



**Steering Committee Meeting Pack  
Cape Town South Africa  
3-4 May 2016**

## Table of Contents - Steering Committee Meeting Packet

<i>Document</i>	<i>Page</i>
Steering Committee Meeting Agenda	1
Draft Participant List	4
Steering Committee Voting Protocol	7
Framing note for the meeting	9
Day 1 Supporting Documents:	
Criteria and standards recommendations on countries under review	16
Subnational Government Pilot	27
Social Media Subnational Coverage	29
IRM Highlights 2015-2016	30
Day 2 Supporting Documents:	
Memorandum: Accelerating Digital Governments as Part of OGP	34
Memorandum: Proposed “Surge Response Corps” Pilot Program for OGP	35
OGP and the SDGs	37
Making Climate Commitments Through OGP	42
Call for Proposals Criteria	45
Selection of Incoming Co-Chairs	48
Croatia Co-Chair Application	50
Georgia Co-Chair Application	55
Romania Co-Chair Application Letter	63
Mukelani Dimba Expression of Interest for Nomination as Co-Chair	66
OGP: Linking Anti-Corruption Summit Commitments with OGP National Action Plans	67

OGP Working Group on Anti-Corruption 70

Discussion Paper on the Role of Legislators within the OGP Framework 74

Background documents (separate pack):

1. Background paper on Turkey's participation in OGP
2. Final Report on Concerns Filed on Azerbaijan
3. Criteria and Standards Subcommittee resolution on Azerbaijan
4. Government of Azerbaijan April 15 update
5. Azerbaijan OGP Steering Committee Report

Report of the lead chair on the official visit to Baku, Azerbaijan (separate pack)

## Steering Committee meeting Cape Town 3-4 May 2016

### Tuesday 3 May

#### 9-12pm Working level subcommittee meetings

*Three subcommittee meetings in parallel - Governance and Leadership, Criteria and Standards and Peer Learning and Support. Agendas for each subcommittee meeting will be circulated directly to the respective members.*

#### 12-1pm Lunch

#### Working level steering committee meeting

##### 1 - 3pm Subcommittee updates

**Format:** each update to be structured and lead by the respective subcommittee chairs.

**Objective:** feedback from subcommittee meetings and opportunity to table any decisions or highlight future projects.

**Decision:** agreement of any changes to subcommittee membership and new subcommittee chairs; others to be confirmed.

##### 3-3.45pm Subnational pilot

**Format:** members of the subnational task force to lead this session and introduce pilot cohort of governments and activity so far.

**Objective:** get Steering Committee input on timeline and activities for both cohorts, prepare Steering Committee members to support and encourage broader engagement with subnational governments in their countries.

**Decision:** no decision.

##### 3.45-4.00pm Break

##### 4-5pm IRM/IEP session

**Format:** Presentation by the IRM and IEP about progress and events since the last meeting.

**Objective:** get Steering Committee input and strategic advice on a number of questions arising from the latest tranche of IRM report launches.

**Decision:** no decision.

##### 5-5.30pm Any other business

**Wednesday 4 May**

**Ministerial level Steering Committee meeting**

*OGP Ambassador Mo Ibrahim will be in attendance for the ministerial meeting.*

8.30-9.10am Introductions and welcome from the co-chairs, and brief feedback from the working level meeting

9.10-11.10am OGP state of the partnership and strategic vision for the next five years

**Format:** Support Unit 'state of the partnership' presentation and update on what has happened since the last meeting (10-15 mins); setting a vision for the next few months as OGP approaches its 5 year anniversary, and framing a discussion about the Steering Committee's strategic vision and leadership for the next five years and how to deepen impact of open government reform (10 mins). Steering Committee members will then be asked to respond and to include pitches for specific projects or themes they think OGP should focus on in the future to achieve this.

*Steering Committee members will be asked to respond to the challenges, priorities and questions set out in the presentation, and in the framing document circulated in the pack of papers. A number of Steering Committee members are preparing short 'pitches' for areas they will lead on. Some of these ideas are included in the background papers for the meeting. These include:*

- **Mexico:** Enhancing the impact of the declaration on open government for the 2030 agenda for sustainable development.
- **United States:** Accelerating digital government in OGP; OGP 'response corps'.
- **Manish Bapna and France:** Increasing the number and quality of climate change linked OGP commitments.

*Other ideas for areas of Steering Committee leadership are strongly welcomed and will form part of the discussion.*

**Objective:** achieve a clear Steering Committee vision and priorities for OGP and how to deepen impact, including how to address challenges and where to focus attention.

**Decision:** identify and agree Steering Committee leads for specific thematic areas.

11.10-12pm OGP events in 2016

**Format:** Presentation from the hosts of the two big events that are taking place in 2016 (South Africa on UNGA in September and France on the Global Summit in December) and then a discussion on objectives

*and opportunities for OGP and what Steering Committee members can commit to help achieve in advance.*

**Objective:** *to secure Steering Committee commitment to high level attendance at each event and get input on shaping the objectives and agenda for each.*

12-1pm Lunch

1-1.45pm Agree on the new incoming co-chairs

**Format:** *the co-chair candidates will have an opportunity to present their ideas to the full Steering Committee. The Steering Committee will then be asked to vote on the candidate to be the next OGP chair (governments to vote for government, civil society to vote for civil society).*

**Decision:** *Agreement on next OGP chairs, by vote.*

1.45-3.15pm Criteria and standards: countries under review

**Format:** *chair of criteria and standards subcommittee to present response policy cases, reviews and recommendations. GL to present reports from recent outreach.*

**Objective:** *Steering Committee will decide on proposals put forward by the Criteria and Standards Subcommittee on the continued participation of Azerbaijan and Turkey.*

**Decision:** *Decision, by vote, about whether to accept the criteria and standards subcommittee's recommendation about Azerbaijan and Turkey on inactivity.*

3.15-4.30pm Break out

1. Anti-corruption

*Objective: brief on UK anti-corruption summit and update on progress made by the new Anti-Corruption Working Group so far. Get ministerial endorsement for this work and lodge ambitious anti-corruption commitments as priorities for future national action plans.*

2. Open parliaments/legislatures

*Legislative Openness Working Group co-chair NDI will be in attendance for this breakout session.*

*Objective: Introduce this as a co-chair priority, consideration of recommendation paper about how to engage parliaments in OGP.*

4.30-4.45pm Brief report back from breakout sessions and close

**Draft Participant List**  
**OGP Steering Committee Meeting**  
**May 3-4, 2016**

**Location:**

The Century City Conference Centre Kinetic Way, Century City, Cape Town, South Africa

**Open Government Partnership Steering Committee - Governments**

South Africa (lead co-chair)

Deputy Minister Ayanda Dlodlo  
Qinise Delwa  
(Others TBD)

Deputy Minister of Public Service and Administration  
Department of Public Service and Administration

France (support co-chair)

Jean-Vincent Placé

Secretary of State for State Reform &  
Simplification

Laure Lucchesi  
Paula Forteza

Etalab  
Etalab

Brazil

Camila Colares Bezerra

General Coordinator of Agreements and International  
Cooperation

Otavio Moreira de Castro Neves

General Coordinator of Open Government and  
Transparency

Chile

Rodrigo Mora

President of the Commission on Integrity and  
Transparency

Francisco Sanchez Lay

OGP Point of Contact

Hernan Larrain

Hon. Senator

Patricio Vallespin

Hon. Deputy

Rocio Noriega

Special Advisor to Senate

Croatia

Dubravka Jurlina Alibegović

Minister of Public Administration

Sandra Pernar

Government Office for Cooperation with NGOs

Georgia

Thea Tsulukiani

Minister of Justice

Zurab Sanikidze

Director of Analytical Department Ministry of Justice

Indonesia

Yanuar Nugroho

Deputy Chief of Staff, Executive Office of the President

Muhammad Daud

Associate Director, Executive Office of the President

## Mexico

Mauricio Escanero  
Pablo Villarreal Soberanes

Ambassador of Mexico to South Africa  
Director of Open Government for the Office of the  
President of Mexico

## Romania

Radu Puchiu  
Larisa Panait

Secretary of State  
Counselor in the Prime-Minister's Chancellery

## United Kingdom

Matthew Hancock  
Paul Maltby  
Oliver Buckley  
Thomas Townsend

Minister for the Cabinet Office and Paymaster General  
Director of Data, Cabinet Office  
Deputy Director, Policy and International, Cabinet Office  
Cabinet Office

## United States

Megan Smith  
Science and Technology Policy  
Mary Beth Goodman

United States Chief Technology Officer, Office of

Cori Zarek

Senior Director for Development and Democracy,  
National Security Council

Scott Busby

Senior Advisor for Open Government White House  
Office of Science and Technology Policy  
Deputy Assistant Secretary in the Bureau of Democracy,  
Rights, and Labor, US Department of State

Camille Eiss

Senior Advisor, Bureau of Democracy, Rights, and Labor  
at US Department of State

Corinne Graff

Africa Bureau, USAID

## **Open Government Partnership Steering Committee - Civil Society**

Names in brackets below members are their designated seconds.

Alejandro Gonzalez (lead co-chair)  
Manish Bapna (support co-chair)  
(Mark Robinson)  
Sugeng Bahagijo  
Veronica Cretu  
Mukelani Dimba  
Aidan Eyakuze  
Nathaniel Heller  
Suneeta Kaimal  
Martin Tisne  
(Julie McCarthy)  
Zuzana Wienk

GESOC  
World Resources Institute (WRI)  
World Resources Institute (WRI)  
INFID  
Open Government Institute  
Open Democracy Advice Centre (ODAC)  
Twaweza  
Results for Development Institute  
Natural Resource Governance Institute (NRGI)  
Transparency and Accountability Initiative  
Transparency and Accountability Initiative  
Fair Play Alliance



## **Open Government Partnership Support Unit**

Joe Powell	Support Unit
Sangita Sigdya	Support Unit
Kitty von Bertele	Support Unit

(others to join for various discussions)

## **Participation at Meetings**

The SC agreed on a list of protocols for meetings in September 2014. The document specifically addresses participation at SC meetings as follows:

*“Members are strongly encouraged to attend all official Steering Committee meetings at the appropriate level. Each member should have one designated principal who sits at the table and casts a vote as needed. Each principal may also designate a ‘plus one’ to sit next to (or behind) the principal. The plus one may be asked to speak on certain issues in place of the principal but does not have a vote. As space allows, members may also be invited to bring one or two additional observers to the meeting. Observers will sit around the perimeter of the room.”*

## **Dress Code**

The dress code for all meetings is business formal.

## Steering Committee voting protocol

The OGP Articles of Governance make provision for the members of the Steering Committee to cast a vote on decisions where consensus cannot be established. This note establishes the protocol for a vote being called in a Steering Committee meeting, and the process that will be followed.

*OGP Articles of Governance, page 8:*

*Decision Making: Major policy decisions are to be made by the full SC, in its meetings or by circular, when meetings are not practical. In making decisions, SC members are to seek to develop consensus; failing consensus, decisions are to be made by simple majority (except in the case of a vote on continued eligibility, as detailed under Section II). In the case of tied votes, the lead chair\* casts a second and determining vote. A quorum is established when at least 50 percent of each constituency (governments and civil society organizations) are present. The Governance and Leadership Subcommittee is empowered to make logistical decisions between meetings such as, for example, specific details related to the Biannual Summit.*

*SC members may not vote by proxy if they are unable to attend voting sessions. Members may elect to bring guest observers to SC meetings, with prior approval from the Governance and Leadership Subcommittee. Such guest observers cannot participate in voting.*

\*'Lead chair' in the Articles of Governance historically refers to the 'lead government chair'.

### Process

A vote can be called in a Steering Committee meeting either where consensus cannot be easily achieved on a particular decision, or where there is a definitive decision to be made between a number of options (for example voting on the next OGP co-chair where there are multiple candidates). In those events this process will be followed:

- 1) The lead co-chairs will agree on the need for a vote and propose that to the Steering Committee.
- 2) The Steering Committee will be invited to make comments on the decision that is being voted on, which will be subject to the usual Chatham House Rule, unless a Steering Committee member requests otherwise.
- 3) The lead co-chairs will set out the resolution that is being voted on and the options available.
- 4) The Support Unit will be responsible for providing ballot papers that clearly list the resolution being voted on, and the options available, and ask Steering Committee members to mark their decision. Ballot papers will remain anonymous.
- 5) Steering Committee members will be invited to post ballot papers in a box. All Steering Committee members are entitled to one vote per resolution. The Support Unit will count papers - with one of the lead co-chairs observing - to determine the result of the vote and will

communicate the decision to the full Steering Committee. In the case of tied votes, the lead government chair casts a second and determining vote.

