style="list-style-type: none"> • Has clear guidelines on transparency and accountability; • Documents activities and decision making processes; • Discloses/publishes information about activities online (e.g. meeting minutes); and • Has clear mechanisms to receive feedback/input from society.

Examples of Consultation Forums

- **Colombia** - The country's Follow-Up Committee is composed of two representatives from the government, three from civil society, and one from the private sector. Together, the representatives embody more than 60 organizations at the national and regional levels. In the participatory sessions, the Committee revised Colombia's Action Plan for more clarity and improved timelines of commitments to better enable execution. The self-assessment provides official information on participating institutions and their role.



- **Georgia** – Commitment 10 of the country's second national action plan moves forward the activities of Georgia's Open Government Forum (Forum). Established in Georgia's first action plan, the Forum is comprised of responsible agencies, NGOs, international organizations, and private sector. The national forum sessions are held regularly, on a monthly basis to support implementation of the action plan, monitor progress of commitments, and raise awareness on Open Government Georgia's process.
- **Mexico** – The Technical Secretariat is composed of a member of civil society and representatives from two government agencies. They jointly govern and manage all aspects of OGP domestically. (More information is available in the government's self-assessment.)
- **Sierra Leone** – The country established a Steering Committee composed of 17 government officials and 17 individuals from civil society. Members of the Steering Committee are part of thematic clusters, which are coordinated by one representative from civil society and one from government. Thematic cluster meetings are scheduled to implement decisions, and to receive feedback. The consultation process also was held in 13 districts and incorporated the Sierra Leonean diaspora.
- **United States** – Government and civil society created implementation and monitoring teams organized based on specific commitments to complement more central meetings between key government actors and civil society. The entity leading the coordination forum is selected based on commitments, and the participants in the each forum consist of those relevant and active to that particular issue area.

As these examples show, countries may consider establishing a single forum or a hub-and-spoke model for their consultation mechanism. The single forum model, such as the one in Georgia, convenes government and civil society relevant to the action plan in one formally established, central committee for coordination. The hub-and-spoke model of engagement consists of a network of smaller forums – for instance, broken down by sector, thematic areas, or commitments – and may be coordinated by a larger central committee, as in the case of the United States.

Conclusion

In practice, the structures of consultation forums range from ad hoc and informal to regular meetings established by a presidential decree or regulation. The intensity of the dialogue or partnership differs in each country. It ranges from regular government updates on the status of commitments to intense cooperation with stakeholders in co-managing OGP national action plan development, implementation, and monitoring.

The choice of the consultation form will depend largely on the country's OGP commitments, national context, which stakeholders need to be consulted, and the available resources. We hope that as countries craft and learn from a consultation forum that works well for their situation, we begin to see more good practices turning into common practice for maintaining dialogue during implementation.