### **Voting principles**

- A vote can only be called in a Steering Committee meeting that is quorate (50 percent of each constituency - government and civil society members - are present).
- Each Steering Committee member has one vote. For government members that vote can be cast by any member of the official delegation in attendance in person at the meeting. For civil society members that vote can be cast only by them - or their previously designated second - in person at the meeting.
- Steering Committee members can choose to abstain from a vote after it has been called and the options have been presented. The number of abstained votes will be noted in the results.
- The results of votes taken by the OGP Steering Committee will be recorded in the minutes of that meeting but a member's individual decision will not be noted, unless they request otherwise.
- The majority decision, after a vote has been taken, is binding and the resolution will be recorded in the minutes of the meeting.

## **OGP Steering Committee Framing Note, May 3-4 2016, Cape Town**

In late 2014 the Steering Committee agreed a four year OGP strategy for 2015-18, which we have collectively been implementing for nearly a year and a half. The strategy acknowledged the rapid growth of OGP in its first three years, including a dramatic expansion in the number of participating countries, and outlined a clear theory of change for how OGP can contribute to transformative change. This included the role of Steering Committee leadership, what resources would need to be mobilized, and the core functions of the Support Unit and Independent Reporting Mechanism. This note updates the Steering Committee with progress on OGP's strategic objectives since our last meeting in Mexico City in October 2015, and as we approach our fifth anniversary poses some critical questions on how we can collectively deepen OGP's impact over the next five years.

### **1) Maintain high level political leadership and commitment to OGP**

The Mexico Summit in October 2015 was a major opportunity to attract high level political participation. Ministers from 41 countries attended and several political leaders from subnational governments spoke. This reinforced OGP's political clout, but more importantly it allowed ministers to meet their peers and exchange ideas on open governance.

In January, the Support Unit wrote to OGP ministers in all the countries developing 2016 National Action Plans, to remind them of the June 30 deadline, and to send them the special edition of the Open Gov Guide on the Sustainable Development Goals. This was designed to encourage SDG linked commitments, and to give official level points of contact an opportunity to engage their ministers on the consultation process for the new action plans. Since then Support Unit and IRM staff have visited nearly 20 countries either to support workshops and consultation processes, or to attend one of the IRM report launches. In the vast majority of these trips staff have met ministers to discuss OGP, and ministers have participated in public events. An official visit can help raise OGP's profile at the political level, draw attention to IRM findings, make a push for more ambition, and provide advice on the co-creation process with civil society. The assessment for whether a staff trip can help is based on whether the right ingredients are in place for the OGP theory of change to work - in particular an engaged civil society and official level reformers in the system, or whether there is a specific challenge that needs to be addressed.

High level political leadership from the Steering Committee can also lead to big opportunities, or significant achievements for OGP. For example the Franco-German joint cabinet meeting led directly to a commitment from Germany to join OGP this year. The US President's visit to Argentina included reference to OGP, and has helped reinvigorate the process there. Ministers from South Africa, US, UK and civil society leaders have led a sustained outreach program to Nigeria which we hope will soon result in a formal letter of intent. Ministers from Georgia have been involved in setting up OGP's new anti-corruption working group, and Romanian ministers recently hosted a peer exchange event with OGP countries from the region. There are many other examples, including from former Steering Committee members like the Philippines who have ministers assisting Sri Lanka with the first OGP plan.

These types of engagement keep OGP politically visible, relevant and create space for really ambitious reforms to take place.

## **2) Support and empower government reformers with technical expertise and inspiration**

The Support Unit government support and peer exchange team (GSX) is in regular communication with government points of contact from all OGP participating countries. This means they are aware of developments on the ground and are able to identify and help address challenges such as upcoming elections and administrative changes, and to provide continued support during the National Action Plan development and implementation. Over the last few months GSX has focused on providing support to the 50 countries that are developing new National Action Plans this year, especially those doing so for the first time such as Sri Lanka, Cote D'Ivoire, Papua New Guinea and Australia.

In order to encourage more peer exchange the GSX team has helped create three sub-regional country networks: the Nordic country network (Denmark, Finland, Estonia, Norway, and Sweden); the East and South Europe network (Bulgaria, Moldova, Greece, Romania) and the Southern Cone network (Argentina, Chile, Uruguay and Paraguay). The feedback received so far has been very promising. The official level points of contact have been able to share their opportunities and challenges in more detail (unlike during the time pressurized regional or global summits) and there has been talk of developing bundled commitments in areas such as beneficial ownership and on implementing the Sustainable Development Goals. A Western Balkans and Central America network will soon be launched.

The upcoming regional OGP meetings in South Africa (May 5-6) and Uruguay (June 1-2) will both be further opportunities to share experiences, and each will be preceded by 'points of contact camps' where officials leading on OGP will work with the Support Unit on upcoming National Action Plans and implementation challenges.

## **3) Foster more engagement in OGP by a diverse group of civil society actors**

The Civil Society Engagement (CSE) team of the Support Unit continued to help civil society coalitions in OGP countries to engage in the national process, and encourage new actors to join those conversations. This has been especially useful for countries developing their first National Action Plans, and others like Greece, El Salvador and Mongolia, where civil society needed to be re-engaged. Further, as part of the strategy on broadening the base of actors at the national level, there has been significant outreach and engagement with international networks and coalitions. There are currently over 15 international networks exploring engagement in at least one OGP country developing a National Action Plan this year.

The CSE team hosted an annual civil society peer learning event in January to encourage sharing of tools and experiences that can help influential leaders improve their national-level OGP processes. The meeting, with leaders from 18 countries, also highlighted some of the challenges faced in achieving greater civil society engagement. OGP is frequently asked to update our guidelines on consultation, so that they reflect our collective aim of encouraging co-creation and collaboration in all three phases of

the National Action Plan cycle: development, implementation and monitoring. A proposal for these new guidelines is being discussed by the Criteria and Standards subcommittee in Cape Town. In addition, the CSE team will shortly publish a new manual on how to improve sustained dialogue on the OGP process between government and civil society organizations.

The recruitment of new civil society Steering Committee members has also been used to encourage greater civil society engagement in OGP, with a global, transparent and participatory search resulting in six candidates being selected from 47 nominations.

#### **4) Ensure that participating countries are held accountable for making progress towards achieving their OGP commitments**

This year the IRM has produced and published 35 reports, as well as its first “end of term reports” for Hungary, Finland, and Netherlands which assess commitments at the end of each two-year cycle. An additional eight end-of-term reports are also now under production.

The IRM and Support Unit staff have worked to ensure that researchers are supporting communications on OGP IRM reports, to raise the profile of the findings and enhance the likelihood of recommendations being taken into account in subsequent National Action Plans. This year we have seen seven events where the launch of the IRM report was used as an opportunity to launch consultations for the next National Action Plan; high level government participation (ministers and above) in six countries and significant [media coverage](#) of report launches.

The Support Unit and IRM team have just produced a new guide that showcases a selection of commitments from OGP action plans that the IRM awarded “star” status in its latest cycle of reports. They represent reforms that have potentially transformative impact on citizens in the country of implementation. Our goal is to update and regularly share new commitments that are awarded star status in subsequent IRM reports. By highlighting ambitious and innovative approaches to tackling major public policy challenges, we expect to be able to encourage a ‘race to the top’ among OGP countries. This report will be sent to all OGP participating countries, will be distributed at regional meetings and promoted on the OGP website.

#### **Support Unit and Independent Reporting Mechanism Institutional Health**

The Support Unit and IRM will soon welcome a new CEO, Sanjay Pradhan, after eight months of an interim management arrangement. The team has also expanded in other ways, including: two communications officers to support the communications director; two new members of staff based in Europe to support governments and civil society in the region with the largest number of OGP countries; a program officer focused on outreach to international NGOs and coalitions; and an events officer. We have also undertaken a website discovery project, to redevelop our website in a way that is consistent with OGP’s values of participation, transparency, promoting open data and using new technology effectively.

The OGP Support Unit and IRM remain in good financial health. The budget for 2016 is projected to be \$6.8M, although this will increase with the fourth Global Summit now planned for 2016. In 2015 25

governments made contributions totaling \$2.5M, exceeding our estimate for the first year of country contributions. Foundations continue to provide generous multi-year grants which are essential to OGP's financial stability. The incorporation of the OGP Support Unit and IRM as an independent non-profit is underway following Steering Committee approval, and is currently expected to conclude in the first quarter of 2017.

### **Conclusion: Future challenges, opportunities and topics for discussion in Cape Town**

The Steering Committee continues to be responsible for leadership of the partnership, and for setting a strong example to other participating governments and civil society organisations. In addition to this, the Steering Committee has specific expertise, and access to expertise within governments and civil society organizations, that can support OGP processes around the world, and which we need to be able to use and deploy more strategically.

We would like to use the Cape Town meeting to have a discussion on the overall state of the partnership, and then focus specifically on a number of challenges and opportunities.

### **Challenges:**

- The Steering Committee has talked in the past about bundled, or joint, ambitious commitments in National Action Plans but they have not yet materialised at any significant scale. How can our various resources be put to best use to achieve them? Could Steering Committee countries co-creating new plans this year agree to one bundled commitment?
- IRM reports continue to highlight the challenges of implementation of some of the most ambitious commitments. Is OGP equipped to address [some of the main reasons the IRM list](#) as reasons for failed implementation?
  - The form of the commitment is not clear and actionable
  - The commitment goes against national law, is contrary to what other government departments are doing or does not fit the economic/social context
  - There are no financial resources attached to implementing the commitment, or a lack of technical expertise
  - There is no internal coordination to ensure accountability within the government for implementation of OGP commitments, or the lead institution has no mandate to compel the implementing institution
  - The commitment lacks high level political support, or challenges powerful vested interests who do not want to see a commitment succeed
  - A change in political administration - or even civil service staff - removes the champions of a commitment
  - A commitment requires a change in law, which the executive branch proposes but is not passed by the parliament
  - A catastrophic event diverts attention and resources

- At the last Steering Committee meeting, members volunteered to buddy new or under-performing countries. In some cases this has had positive results, in others diplomatic support has not been sufficient to reboot the OGP process. What other types of outreach and assistance are needed in these cases?
- There continues to be a group of countries where the OGP process is weak, consultation is highly limited and commitments are unambitious. Should OGP accept some country processes will always be weak? How can the Steering Committee and Support Unit better assist these countries?
- It remains a challenge to broaden engagement in OGP within government to more departments/ministries, and outside government to a wider range of civil society groups. How can we broaden this network of reformers in the next five years?
- To enhance OGP's reach and impact we need stronger stories and demonstrations of the impact of open government. The Support Unit will invest resources in better understanding results and accounts of specific innovations, but would be interested in Steering Committee ideas and feedback about the kind of information and presentation of these that would be most useful. What are the types of stories and examples that inspire change?

#### Opportunities:

- Steering Committee leadership on thematic projects and policy areas can be extremely powerful. For example the subnational program was proposed at the Steering Committee, taken forward with the Support Unit assisting on design and implementation, and now has 15 strong pioneer local government members. To deepen OGP's impact there is a need for Steering Committee members to take leadership of more thematic topics, and focus efforts on helping other countries to make progress. This could include areas like open contracting, budgets, anti-corruption and citizen engagement. It would also see the Steering Committee take a more proactive role in helping the six OGP Working Groups to achieve their objectives of brokering peer exchange and technical assistance around specific topics.
- Steering Committee members have regularly raised international events and processes where OGP could be more prominently positioned, for example the Habitat III meetings, the World Economic Forum, and being embedded in the G7/G20 negotiations and communiques. This will require Steering Committee leadership and prioritisation.
- For Cape Town a number of Steering Committee members are preparing short 'pitches' for areas they will lead on. Some of these ideas are included in the background papers for the meeting. These include:
  - **Mexico:** Enhancing the impact of the declaration on open government for the 2030 agenda for sustainable development.
  - **Manish Bapna and France:** Increasing the number and quality of climate change linked OGP commitments.
  - **United States:** Accelerating digital government in OGP; OGP 'response corps'.



There will also be separate break out sessions on two topics:

- **Mukelani Dimba and Chile:** Deepening the role of legislatures.
- **Brazil, Georgia, UK, Transparency International and Open Society Foundations:**  
Enhancing anti-corruption commitments in OGP.

Other ideas for areas of Steering Committee leadership are strongly welcomed and will form part of the discussion in Cape Town.

## **Day 1 Supporting Documents**

### **Criteria and Standards Subcommittee: countries under review**

The Steering Committee will be asked to:

- 1) Consider an update, from the chair of the Criteria and Standards Subcommittee, or their designate, on the status of countries under review: Australia, Kenya, Malawi, Montenegro.
- 2) Consider and agree a resolution on the status of Turkey, which has been under review by the Criteria and Standards Subcommittee for acting contrary to OGP processes.
- 3) Consider and agree a resolution on Azerbaijan's status in OGP, following a review conducted under the Response Policy.

\* If the Steering Committee does not reach consensus on either of the resolutions proposed, then a vote will be called and the process set out in the voting protocol document will be followed.

## **Update on countries under review**

There are currently five participating countries under review: Australia, Kenya, Malawi, Montenegro, and Turkey.

### **Australia**

*Status: Under review*

Australia has not delivered a National Action Plan since they sent their letter of intent in May 2013. On November 24, the Support Unit received a [letter](#) from Prime Minister Malcolm Turnbull, that established that they would finalize Australia's participation in OGP by developing a National Action Plan to be delivered by July 1. The government of Australia has since appointed a point of contact, initiated extensive consultations and is currently on track to submit an action plan in advance of the July 1 date. Two members of the Support Unit traveled to Australia in mid-April to attend a national planning workshop on OGP and meet both government and civil society representatives. As of April 18, a new round of elections in Australia have been called for July 2, 2016.

### **Kenya**

*Status: Under review*

Kenya joined OGP in August 2011 and submitted their first national action plan in February 2012. Kenya's draft action plan was prepared by the Kenya Information and Communications Technology (ICT) Board, which is the agency under the Ministry of Information and Communications tasked with supporting Kenya's commitment to the Open Government Partnership. At the time of publication, the IRM noted that the government was unable to organize meaningful consultations and highlighted limited implementation of commitments. Since then, and particularly following the 2013 general election, which was marked by a change of administration, Kenyan participation in OGP flagged. Kenya failed to submit its second action plan in 2014 and 2015.

The OGP Support Unit has informed the government of Kenya that it acted contrary to OGP process through official letters in [November 2014](#), [November 2015](#) and [January 2016](#). Recently the Office of the Deputy President has taken ownership of OGP from the Ministry of Informations and Communications. Government officials attended the Global Summit in Mexico in October 2015 and expressed an interest in reinvigorating their participation in OGP. The Kenyan government named Dr. Korir Singoei, Head of Law and Policy at the Presidency, as high level Point of Contact. It has also established a multi-stakeholder Steering Committee to oversee the process with high level representatives from Civil Society, National Government, Parliament and the Council of Governors. The Committee is awaiting to be formalized, but has started working on Kenya's new NAP, which should be delivered on time.

### **Malawi**

*Status: review finalized*

Malawi joined OGP in July 2013. The Office of the President's Good Governance Unit is in charge of OGP. Malawi was unable to submit an action plan in 2014 and 2015. On April 1st, 2016 the Support Unit received the new Malawi [National Action Plan](#). Thus the review will be formally finalized in the next criteria and standards meeting.

## **Montenegro**

*Status: Under review*

Montenegro joined OGP in September 2011. Montenegro placed second in the first edition of the Open Government Awards in 2014, and following that they appointed an OGP team from the Prime Minister's office. However, they were unable to submit an action plan in 2014. Throughout 2015 they developed an action plan and made significant progress in formalizing a draft through a newly established national council on OGP (with both civil society and government participants). The council was dissolved in June 2015 after a court found it had been illegally established. It was reestablished shortly after with a very similar membership, but there has been a consistent risk of the government changing and this has stalled the work on OGP for the past six months.

The OGP Support Unit has informed the government of Montenegro that it acted contrary to OGP process through emails as well as through official letters in [November 2014](#), [November 2015](#) and [January 2016](#). The government has continued to actively participate in OGP conferences over this time (including the European PoC Conference, Western Balkans regional meeting, and Mexico Global Summit). Two government representatives joined the February 2016 Criteria and Standards meeting via videoconference to update the subcommittee on their efforts to complete an action plan with civil society. In this conversation and others, representatives from both civil society and government have consistently expressed the desire to keep working on the action plan, and they have reported recently that they are quite close to a final action plan, which is due by June 30, 2016.

## **Turkey**

*Status: Under review*

Turkey's participation has been under review by the OGP Criteria and Standards subcommittee after they were found acting contrary to the OGP process for two consecutive action plan cycles due to inactivity.

### **Briefing on decisions required on country inactivity: Turkey**

If a country, in two consecutive action plan cycles, is found to be acting contrary to OGP processes, the Criteria and Standards subcommittee will review the country's participation in OGP and may consider the use of the inactive status.

Turkey's participation has been under review by the OGP Criteria and Standards subcommittee since 2015, after they were found acting contrary to the OGP process for two consecutive action plan cycles. First, the 2014 IRM Report established that there was no progress made on implementing any of the commitments in Turkey's 2012-14 National Action Plan. Secondly, the government failed to produce its second National Action Plan in either 2014 or 2015.

During the February 2016 meeting, CS discussed Turkey's participation in OGP. Turkey does not currently have an assigned lead ministry or official point of contact despite CS's repeated attempts over many months to engage the government of Turkey. The subcommittee agreed to ask the OGP co-chairs and other Steering Committee members to conduct political and diplomatic outreach to Turkey to encourage them to reengage in OGP prior to the Ministerial-level Steering Committee meeting in South Africa on May 3-4th, 2016. If no response was received before the Steering Committee meeting, CS unanimously agreed that its recommendation to the full Steering Committee was that Turkey should be considered inactive.

**The Steering Committee will be asked to vote on the recommendation from the Criteria and Standards subcommittee, that Turkey be moved to inactive status, as a result of a review conducted under OGP's Articles of Governance, unless new evidence is provided that the government of Turkey intends to fully participate in OGP. This recommendation was initially circulated to the full Steering Committee on March 9, 2016. A draft resolution will be proposed in time for the meeting.**

Inactive status is not the same as expelling a country from OGP, as discussed below. The primary aim of OGP is to provide maximum support to country reformers in designing and implementing NAPs. The proposal on inactivity ensures this principle is maintained, as an inactive country will have full continuing support from OGP's institutions for one year, if the government chooses to accept it.

If the Steering Committee votes against placing the government of Turkey in inactive status:

- Steering Committee members will be asked to urgently engage diplomatically with the government of Turkey so a Minister and Point of Contact are named.
- Turkey would remain under CS review until a second National Action Plan is published with evidence of civil society input.
- The Support Unit will remain ready to provide assistance to the government of Turkey and help during the development of the National Action Plan.

If the Steering Committee votes to place Turkey in inactive status:

- OGP Steering Committee members should continue to engage diplomatically with Turkey to encourage re-engagement.
- The Support Unit will remain ready to provide assistance to the government of Turkey and help during the development of the National Action Plan. The Support Unit would be available to broker support from peers or Working Groups.
- Turkey will not be eligible to vote in Steering Committee elections, will not be invited to participate in OGP events, and will not be asked to pay country dues.
- During the period in which Turkey is inactive, the country's inactivity will be noted on the OGP website and public information materials, where appropriate (e.g. in a list of participating OGP countries).

According to the agreed rules, in order to become active again, the government of Turkey would have to either:

1. Publish a National Action Plan, developed with the engagement of citizens and civil society.
2. Work with the Criteria and Standards Subcommittee and the Support Unit to set a clear timeline to start a new action plan cycle and re-engage with civil society for producing the new National Action Plan.

If a country remains inactive for a period of one year without stating that it wants to continue as a participant in OGP, and in the case of repeated violations of OGP processes fails to produce a National Action Plan or timeline for a new action plan cycle, the Support Unit will inform the Criteria and Standards Subcommittee of the situation. The subcommittee will then recommend to the Steering Committee that the SU moves the country off the inactive status list and is no longer listed as part of OGP. The Support Unit will send a letter to the country informing them about this procedure. If at any stage of the inactivity process a country indicates they are withdrawing from OGP unilaterally, then the Support Unit will inform the Steering Committee and move the country off the inactive status list and no longer list the country as part of OGP.

List of supporting documents:

1. Background paper on Turkey's participation in OGP

### **Briefing on decisions required on country inactivity: Azerbaijan**

In September 2014, the OGP Steering Committee (SC) adopted the Policy on Upholding the Values and Principles of the OGP (otherwise known as the “Response Policy”) to deal with concerns raised about civic space in participation countries. It has two tightly defined objectives: a) assist the country in question to overcome difficulties and to help re-establish an environment for government and civil society collaboration, and b) safeguard the Open Government Declaration and mitigate reputational risks to OGP.

Under the terms of the OGP Response Policy, on March 2, 2015, the OGP Steering Committee received a letter of complaint from CIVICUS, Publish What You Pay, and Article 19 regarding the threats they perceived civil society faced in Azerbaijan, and the way those alleged threats affected civil society’s ability to engage effectively in the OGP process. The letter raised concerns about five issues: government control over registration and operations of NGOs; government control over NGO finances; harassment of civil society; initiation of criminal and tax cases; and consultation failures. This complaint triggered Azerbaijan’s review under the Response Policy.

After a thorough review of the claims made in the original letter, the Criteria and Standards subcommittee (CS) generated a report informed by credible third-party analysis of the situation in the country. Based on this research and analysis, the subcommittee deemed the concern relevant, accurate, and an immediate and real threat to OGP’s credibility. This triggered a set of ‘Stage 1’ actions under the Response Policy. As part of these Stage 1 actions under the Response Policy, CS developed a set of five specific recommendations for the government of Azerbaijan to meaningfully address the concerns:

1. **Timeline for the next National Action Plan.** CS requested that the government of Azerbaijan submit its new plan by December 30th 2015 (eventually extended by CS to January 31<sup>st</sup> 2016), to begin implementation on January 1st 2016. The recommendation called for an action plan that is 18 months in length, ending in June 2017.
2. **Consultation with civil society.** The government of Azerbaijan was asked to meaningfully consult with civil society organizations and citizens in the creation of its new action plan according to OGP requirements.
3. **Peer exchange and technical support.** CS members offered to share lessons learned from their respective NGO cooperation work.
4. **Commitments to improve the operating environment for civil society.** CS requested that the government of Azerbaijan consider including commitments in the new action plan that specifically address the functioning of the Law on Grants, Law on Non-Governmental Organizations, Law on Registration of Legal Entities and State Registry, and the Code on Administrative Offenses.



5. **Working with the OGP Steering Committee.** CS invited the Government of Azerbaijan to participate in a teleconference in August 2015 to discuss the consultation process and be available for on-going support throughout the new action plan development process.

From July 2015 to January 2016 the CS and the Support Unit engaged with the government of Azerbaijan in order to support them in addressing these recommendations. Nevertheless, during their February 2016 meeting, CS came to the unanimous conclusion that the government of Azerbaijan had not effectively addressed all of the recommendations or meaningfully addressed all of the issues raised in the original complaint, despite progress on some issues such as a stronger NAP consultation process. CS unanimously decided to bring the issue to the full Steering Committee on May 3-4, 2016.

The Response Policy states that if the stage 1 interventions fail to have the desired impact, or the situation does not improve within three months, the CS is to recommend to the full OGP Steering Committee that one of the following stage 2 actions take place:

1. Recommend that the OGP co-chairs invite the government principal to attend a special session of the Steering Committee to discuss the situation and consequences for the country's participation in OGP.
2. Recommend the OGP co-chairs author a letter to the country informing them they are to be temporarily listed as inactive in OGP until the concern is resolved.

In the case of Azerbaijan, CS resolved to recommend that the OGP Steering Committee consider that the appropriate stage 2 action is for the country to be listed as inactive in OGP.

**The Steering Committee will be asked to decide on the recommendation from the Criteria and Standards subcommittee (by official vote unless there is clear consensus), that Azerbaijan be moved to inactive status, as a result of the review conducted under the OGP Response Policy. This recommendation was initially circulated to the full Steering Committee on March 9, 2016. A draft resolution will be proposed in time for the May Steering Committee meeting.**

Inactive status is not the same as expelling a country from OGP, as discussed below. The primary aim of OGP is to provide maximum support to country reformers in designing and implementing NAPs. The proposal on inactivity ensures this principle is maintained, as an inactive country will have full continuing support from OGP's institutions for one year to address the concerns the Criteria and Standards subcommittee found to be incompatible with OGP's values and principles, as outlined in the Open Government Declaration and Articles of Governance.

If the Steering Committee votes against placing the government of Azerbaijan in inactive status:

- This decision will be publicly communicated to the original civil society filers and the government of Azerbaijan.

- A new procedure will need to be established by the Steering Committee given that the Response Policy currently has no provision to close a review process unless there is CS agreement that the original concerns have been addressed.

If the Steering Committee votes to place the government of Azerbaijan in inactive status:

- The government of Azerbaijan will have a period of one year to show clear evidence that the original concerns have been addressed. This one-year remediation policy was agreed in the April 2015 Ministerial Level Steering Committee Meeting held in Mexico City .
- If at any point during that year CS determines that all of the original concerns have been addressed by the government of Azerbaijan, it may recommend to the full Steering Committee that the country be placed back in active status immediately.
- During the inactive year Azerbaijan would continue to receive Steering Committee and Support Unit assistance, including from Working Groups and peer exchange visits. While this continued offer of assistance during the inactive year is not spelled out specifically in any of OGP's rules or protocols, CS believes it prudent and appropriate to maintain these offers of technical assistance during the inactive year.
- During the inactive year, the government of Azerbaijan would be able to submit a National Action Plan as evidence of progress made, and would be advised to develop ambitious new commitments in order to address all the original CS recommendations, particularly around the civil society operating environment.
- No new recommendations or requirements for reactivation would be made to the government of Azerbaijan by CS or the Steering Committee during the inactive year to avoid "moving the goal posts." While this approach is not directly spelled out in OGP's existing rules and protocols, CS believes it is an appropriate and fair approach.
- During the period in which Azerbaijan is inactive, the country will not be eligible to vote in Steering Committee elections, will not be invited to participate in OGP events, and will not be asked to pay country dues.
- During the period in which Azerbaijan is inactive, the country's inactivity will be noted on the OGP website and public information materials, where appropriate (e.g. in a list of participating OGP countries).

Under the OGP Response Policy, the inactive status of an OGP participating country - if designated as such by the full Steering Committee - lasts until the concerns raised in the original complaint letter are resolved, up to a maximum of one year (note: this rule derives from the original Response Policy as well as the Steering Committee decision on inactivity agreed on April 23, 2015). To ascertain that steps were taken to remedy the situation that triggered the Response Policy, the government in question would have to undergo a new Criteria and Standards Subcommittee review process. Specifically in this case, "the concerns raised in the original letter" are reflected in the areas highlighted in the subcommittee's recommendations to the government. These areas (described above) would need to be adequately addressed for CS to recommend to the Steering Committee that the government's active status be restored.

If a country remains inactive for a period of more than one year without stating that it wants to continue as a participant in OGP, and in the case of a Response Policy case failing to satisfactorily resolve outstanding issues of concern, the Support Unit will inform the Criteria and Standards Subcommittee of the situation. The subcommittee will then recommend to the Steering Committee that the SU moves the country off the inactive status list and is no longer listed as part of OGP. The Support Unit will send a letter to the country informing them about this procedure. If at any stage of the inactivity process a country indicates they are withdrawing from OGP unilaterally, then the Support Unit will inform the Steering Committee and move the country off the inactive status list and no longer list the country as part of OGP.

List of supporting documents:

1. Final Report on Concerns Filed on Azerbaijan
2. Criteria and Standards Subcommittee resolution on Azerbaijan
3. Government of Azerbaijan April 15 update
4. Report of the Lead Chair of the Open Government Partnership (OGP) Steering Committee on the official visit to Baku Azerbaijan.

### **Rules regarding inactivity**

*During their Ministerial level April 2015 Mexico City meeting, the Steering Committee approved rules regarding inactivity for OGP participating countries. The following is a brief summary to inform the discussions on Turkey and Azerbaijan.*

#### **Circumstances that may render a country inactive:**

**1. If a country, in two consecutive action plan cycles, is found to be acting contrary to OGP process and its action plan commitments, and fails to adequately address issues raised by the IRM.**

The Criteria and Standards subcommittee may consider the use of the inactive status if they are required to review a country's participation in OGP because said country is found to be acting contrary to OGP process for two consecutive action plan cycles.

Currently, a country can be considered to have acted against OGP process in the following situations:

- The country does not publish a National Action Plan within 4 months of the due date;
- The National Action Plan was developed with neither online or offline engagements with citizens and civil society;
- The self-assessment report is not submitted within 4 months of the due date;
- The country refuses to engage with the IRM researcher in charge of the country's mid-term progress report and end-of-term reports;
- The IRM report establishes that there was no progress made on implementing any of the commitments in the country's National Action Plan.

The review of the country's participation in OGP will be conducted by the Criteria and Standards Subcommittee if any of those situations occur in two consecutive action plan cycles. For example, the country refuses to engage with the IRM researcher in one cycle, and, in the subsequent cycle, does not publish its action plan within 4 months of the due date.

**2. If, under the terms of the OGP Response Policy, the Steering Committee recommend moving a country to inactive status**

Under stage 2 interventions considered in the OGP Response Policy there is the following option: “Recommend the OGP co-chairs author a letter to the country informing them they are to be temporarily listed as inactive in OGP until the concern is resolved”.

**Circumstances that may reactivate a country’s participation in OGP.**

If a country is under review, or designated inactive as a result of acting contrary to OGP process, it would become active again in the following circumstances:

- They publish a National Action Plan, developed with the engagement of citizens and civil society.
- They work with the Criteria and Standards Subcommittee and the Support Unit to set a clear timeline to start a new action plan cycle and re-engage with civil society for producing the new National Action Plan.

Under the OGP Response Policy, the inactive status of an OGP participating country - if designated as such by the full Steering Committee - lasts until the concerns raised in the original complaint letter are resolved. To ascertain that steps were taken to remedy the situation that triggered the Response Policy, the government in question would have to undergo a new Criteria and Standards Subcommittee review process. Specifically, the areas highlighted in the subcommittee’s recommendations would need to be adequately addressed for the group to recommend to the Steering Committee that the government’s active status be restored.

**Circumstances that may remove a country from participating status**

If a country remains inactive for a period of more than one year without stating that it wants to continue as a participant in OGP, and in the case of a Response Policy case failing to satisfactorily resolve outstanding issues of concern, the Support Unit will inform the Criteria and Standards Subcommittee of the situation. The subcommittee will then recommend to the Steering Committee that the SU moves the country off the inactive status list and is no longer listed as part of OGP. The Support Unit will send a letter to the country informing them about this procedure. If at any stage of the inactivity process a country indicates they are withdrawing from OGP unilaterally, then the Support Unit will inform the Steering Committee and move the country off the inactive status list and no longer list the country as part of OGP.

## Subnational government pilot

On April 13, 2016, OGP announced the cohort of subnational governments that had been selected to be in the pioneers' tier of the pilot program. We received 45 applications for this program (24 from the Americas, 14 from Europe, 4 from Asia and 3 from Africa) and the final cohort represents a huge diversity of interest, with good regional balance and a variety of different approaches to open government. Many more have expressed an interest in being involved as part of a wider network of reformers working in and around subnational governments.

Governments chosen for the subnational pilot pioneers' tier are: Austin, US; Buenos Aires, Argentina; Jalisco, Mexico; La Libertad, Peru; Ontario, Canada; Sao Paulo, Brazil; Eggeyo-Marakwet County, Kenya; Kigoma Municipality, Tanzania; Sekondi-Takoradi, Ghana; Madrid, Spain; Paris, France; Scotland, UK; Bojonegoro, Indonesia; Seoul, Korea and Tbilisi, Georgia.

These 15 subnational governments will be working with civil society organisations to develop their own, specific commitments to open government in action plans. They are being asked to limit the number of commitments they are developing to five, to ensure a greater chance of focused, ambitious areas for reform, and to make sure that the IRM has the capacity to evaluate them. Subnational action plans are due to be launched by December, at the OGP Paris Summit, and will be implemented over the course of 2017. The IRM will assess them at the end of that period and produce end of term reports in early 2018.

The objectives of the pilot program, as agreed by the Steering Committee last year, are to:

- Foster more diverse political leadership and commitment from different levels of government to OGP and to hold governments accountable at a local level, where many citizens are directly accessing services and information.
- Learn how OGP can best support subnational governments in making their regions more open, accountable and responsive to their citizens and determine the best structure for subnational participation in OGP.
- Discover and promote new and innovative open government techniques and practices emerging at the subnational level around the world.
- Create practical opportunities for subnational governments to learn from each other, share experiences, and build upon the open government work of their counterparts.
- Support and empower subnational government reformers with technical expertise and inspiration and create the right conditions and incentives for them to make concrete commitments to open government.
- Broaden and deepen participation of civil society organizations in OGP.

To achieve all of these, we are also creating a 'leaders' tier' of subnational governments, civil society organisations, academia and others. The governments that applied for the pioneers' tier, but were not selected, will automatically become part of this network, and other governments and civil society organisations have explicitly expressed interest in this. They will be invited to participate in learning and network events, such as global and regional OGP summits, and OGP will create opportunities for ongoing interaction and work between them. They will be encouraged to work with their national governments to develop and include subnational commitments in their respective national action plans. We hope that this will result in an increase in the number of subnational open government commitments in national action plans by the end of the pilot period.

This approach allows us to test two methods for strengthening OGP engagement at the subnational level: first, developing specific subnational commitments on open government using OGP's existing

model and support structure; and second, building a global network of subnational governments to foster peer learning and encourage closer involvement with national action plans.

### **OGP timeline**

May 31-June 2: Americas regional meeting in Montevideo, Uruguay, where we will work with pilot participants from the region to organise a specific session on subnational government and provide the opportunity for them to meet each other.

Summer 2016: in person workshop with the pioneers' tier.

December 2016: pioneers' tier subnational action plans due; subnational government side event at the OGP Paris Summit.

December 2017: end of subnational action plan implementation, preliminary IRM findings will be available.

April 2018: final IRM end of term reports will be published.

**During the Steering Committee meeting, members of the subnational task force, who have been closely involved in the development and launch of this pilot, will provide more information about the participants and emerging opportunities for OGP. Steering Committee members will be asked to respond to a couple of questions:**

- How can Steering Committee leadership support the participation of subnational governments as OGP pioneers? Particularly in countries where a subnational government has been selected for the pilot, we would be interested in ideas and feedback about how to make sure their participation is as constructive as possible, and that we learn as much as we can about the benefits of this approach.
- There is a huge amount of energy, ideas and opportunity to make the leaders' tier of the pilot a really engaged network of new people in OGP and we need to think about how to support it. One idea is that Steering Committee members take responsibility for championing broader subnational participation in their National Action Plans (both for governments and for civil society members) - for example in Mexico, where a lot of applications came from, the national government team will work with interested partners to capitalise on that enthusiasm and use OGP as a way of engaging many more subnational governments in open government reform. We would be interested in feedback about how feasible this is in other countries, and other ideas about ways the Steering Committee can support this.



**Manuela Carmena**  
@ManuelaCarmena



Feliz de anunciar que [@Madrid](#) ha sido elegida para participar en este programa internacional de gobierno abierto:

**Open Gov Partnership** @opengovpart

We are thrilled to announce 15 local govts that are part of our subnat pilot program! Read our newsletter to see who: [eepurl.com/bWe0fD](http://eepurl.com/bWe0fD)

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**Austin Daily News**  
@austindailynews



City of Austin chosen to join international Open Government Partnership as Pioneer City: The City of Austin is the... [m.tbnn.it/L3WMg1](http://m.tbnn.it/L3WMg1)

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5:28 PM - 14 Apr 2016



**David Gómez Álvarez**  
@GomezAlvarezD



So proud and committed! [#Jalisco](#), México, selected for the subnational pilot program [@opengovpart](#) [@GobiernoJalisco](#) [@GobAbierto\\_MX](#) [@gobrep](#)

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**Anne Hidalgo**  
@Anne\_Hidalgo



Fièvre d'annoncer que [@Paris](#) est l'une des premières villes à intégrer l'[@opengovpart](#) ! [opengovpartnership.org/blog/ogp-webma...](http://opengovpartnership.org/blog/ogp-webma...) [#OpenGov](#) [#Democratie](#)

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**UK Open Gov Network**  
@OpenGovUK



[#Scotland](#) has been selected to be an [@opengovpart](#) subnational pilot. [@ruchirlives](#) explains all here >> [opengovernment.org.uk/2016/04/13/sco...](http://opengovernment.org.uk/2016/04/13/sco...)

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11:52 AM - 13 Apr 2016



**Rudi Borrmann**  
@DonRudi



:) La Ciudad de Buenos Aires seleccionada para el programa piloto subnacional de [@opengovpart](#). [opengovpartnership.org/node/9079](http://opengovpartnership.org/node/9079) [#GobiernoAbierto](#)

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**Kerry O'Connor**  
@kerry\_atx



Psyched for [@austintexasgov](#) to be chosen as a Pioneer in the Open Gov Partnership! [@openaustin](#) [@opengovpart](#) [opengovpartnership.org/blog/ogp-webma...](http://opengovpartnership.org/blog/ogp-webma...)

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**OpenGov Indonesia**  
@OpenGovIndo



Sebagai daerah percontohan terpilih, [@pemkab\\_bjn](#) bersama dengan 13 daerah terpilih lainnya akan dipandu oleh Sekretariat [@opengovpart](#)

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1:02 PM - 13 Apr 2016



**Georg Neumann**  
@georg\_neu



An exciting and diverse group of 15 cities for a subnational [#opengov](#) test bed [opengovpartnership.org/blog/ogp-webma...](http://opengovpartnership.org/blog/ogp-webma...) [@opengovpart](#) [@kittyvonbertele](#)

7:37 PM - 13 Apr 2016



**Muchiri Nyaggah**  
@muchiri



Elgeyo-Marakwet County one of the 15 pilot sub-national governments [@opengovpart](#) is working with in a pilot. [opengovpartnership.org/node/8987](http://opengovpartnership.org/node/8987)

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**Fernanda Campagnucci**  
@frcampe



São Paulo na OGP, reconhecimento internacional \o/ Gov e soc vão transformar o governo aberto em política de Estado

Joe Powell @josephpowell

Exciting @opengovpart day. We've selected 15 local govts from 15 countries to join a pilot programme - find out who: [opengovpartnership.org/blog/ogp-webma...](http://opengovpartnership.org/blog/ogp-webma...)

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4:07 PM - 13 Apr 2016



**IRM Highlights 2015-2016**  
**OGP Steering Committee | 3 May 2016 | Cape Town, South Africa**

A representative from the International Experts' Panel (IEP) - Hazel Feigenblatt - and the IRM team will provide an update on report launches this year and progress since the last meeting. Steering Committee members will be asked to respond and provide feedback, and address four strategic questions:

- **Ambition:** How do we make sure governments know how to formulate ambitious commitments, and that these commitments are part of OGP, even if they are connected to larger strategies?
- **Records management and presentation:** How can governments do to keep better records and track information and data on action plan progress?
- **What products would you like to see the IRM putting out in 2020? What products would you create to deepen the IRM's impact in OGP? How can the IRM better support outside parties who want to conduct research on OGP?**
- **High political involvement:** How do we better integrate launches with high-level political involvement? What do ministers need to know?

## **Background**

Researcher training and recruitment:

In 63 of OGP's 69 participating countries, the IRM has active researchers gathering information on the OGP process and the implementation of commitments. In June of 2016, the IRM will be gathering the best researchers for a workshop and training in Madrid. This training will give researchers the opportunity to share experiences, teach one another about major topics in transparency, and improve critical skills for the reporting process.

Report production:

The IRM published 19 reports in 2015 and 35 in 2016. These reports covered some of the newest countries in OGP as well as the founding members.

With the shift to the two-year OGP calendar, the IRM published its first "end of term reports" for Hungary, Finland, and Netherlands which assess commitments at the end of each two-year cycle. An additional eight end-of-term reports are also now under production.

Research method:

The IRM is constantly seeking to improve its research method for research to gather more stakeholder voices and to paint a better picture of the level of implementation in the country. A few highlights:

- **Improving readability:** With much of the basic method now in place, the IRM researchers and staff have had more time to focus on readability of reports. As a group, much work has been

done to simplify presentation and make reports more readable and scannable by the interested policy professional.

- **Starred commitments:** The IRM has doubled down on its efforts to identify starred commitments. A tighter process for identification allows OGP stakeholders reading IRM reports to be able to really find the exemplary commitments.
- **Outcomes tracking:** We often do not know how much government behavior changed at the end of a national action plan. The IRM is now tracking actual changes in government openness practice as a result of commitments. These will be included in the End of Term Reports for the first time and will give insight how OGP is making a difference.
- **SMART recommendations:** Following the 2015 Criteria and Standards resolutions on tracking , the IRM has been working to develop clearly trackable measurable recommendations. That will give the IRM the capacity to track how many governments respond to the IRM recommendations.

Publicity and communications:

The IRM team, in concert with the OGP Support Unit, works to support IRM researchers in promoting their findings in order to improve the action planning process.

As part of a major new effort, the IRM and Support Unit staff have worked to ensure that researchers have robust communications on OGP IRM reports. Highlights include:

- In person launches integrated into action plan consultations: Ukraine, Greece, Chile, Uruguay, Spain, Romania, Serbia
- Major media coverage in: New Zealand, Tunisia
- High level government participation in: Tunisia, Ukraine, Greece, Guatemala, El Salvador, Romania.

IRM staff have tracked report launches in each country to support researcher outreach. In 2015, 88% of reports had launches.

Data release, data analysis, and support for external research:

The IRM will published the data for all of the new reports coming out this year in the coming months. Perhaps more importantly, there has been a massive uptick in the requests for assistance on analysis. In addition to government and steering committee requests, more than 10 papers were written using data from the IRM including papers on topics such as: freedom of information reform; fiscal transparency; policy scope of action plans; sustainable development goals; and multistakeholder forum effectiveness. The IRM maintains an open door policy for any individual wishing to use the IRM data.

The IRM will publish all updated data in the coming months. In addition, in 2016, the IRM staff will support or author technical papers on the following topics:

- Updated Synthesis/Technical Paper on the State of OGP Action Plans
- Why Commitments Fail
- Corruption Commitments in OGP (with Transparency International)
- Civic Space commitments in OGP (with International Center for Nonprofit Law)
- Analysis of Uptake of IRM recommendations

International Expert Panel:

The IRM's supervisory and quality control body, the International Experts' Panel shifted this year with five new [members](#) who took over steering the IRM this year. The advertisement for a new members ran until the end of April.

While each member of the IEP is responsible for reports, new IEP members have organized other work into four "task forces" which will make recommendations to the larger group and will be empowered to make quicker decisions. These task forces are:

- Ethics: Responsible for hiring, firing, and conflicts of interest
- Methods: Responsible for updating and development of IRM method
- Strategy (Ad hoc): Work on medium term planning for the IRM
- Communications (not yet working): to focus on improving uptake of the IRM.

Notes for the most recent IEP meeting can be found [here](#). Topics included Subnational Government Action Plans, ongoing recruitment for the IEP, and continued development of End of Action Plan reporting.

## **Day 2 Supporting Documents**

## **Memorandum for the Open Government Partnership Steering Committee**

**Date:** April 18, 2016

**Re:** Accelerating Digital Government as part of OGP

Modern governments are increasingly engaging with the tech and innovation sectors to provide better, citizen-centered services; help the public engage with their governments in new and meaningful ways; and solve complex challenges through the use of new technologies and forms of collaboration. Increasing access to new technologies and leveraging them to empower people and promote transparency is a fundamental part of the Open Government Declaration, which all OGP governments endorse. There is a robust civic tech track in OGP leading discussions of how governments and civil society can work together to achieve these goals but more that OGP could do to turn these discussions into action.

### **Peer Exchange and Learning**

OGP could make space at its Summits, and as part of, or adjacent to, Steering Committee Meetings and Regional Meetings, for more hands-on, workshop-style collaboration where teams work together to solve some of our most pressing problems such as access to justice, eliminating poverty, releasing climate data, or other SDG topics; applying data science to policy challenges; increasing opportunity for young people through education and entrepreneurship; and increasing connectivity around the world.

Participants would be tech-focused, such as engineers, developers, designers, and data scientists, with input from policymakers and subject-matter experts. The primary goal of this type of exchange would be to work together to create shared solutions or strategies, with a secondary goal of facilitating collaboration and making connections. Holding these opportunities at Summits would also draw in non-technical colleagues to learn more about how their technical teammates are working. When this work could be held adjacent to Steering Committee and Regional Meetings, it would encourage high-level awareness of opportunities for cross-collaboration with technical teams to solve policy challenges.

### **Ongoing Collaboration**

Involving more of digital expertise in OGP could also lead to more one-off or ad hoc opportunities for collaboration, either in person or online. By increasing awareness and facilitating opportunities for collaboration and exchange, colleagues would be better positioned to work together, for example, to adapt one country's tool or platform for use in another country.

### **Upgrading OGP**

The OGP Support Unit could also benefit from increasing digital capacity in its leadership. Technical teammates are crucial to help shape decisions in a modern world. Additionally, central tech leadership could drive the Support Unit to offer more modern ways of working with governments and civil societies, for example, by providing open source NAP templates or dashboards that could be easily adapted for websites and having technical staff who could upgrade OGP's own website. That leadership could also manage the proposed "Surge Fellows" pilot program and other tech and innovation efforts.

**MEMORANDUM FOR THE OPEN GOVERNMENT PARTNERSHIP  
STEERING COMMITTEE**

**Date:** April 18, 2016

**Re:** Proposed “Surge Response Corps” pilot program for the Open Government Partnership

The Steering Committee is asked to consider and discuss this proposal, on enhancing OGP’s capacity to provide technical support, and address the following questions:

- 1) Does this proposal address the gaps that OGP is seeing in governments’ ability to implement ambitious commitments?
- 2) What recruitment and management approaches would be most appropriate?
- 3) Which of the funding models set out below is the most appropriate, and what kind of support are members willing to provide?

**Overview**

Many of the more than 2,000 commitments in OGP National Action Plans (NAPs) involve ambitious goals where governments intend to go much further than they previously have on policies, projects, or initiatives. Often these commitments are not fully implemented because governments may not have the expertise, resources, or technical capacity to do. An OGP “Surge Response Corps” program could create a pool of subject-matter experts, innovators, and tech entrepreneurs who could be deployed for limited engagements with or in OGP countries to work with governments and civil society leaders on specific open government projects. They could help identify, create and launch meaningful solutions that can help save lives and taxpayer money, fuel job creation and significantly improve how governments serve and engage with the public.

**The Fellows**

Modeled after the U.S. Presidential Innovation Fellows program, an OGP Surge Response Corps would recruit top talent from the public and private sectors across the globe to serve in fixed term fellowships (e.g., six months or two years); alternatively, the Corps members could be based in their places of residence, and deploy on an as-needed basis. Fellows could include executives, entrepreneurs, technologists, or other proven leaders who have executed major projects or are subject matter experts. They would be deployed either individually or as cross-functional teams to partner with governments for limited durations to work on a specific project matching their skills with that government’s needs. Further details regarding the management and administration of the program would depend upon resources and OGP member decisions.

**The Projects**

Countries would be required to work with the OGP Support Unit to develop detailed project proposals for consideration, which would help match them with a fellow. This would include a thorough description of the project, including any progress made or challenges identified to date; skills and resources anticipated; the expected time it would take to launch the project; and a description of how

the government will continue supporting a project after the OGP Fellow concludes engagement, including resources and other support as required.

### **The Funding**

Models for OGP to consider could include 1) a cost-reimbursable model where countries fund fellows for their specific projects; 2) OGP could fund the fellows through identified existing funds; 3) OGP could establish a new facility for donations solicited specifically for Surge Response Corps effort; and/or 4) OGP could establish a roster or network of potential Surge Response Corps from OGP countries, partner organizations or other supporters and establish agreements with the organizations or governments to cover the cost of the Surge Corps.

## **OGP and the SDGs: Building on the declaration on open government for the 2030 Agenda for Sustainable Development**

At the 70th United Nations General Assembly, the OGP Steering Committee adopted a joint declaration on open government for the implementation of the 2030 agenda for sustainable development. Currently, 50 governments and more than 90 civil society organisations have endorsed this declaration. The Steering Committee now needs to make sure that the adoption of the declaration leads to the development of specific commitments in OGP National Action Plans.

### **What was the rationale for the declaration?<sup>1</sup>**

The 2030 Agenda incorporates OGP principles of transparency, civic participation, accountable public institutions, and technological innovation in three ways: directly, through goals and targets that specifically focus on open government; indirectly, recognizing that these principles are crucial to achieving a much broader range of sustainable development goals and targets, by linking advances in transparency and open government more directly to progress in the lives of poor people; and in implementation, specifically in the design of the 2030 Agenda's monitoring and review mechanisms.

First, open government principles are explicitly addressed in Goal 16, which aims to “build effective, accountable and inclusive institutions at all levels,” and in other targets across other goals. These targets provide some of the most specific language on what governments and their citizens need to do to advance open government specifically and good governance more broadly. They are especially valuable for the connection between OGP and SDGs as they cement the importance of open, responsive government as an end in itself.

Second, the principles of open government are embedded across numerous SDGs where transparency, public participation, and accountable public institutions are instrumental to achieving a particular target. For example, goals related to income poverty, water, education, energy, and cities all include targets for the provision of public services and universal access to these services. Open government is often an essential element of high quality and universal service provision. Services from education to infrastructure, which are indispensable for poverty eradication, are strengthened by citizen input and oversight. Similarly, professional integrity is essential to public management, and new technologies can help improve transparency and deliver services more efficiently. The connection between OGP and the SDGs in improving the lives of poor and vulnerable communities through improving access to services and decreasing poverty is sometimes underplayed and is one of the areas where OGP has made less visible progress relative to transparency and participation. A stronger link between OGP and the SDGs might help to sharpen the focus and performance of OGP on these metrics. This is not to argue for less emphasis on open government and related transparency goals, but for more attention to the goals of both initiatives that pertain to quality of life, and an acknowledgment of what the SDGs might help to bring out more explicitly in OGP.

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<sup>1</sup> This text is taken from ‘How can the Open Government Partnership accelerate implementation of the 2030 agenda?’ by Manish Bapna, Alejandra Lagunes, Mark Robinson and Sonya Suter  
[http://www.opengovpartnership.org/sites/default/files/OGP\\_SDGs\\_ReportV3\\_OnlineVersion.pdf](http://www.opengovpartnership.org/sites/default/files/OGP_SDGs_ReportV3_OnlineVersion.pdf)



Third, implementation of the 2030 Agenda rests on core OGP principles. The 2030 Agenda calls for follow-up and review processes that are “open, inclusive, participatory and transparent for all people and [that] will support the reporting by all relevant stakeholders.” At the national level, it calls on countries to conduct regular evaluations of progress against the goals and targets and incorporate input from all stakeholders. The UN High Level Political Forum encourages countries to participate in reviews at the global level, along with civil society and the private sector. To ensure that data and analysis informs policy design and investment flows, the 2030 Agenda intends to “exploit the contribution to be made by a wide range of data, including earth observation and geospatial information.” By promoting more open, inclusive, and participatory decision-making, OGP can help create the right enabling environment for successful implementation of the SDGs.

### **Steering Committee role**

At the last Steering Committee meeting in October, a number of members (the governments of Mexico and the US, Manish Bapna and Julie McCarthy) volunteered to develop an implementation plan for linking OGP and the SDGs. This note provides an update on things that have happened so far and expands on some specific ideas presented at the October meeting. It proposes a timeline for Steering Committee members to help achieve specific commitments and a demonstration of OGP’s value for the sustainable development agenda, by the September UNGA event.

In order to achieve the commitments that governments endorsed in the joint declaration and to demonstrate how OGP can use its platform and mix of government and civil society leadership to have an impact on this agenda, the Steering Committee will be asked for feedback on these activities, and on a number of questions:

- What examples can Steering Committee members provide about things they have done so far, or commitments they are developing, that will promote the role of open government in the implementation of the SDGs?
- How can OGP maximise its strong civil society and government leadership to achieve specific commitments in National Action Plans, that will support the implementation of the SDGs?
- What does the Steering Committee want to be able to demonstrate at the UNGA event in September 2016?
- What other high level processes and/or initiatives should OGP try to partner with in order to promote open and accountable implementation of the SDGs?
- How do we use the many SDG linked sessions in the Africa Regional Meeting to gather more support for this agenda?

### **Background**

Actions so far:

1. A special edition of the Open Government Guide was launched at the Global Summit in Mexico. The guide is a resource for governments and civil society and provides practical ideas for commitments that address the 17 Sustainable Development Goals (SDGs).

2. The Support Unit wrote to OGP ministers welcoming their endorsement of the declaration and encouraging commitments to advance SDGs in new action plans. The SDGs-edition of the Open Government Guide was sent to all government contacts to help them think of commitments to include in their action plans.
3. The Support Unit is working directly to POCs developing new action plans to encourage relevant commitments in action plans and connecting them with resources and support where needed.
4. The Support Unit held planning sessions with key partners (World Bank, OGP Working Groups, Open Contracting Partnership, IBP, etc.) emphasizing OGP's strategic push on the SDGs and asking partners to encourage relevant commitments with their civil society/government networks in countries.
5. The co-chairs have sent a letter to the UN Secretary General to highlight the role OGP can play in supporting implementation, and to invite him to the OGP UNGA event in September.
6. The Support Unit has been contacting global networks and coalitions (such as Oxfam, Restless Development, Save the Children, World Vision, and others), and showcasing the potential of OGP as a platform for implementation and accountability on the SDGs. As this work develops it will need to include identifying issues being surfaced at national level OGP consultations that are related to SDGs, and matching that interest and opportunity with expertise and local networks galvanized via these networks and coalitions.
7. The Support Unit has also been introducing civil society groups to tools such as the Open Gov Guide, which will help them develop ambitious commitments on the different goals, and making sure they are aware where their respective governments endorsed the joint declaration, so they can use it as an opportunity for advocacy.
8. The French government and WRI sent a briefing note to all OGP points of contact, which described how OGP can be used to accelerate implementation of the Paris Agreement. The intention of this note is to provide guidance on the integration of climate change commitments in National Action Plans.

### Implementation plan

Commitment in the declaration	Proposed Activities	Timeline and opportunities
1. <i>Promote the rule of law</i> consistent with Goal 16 of the 2030 Agenda for Sustainable Development.	<p><b>High level political positioning</b></p> <p>Support Unit to work with members of the Steering Committee to develop and distribute key messages for use in high level speeches, meetings and other events to highlight the role of OGP in holding governments accountable for more ambitious open government.</p>	<p>OGP Regional Summits in South Africa (5-6 May) and Uruguay (31 May - 2 June)</p> <p>UK Anti Corruption Summit (12 May)</p>

		<p>UNGA (September)</p> <p>G20 Anti Corruption</p> <p>OGP Paris Summit (December)</p>
<p>2. <i>Promote public access to timely and disaggregated information and open data on government activities. Support development of the International Open Data Charter</i></p>	<p><b>Adopt the Open Data Charter</b></p> <p>The use of open data will enable governments, citizens, civil society and private sector organizations to make better decisions and to monitor the effective implementation of the SDGs. The Open Data Charter provides the framework and principles for the publication of high quality open data.</p> <p>Steering Committee members could encourage governments developing National Action Plans to include a commitment to adopt the Open Data Charter.</p> <p>Steering Committee members, leading on the Open Data Charter, to develop and share specific open data tools (eg. pnud.carto.mx) and to conduct outreach to countries to promote the Open Data Charter and support its adoption and early implementation.</p>	<p>2016 International Open Data Conference (October 2016)</p> <p>ConDatos (September 2016)</p> <p>G20 Anti Corruption</p>
<p>3. <i>Support citizen participation in the implementation of all the goals and targets in the 2030 Agenda for Sustainable Development.</i></p>	<p><b>Use public tools that encourage citizen participation to monitor SDG's.</b></p> <p>Develop and share public dashboards, open data indicators and NAPs that promote citizen participation and accountability throughout the implementation of the SDGs.</p>	<p>OGP Regional Summits in South Africa (5-6 May) and Uruguay (31 May - 2 June)</p> <p>ConDatos (September 2016)</p> <p>International Open Data Conference (October 2016)</p> <p>OGP Paris Summit (December 2016)</p>
<p>4. <i>Uphold the principles of open government for measuring the implementation of the 2030 Agenda for</i></p>	<p><b>Exchange of tools, knowledge and best practices</b></p> <p>The Peer Learning and Support subcommittee (PLS) can Identify and share lessons learned and good practices to strengthen country capacity for implementation.</p>	<p>International Open Data Conference</p> <p>OGP Regional Summits</p> <p>OGP Global Summit</p> <p>G20 Anti Corruption</p>

Sustainable Development.	<p>PLS can work with OGP working groups to encourage them to commit to a vision that recognizes the 2030 Agenda as a cross-cutting enabler for their projects and programs. The Support Unit can follow up with multilateral, and other, partners to make sure they are highlighting this opportunity in their discussions with countries.</p> <p>Steering Committee members commit to host roundtables, working groups, peer exchange, capacity building at relevant events</p>	ConDatos UNGA
<p>5. <i>Use our Open Government Partnership National Action Plans to adopt commitments</i> that serve as effective tools to promote transparent and accountable implementation of the 2030 Agenda for Sustainable Development.</p>	<p><b>Commitments in new National Action Plans to support implementation</b></p> <p>There are 50 countries that will launch a NAP this year. These NAP's should include commitments that help the effective implementation of SDGs and Steering Committee members should offer support and outreach to help achieve this. The special edition of the Open Gov Guide should be used to support this.</p> <p>The Steering Committee should lead by example by developing specific commitments to support implementation of the SDGs in new action plans this year.</p> <p>Involve the relevant teams, ministries and agencies in Steering Committee governments to support outreach to other OGP countries developing action plans, to encourage commitments and identify areas for joint work.</p>	OGP Regional Summits in South Africa (5-6 May) and Uruguay (31 May - 2 June)

# Making Climate Commitments through the Open Government Partnership

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*An OGP Policy Brief from the World Resource Institute and the Government of France,  
incoming co-chairs of the Open Government Partnership*

## Why should the Open Government Partnership be used to make climate commitments?

The Open Government Partnership (OGP) is an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens. The [Paris Agreement](#) adopted in December 2015 provides a framework for multilateral cooperation on climate change. A central issue in the new Agreement is the strengthening of transparency and accountability mechanisms to ensure countries make progress on achieving their national determined contributions and other commitments. The Paris Agreement is premised on effective:-

- Transparency on greenhouse gas emissions, targets and their adequacy and the implementation of mitigation actions and adaptation efforts;
- Transparency on the level of financial support, technology transfer and capacity building provided or received;
- Transparency as part of the compliance and review process;
- Transparency on policy and project level decision-making that can contribute to decarbonisation of the economy, at national, subnational and company levels;
- Capacity building and public participation to enhance actions under the agreement;
- Measures to ensure the creation of accountable and inclusive institutions for national climate action.

This will require countries to develop new capacities for collecting, processing, and sharing information on national level action. It will also require new levels of progressive action to facilitate public access to data and information on climate change initiatives, policies and results of actions to ensure the public can participate in decision-making processes to address climate change. ***We believe governments can accelerate progress on these objectives by making climate action commitments in their OGP National Action Plans (NAPs).***

## Why make commitments on the implementation of the Paris Agreement?

The Open Government Partnership (OGP) offers an opportunity for governments to build momentum around implementation of the Paris Agreement and incorporate open government climate commitments into national level programs.

This brief provides an overview of concrete climate commitments for consideration by governments and civil society organizations in NAPs.

## What types of climate commitments can be made?

There are a number of different types of commitments that could be made by countries:

- More transparent and participatory development of climate policies at the national and international level***

- i. **Creating timely, robust and transparent public participation processes** for the design of national climate strategies and plans, including nationally determined contributions; long-term, mid-century low emissions strategies; and other national submissions (including National Communications, Biennial Reports and Biennial Update Reports, National Adaptation Plans, etc.).
  - ii. **Ensuring wide consultation** with relevant ministries, including civil society, marginalized groups and the private sector, to seek out a diverse range of views and inputs. Providing adequate notice to ensure accessibility and opportunity to engage concerning the preparation of national climate submissions to international bodies
  - iii. **Documenting the outcome of public consultation and government responses** and all individual written comment submissions that were made available (e.g. online, through dashboards).
  - iv. **Creating a user-friendly public tool to track policy implementation** with critical milestones in specific sectors. Countries could commit to track policies through a central database that showcases progress on commitments, including toward specific greenhouse gas targets, renewable energy, forest restoration and other policy goals and targets.
  - v. **Releasing key environmental datasets and climate models.** Opening key environmental datasets such as quantities and sources of greenhouse gas emissions, at a national and local level; information and data concerning climate change impacts, including relevant weather data; water quality, quantity, and abstraction; land degradation and restoration potential. Opening source code or algorithms for climate models.
  - vi. **Encouraging the reuse of datasets and the development of user-friendly environmental data-driven apps and services** by civil society organizations and the private sector through data challenges and public procurement.
- b. Measures to ensure the creation of accountable and inclusive institutions for national climate action.**
- i. **Establish national legislative frameworks** for open and inclusive climate change institutions, policy making and reporting processes;
  - ii. **Build the awareness and understanding of diverse country-level stakeholders** concerning national commitments and needs for climate change policies through multiple communication channels, including for ministries (environment, energy, planning, finance, agriculture), local authorities, civil society, private sector, parliamentarians, and academia; and
  - iii. **Establish an appropriate legal and regulatory framework for the collection and supply of climate-change relevant data including from the private sector** and build partnerships with national research statistic institutions and regional centers of excellence to enhance understanding of climate change impacts.

### Have OGP countries made climate commitments in their NAPs?

A few OGP countries have already incorporated pioneering climate commitments in their NAPs.

- a. **France: 2015-2016 Action Plan** committed to: Involve civil society in the COP21 conference and promote transparency regarding the agenda and negotiations; invest in opening data sets and creating visualizations related to climate and sustainable development; provide on the platform [data.gouv.fr](http://data.gouv.fr) data, models and simulators regarding climate, energy transition; release and publish data from impact assessment; initiate new collaborations with civil society to develop innovative

solutions to meet the challenges of climate change; open and organize dialogue between stakeholders in climate change in a participatory approach.

- b. **Mexico:** [2013-2014 Action Plan](#) committed to: strengthen the collection of information and data on the environment and change climate to improve public policy decision-making. Priority is given to statistical and geographical information in open formats.
- c. **United States:** [2013-2014 Action Plan](#) committed to: manage Arctic data as a strategic asset; work to stimulate partnerships and innovation; release high-value climate-related datasets and data products and work to expand the availability and accessibility of climate-relevant data worldwide.

### How can we move forward?

Countries should consider including transformational commitments in their NAPs to strengthen the implementation of the Paris Agreement based on the following elements:

- a. *More transparent and participatory development of climate policies at the national level; including releasing in open data key environmental datasets and climate models and encourage their reuse;*
- b. *Measures to ensure the creation of accountable and inclusive institutions for national climate action.*

The OGP provides an opportunity for promoting open government innovations in the climate arena. Through OGP, likeminded governments can develop strong and accountable processes for co-creation of commitments with civil society and robust reporting through the Independent Reporting Mechanism. Non-OGP member countries can learn from OGP members.

### RESOURCES

- For tools that help you measure the status of National Determined Contributions see <http://cait.wri.org/>
- For tools that help measure how open and participatory law and practice is in relation to the environment, see the [Environmental Democracy Index](#).

### ABOUT THE WORLD RESOURCES INSTITUTE

WRI is a global research organization that turns **big ideas into action** at the nexus of the environment, economic opportunity and human well-being. For questions or comments, please contact WRI.

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# Call for Proposals Criteria

The **2016 Open Government Partnership Global Summit** will be held in **Paris, France** on **December 7, 8 and 9**, a few months after France becoming Lead Chair of the OGP steering committee. Around 3,000 participants from government, civil society organizations, multilateral organizations, media, academia and the private sector are expected to attend.

The Global Summit will provide an excellent opportunity for leaders from OGP's 69 participating countries and beyond to exchange ideas on how they are making their governments more transparent, accountable, and responsive to citizens. It will also be an opportunity for experts representing different fields, sectors, and regions from around the world to talk about goals, challenges, experiences, and best practices in the implementation of open government commitments.

In keeping with the OGP's spirit of co-creation, the agenda for the Global Summit will be based on an open call for proposals from the entire open government community. From April 20, 2016, we are inviting all interested parties to submit a description of the session they would like to lead during the Summit on a dedicated website (<http://ogpsummit.org/>). This website will allow parties to exchange ideas regarding their proposals.

This year's Global Summit will focus on **building new alliances between governments and civil society**. We commit to making government activities more collaborative and efficient by deepening public participation. *Please see below for a list of suggested thematic areas.*

All proposals will be analyzed in accordance with the selection criteria; those selected will form the basis of the Global Summit's final agenda.

→ *If proposals with common elements are identified, the Organizing Committee may suggest to the proposals' representatives that they be combined in joint (co-hosted) sessions.*

→ *Submitting a request to coordinate a Global Summit session does not guarantee that it will be selected to be part of the Global Summit final agenda.*

## Selection Process

Proposals will be accepted from **April 20 to July 20, 2016**.

Suggested formats:

- **Roundtables:** panel on open government themes (up to 80 minutes). Rooms can seat between 85 and 420 people.
- **Workshop:** hands-on workshop allowing the exchange of experience around interactive activities: project presentations, discussion around case studies... (up to 80 minutes). Rooms can seat up to 45 people.





- **Pitch:** short and dynamic intervention showcasing concrete examples of open government experiences (5 to 10 minutes)
- **External event:** a system will be put in place to list and promote external events taking place all over France and worldwide as part of an “Open Government Week” (December 5 - 14) in conjunction with the Global Summit.

Proposals will be organized in tracks, to guide participants during the Global Summit. Final tracks will be confirmed during the programming process. The provisional list of tracks in which proposals can currently be classified is:

- **Transparency, accountability and the fight against corruption**
- **Climate and sustainable development**
- **Digital, development and Francophonie**
- **Civic tech and participatory tools**
- **Open resources and open data**
- **Public innovation**
- **Open government for cities**
- **Open parliament**
- **Access to information**
- **Civic space and human rights**
- **How to open government?**
- **Regional focus**
- **Other (final list of tracks will be established based on proposals)**

In June and July, the programming committee (composition to be defined soon) will choose the final program. The decision will be based on the criteria outlined below. The selected proposals will be announced on our website [ogpsummit.org](http://ogpsummit.org) in September. The principal contacts for selected sessions will be notified by the programming committee via e-mail and will receive additional details for managing sessions.

## Session Selection Criteria

Please be sure to provide the organizing committee with sufficient and clear information concerning the proposed projects and speakers so that it may select the sessions that best make for a high-quality agenda.

### Interest

- The website [ogpsummit.org](http://ogpsummit.org) offers an opportunity for the public to manifest its interest in proposals.
- Public interest will play an important role in the selection process.

### Approach

- The session's objectives are clear. The proposal describes in detail why the session provides added value to the Global Summit and how it is relevant both to the global discussion on the chosen track, and in terms of open government.



- The design of the session is explained satisfactorily. The proposal also specifies the desired audience, the objective, the mode of facilitation, and who will participate in the session as speakers, panelists, presenters or workshop leaders.

### Relevance

- The session objectives have value and are relevant for moving the dialogue forward on the selected topic and as part of the global discussion of open government;
- The session speakers or workshop leaders have experience promoting or working on at least one of the principles of open government. They should also represent a civil society organization, academic institution, think tank, government implementation team, multilateral organization or private sector group which has worked on strengthening, documenting, encouraging, promoting, or advancing the principles of open government.

### Creativity

- We encourage new angles on familiar topics as well as non-traditional methods of presentation.
- The models used for the session should be innovative and encourage discussion and knowledge exchange among participants.

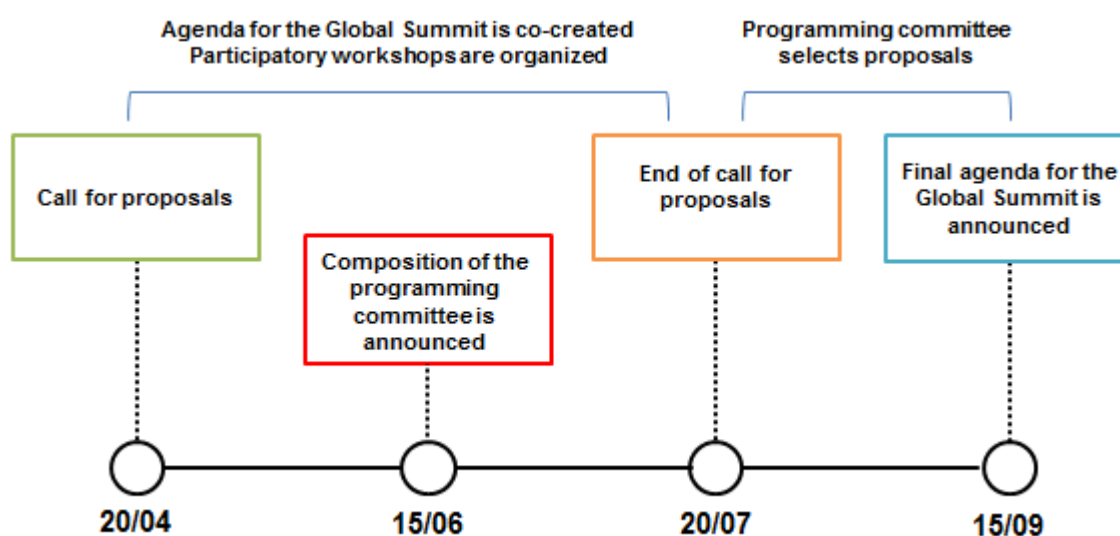
### Impact

- The design proposed for the session is conducive to the audience's exchange of experiences and learning.
- We encourage plans that offer mechanisms for follow-up, for continued discussion of the topic, or for the establishment of action points following the Global Summit.

### Representativeness

- The session considers sectoral, regional and gender balance. It is inclusive and diverse, with the goal of expanding discussion and presenting different perspectives.
- Maximum five panelists in any proposal.

## Provisional timetable



## Selection of incoming co-chairs

The Steering Committee will be asked to decide the next government and civil society co-chairs, who will assume support chair roles on October 1, 2016 and become lead chairs from October 1, 2017.

There are three applications for government co-chair - Croatia, Georgia and Romania, and one application for civil society chair - Mukelani Dimba. Their letters of application are included in the background documents. The Governance and Leadership subcommittee have agreed that for both positions the full Steering Committee will decide. The candidates for government chair will be asked to present their applications, followed by a short opportunity for questions and will then be elected through a vote by Steering Committee members. Mukelani Dimba will present his application, followed by a short opportunity for questions and Steering Committee members will then be asked to ratify him as the next civil society chair.

The candidates selected for the co-chair role will have their current Steering Committee terms extended until 2019, so they can serve as support co-chair, lead co-chair and finally in a troika capacity.

### Draft resolution:

*The OGP Steering Committee hereby approves the nomination of xxx to be the next OGP government co-chair, and xxx to be the next civil society co-chair, serving for a two-year term as follows: October 1, 2016-September 30, 2017: Support Chair and October 1, 2017 – September 30, 2018: Lead Chair.*

### Articles of governance:

Composition: Steering Committee (SC) leadership is to be comprised of a revolving four-member co-chairmanship team, elected by the entire SC, including a lead government chair, a support (or incoming) government chair, and two civil society chairs. The support government chair assumes the role as lead chair during their second year, when a new support chair is to serve. The four chairs, who comprise the Governance and Leadership Subcommittee, should not supplant the role and influence of the other subcommittees. A civil society chair may not serve as the lead chair. The year following their chairing, the immediate past lead government and civil society chairs are expected to play an advisory role to the co-chairs.

Responsibilities: The SC chairs are responsible for:

- Leadership: Safeguard the values and spirit of OGP, including the strategic collaboration and balance between civil society and governments and the vertical accountability of OGP between a government and its citizens. This includes overseeing and ensuring necessary resources for the Support Unit.
- Outreach: Build CSO and government participation in OGP by leveraging respective global and local networks. This includes leading in the initial set-up of

multilateral partnerships and being the entity that enters into contractual relationships on behalf of OGP.

- **Representation:** The lead chair speaks on behalf of OGP as a whole at key fora and with media. In concert with the lead chair, the support chair and the CSO chairs may also represent OGP. The CSO chairs are not to speak on behalf of governments unless explicitly authorized, and the government chairs are not to speak on behalf of civil society unless explicitly authorized. The Support Unit Executive Director, or his/her appointee from the Support Unit, may also speak on behalf of OGP at events or with media.
- **Coordination:** The Governance and Leadership Subcommittee, which is made up of the four chairs, is to hold regular consultations in between OGP meetings to coordinate country outreach efforts, plan meetings, and otherwise further the interests of OGP.

**Election and Rotation:** The chairs are elected by their SC peers. Candidates that receive the most number of votes are elected. Participating governments may nominate themselves or each other to become the next OGP chair by making their nomination known to the current OGP chairs no later than March of the relevant year. The OGP chairs then are to consult, taking into consideration factors including regional diversity, government capacity, and electoral timelines. The chairs are to recommend new chairs for the next two-year cycle no later than May of the relevant year. The SC then is to aim to achieve consensus on the chairs' rotation recommendation or, if necessary, to vote. Starting in September 2012, SC chairs are to rotate on an annual basis, with each chair serving a two-year term: the first year as a support chair, followed by one year as the lead chair for their respective constituency. SC chairs are to be designated every two years for the subsequent two-year cycle.



**REPUBLIC OF CROATIA**

**Ministry of Public Administration**

Zagreb, 15 April 2016

**Open Government Partnership Steering  
Committee Co-Chairs**

Ayanda Dlodlo  
Deputy Minister for Public Service Administration  
Government of South Africa

Jean-Vincent Placé  
Secretary of State for State Reform and  
Simplification  
Government of France

Alejandro Gonzalez Arreola  
Executive Director  
GESOC, Gestión Social y Cooperación A.C.

Manish Bapna  
Executive Vice President and Managing Director  
World Resources Institute

Dear OGP Government and Civil Society Co-Chairs,

Thank you for your letter dated 2 February 2016, inquiring about Croatia's interest in serving as the next government co-chair of the Open Government Partnership (OGP) for the 2-year term beginning in October 2016. We consider this proposal a great honour and recognition of Croatian Government efforts within Open Government Partnership initiative over past several years. After conducting extensive inter-ministerial consultations regarding the obligations stemming from our involvement as OGP co-chair, we are pleased to inform you that Croatian Government, at its session held on 13 April 2015, has adopted Decision on accepting the invitation for candidacy for OGP co-chair.

Please find below a brief answer to the questions you asked regarding Croatia's potential chairmanship.

*1) What would your vision be for your government's OGP chairmanship, and how would you seek to advance the goals of OGP's four-year strategy during the next two years?*

As a member of the global *Open government partnership* initiative since 2011, the Republic of Croatia has shown its commitment to supporting the principles of transparency, fight against corruption, empowering citizens, and using the advantages of modern technology in order to make public authority bodies more efficient and accountable at all levels as well as to create prerequisites for more efficient and innovative public service provision and public resource management.

Values on which efforts of countries members of *Open Government Partnership* are based, are entirely complementary to the values which Croatia has committed to during the process of joining the European Union while devoting many years of hard work to fulfilling the requirements for reforms and harmonisation on all levels of social, political and economic activity.

Croatia has so far successfully developed and implemented the first National Action Plan (NAP) for the period 2012-2013 and is in the process of implementing the second NAP for period 2014-2016. During this time Croatia has shown its dedication to the realization of the idea of OGP, which was recognized by the OGP Support Unit and other member states within OGP as Croatian NAP's were highly positively assessed, both regarding the quality of content which satisfies SMART criteria and regarding the implementation.

Besides that, Croatia has from the beginning showed willingness to contribute to the dynamism of the OGP initiative by successfully organizing the European Regional Meeting in Dubrovnik in 2012. Croatian election to the Steering Committee, the involvement of our Head of State and of several Ministers, our active contribution to peer-to-peer exchange of good practices among member states and to the promotion of OGP, together with the engagement of the Prime Minister's Office, the Office of the President of the Republic, the Croatian Parliament, various ministries and government agencies in the development and implementation of ambitious NAP's, clearly demonstrate high determination and the strength of Croatian involvement in OGP.

Croatia recognizes the potential of the OGP as the platform which fosters alliances between governments and civil societies in order to respond to current challenges in different areas by creating enabling environment for stronger partnerships within society and thus contributing to the quality of public policies and services, which all together creates more value for society as a whole. Therefore we recognize the importance of strengthening this platform even more in the future and main focus of our possible co-chair position within OGP would be to work on achieving this goal.

Along with all of the partners in the Steering Committee we would strive to seize the opportunity of being the co-chair to work on achieving this vision. In that process we would very much value contributions from all actors involved in the OGP, in order to reach common solutions that would allow us to make the most out of the OGP dynamics and diversity. In line with that, we have determined four priorities of our action as Chair:

- *Creating a space for communication and collaboration of all members:* Croatia will work on creating more space for communication and collaboration among members (governments and civil society), which would also include the work on creating an

online platform which would allow the involvement of all members in discussions about future roadmap for OGP and strategic reflections on OGP future priorities.

- *Financial transparency:* Recognizing fiscal transparency as one of the highest priorities of OGP initiative and recognizing the importance of demonstrating OGP values through own action, Croatia will continue to work on already proposed initiative within the Steering Committee to achieve higher transparency in financial matters of OGP, and thus contributing to the higher sense of trust and ownership among all members.
- *Involvement of youth:* Recognizing the importance of sustainability of OGP efforts within each country, Croatia will work on encouraging and promoting actions which involve youth, so that we raise awareness of the young members of society about OGP values and actions.
- *Promoting and sharing experience across the OGP members, in particular in the South East Europe region:* Croatia will strengthen existing alliances and promote new ones among member states. From lessons learned through the development and implementation of NAPs Croatia will encourage and promote peer-learning activities and work on helping other member to develop ambitious, actionable and impactful NAPs. Taking into consideration already established collaboration with the countries of the SEE region, who often find Croatia to be their role model in policy making and implementation, Croatia will in particular focus on that region, providing our know how.

*2) How would your government demonstrate leadership of OGP at both the international and domestic levels during your chairmanship? What are your greatest domestic achievements and lessons through OGP that you would want to share with your peers around the world?*

At the international level:

- As a member of several multilateral institutions Croatia will work on aligning discussions taking place in these arenas with the values and agenda of OGP.
- As Croatia already has a lot of experience of sharing good practice experience with other countries through programs of international cooperation this will be used to engage in similar activities for the purpose of spreading good practices of OGP in other member states.
- Croatia will in particular work on further strengthening liaisons with the countries in the SEE region and helping them in creation of ambitious NAPs, and in general sharing Croatian best practices with them.

At the domestic level:

- Croatia will continue to set an example by creating high quality NAP, across various state bodies
- Croatia will additionally work on promotion of OGP among multiple stakeholders: local authorities, civil society, youth etc. through various projects and events, such as the Open Data Youth Camp (for the first time organized in 2015).

Based on the four year membership in the Partnership Croatia recognizes OGP as a powerful platform for the circulation of new ideas and international exchange and transfer of such ideas. Although Croatia is a rather small country, there are several areas in which we have implemented innovative solutions that are willing to promote as a good practice example and a possible inspiration for other OGP participating countries.

For instance, Croatia has over the years created a system of support and for cooperation with civil society which we believe can be used as a good example for other countries to learn from it, and was as such already recognized by many of them. Building upon the experience which we have based on the cooperation with domestic civil society we will work on building stronger multi-stakeholder partnerships at the level of OGP initiative.

Besides that, Croatia has made over the years significant progress in the area of consultations with the interested public, which was further strengthened in 2015 with the development of the online consultation system which presents a unique solution for public consultations, allowing citizens to comment directly on the proposed text and promoting high transparency of both the comments by the public (which are immediately visible to all interested actors) and also of the answers to those comments given by the responsible state bodies.

So, to conclude, Croatia is very much eager to contribute by spreading the Croatian best practices within the OGP member states, focusing on the SEE region, especially in the area of cooperation with CSOs.

*3) Which Ministry would lead your OGP chairmanship, and what resources would this Ministry be able to commit to work on OGP? Who do you expect will represent you in Governance and Leadership subcommittee calls and working-level SC meetings?*

The leading Ministry would be the Ministry of Administration, with the Minister Dubravka Jurlina Alibegović serving as the Chairwoman of the National OGP Council. The Ministry and National Council would be supported by the experts from the Office for Cooperation with NGOs, who would be responsible for representing Croatia in Governance and Leadership subcommittee calls and working-level SC meetings. The Ministry of Foreign and European Affairs will also provide support for issues regarding multilateral and bilateral relationships with other countries.

We expect also high political support from the Office of the Prime Minister and Office of the President of the Republic, together with the Croatian Parliament, as all of these institutions have representatives in the OGP Council and have so far provided such support.

*4) How would you envision the role and involvement of your head of state during your OGP chairmanship? What role would you envision for your Foreign Ministry, and how would you use your network of foreign embassies to promote OGP globally? Are there other ministries you would seek to bring into the OGP process?*

In the letter regarding the establishment of the new OGP Council the Office of the President of the Republic, Kolinda Grabar Kitarović expressed high support to the initiative and of the involvement in the initiative through the membership in the OGP Council. Therefore we expect that the President will be open to contribute to the promotion of open government through OGP, and to the promotion of the initiative in general.



*The Prime Minister's Office* also supported the initiative and the establishment of the OGP Council, together with involvement of its representatives in the Council, so we expect high support from there as well, as it was the case so far in last four years.

*The Ministry of Foreign and European Affairs* will also play an active role in OGP Council and in supporting the diplomatic relations with member countries of the OGP. So far all the embassies have been given an instruction by the Deputy Foreign Minister to report on the possibility for peer support in their host countries and to hold meetings with the representatives of host governments involved in OGP in order to foster cooperation and provide support.

Besides them, in the OGP Council there will be representatives of the following ministries:

Ministry of Finance, Ministry of Justice, Ministry of Science, Education and Sports, and Ministry of Culture.

*5) What level of financial and staff resources would your government be able to commit to the organization of a regional event in your country?*

In Croatian State Budget for 2016-2018 period, we have ensured a special budget line for the Open Government Partnership initiative (within the budget of Croatian Government Office for Cooperation with NGOs) that will allow us covering costs of organizing a regional event in our country.

Based on our experience in organizing regional, European OGP event in Dubrovnik, Croatia, in 2012, we strongly believe that our human and financial resources, but most of all, our enthusiasm and dedication to the OGP initiative, make Croatian reliable partner for any OGP high-level event.

*6) As co-chair, what type of support would you anticipate needing from the other OGP co-chairs (both government and civil society) and from the OGP Support Unit?*

As co-chair, we will approach all activities following fundamental principle of dialogue, consultations and team work. We will promote continuous and open communication with the OGP Support Unit, as well as with OGP-co chairs to ensure that we share common vision and strategic approach to key challenges OGP community is facing.

Dear OGP Government and Civil Society Co-Chairs, on behalf of Croatian Government, I would like to thank you in advance for your kind attention to this letter and remain at your disposal for any additional information you may require.

Sincerely Yours,

MINISTER OF PUBLIC ADMINISTRATION



Dubravka Jurčina Alibegović, PhD

## Georgia's Response to the Questions regarding Georgia's potential Chairmanship

1. What would your vision be for Georgia's OGP chairmanship, and how would you seek to advance the goals of OGP's four-year strategy during the next two years?

**Promotion of the Partnership and SDG goals across the Globe.** While OGP's achievements until today and its strategic plans to further develop the Open Government Partnership have been recognized by all who have been familiar with the partnership's activities, OGP is still relatively unknown to the public at large. This is a challenge we will be keen to accept and transform it into a success story in the near future. Promoting the OGP's message across the globe and bringing it to the attention of as many people as possible should be, from our perspective, a priority of the OGP leadership in years to come. We envision it as a powerful tool for citizens across the world to demand more from their governments and to push public servants to go beyond their achievements and strive towards more open and responsive policies. We strongly believe that the demanding and responsible citizenry is a power each and every OGP country needs to foster in order to augment the OGP's impact at both the national and international levels.

Georgia was among the first countries to join the OGP in 2011. Since then the country has successfully managed to involve all three branches of government in the OGP process. In addition to that, recently, Tbilisi, the capital city of Georgia was selected among 15 cities out of 45 to be part of the OGP Subnational Pilot Project.

Currently, 50 governments have endorsed the Sustainable Development Goals (SDGs) Declaration, alongside over 100 civil society organizations. Georgia was among the first countries to express its intention to dedicate its time and resources to taking commitments in response to the Goals.

The Open Government Georgia Forum (the Forum) as a permanent dialogue platform to elaborate the 3<sup>rd</sup> National Action Plan of Georgia is exploring opportunities of specific government commitments to ensure that (1) cities and human settlements are inclusive, safe, resilient and sustainable; (2) urgent actions are taken to combat climate change, as guided by the SDGs 11 and 13.

As an initial steps in this process, this year, the Ministry of Environment and Natural Resources Protection of Georgia and the Ministry of Regional Development and Infrastructure as well as law enforcement agencies have joined the process of elaboration of our 3<sup>rd</sup> OGP National Action Plan to provide their expertise and learn from the civil society actors.

Georgia is one of the few countries in the world where the Supreme Court proactively publishes surveillance data, as recommended by the civil society organizations. Furthermore, we are proud that in April 2015 Parliament of Georgia joined the Declaration on Parliamentary Openness and, as a result of extensive consultations with the civil society, adopted a separate Open Parliament Action Plan. We are

determined to continue to have the judiciary and Parliament actively involved in this process so that, hand in hand with the Ministry of Justice, reforms continue, robust but effective institutions, fair proceedings are in place, and access to justice is provided by all institutions at all levels (SDG 16).

**Emphasis on common themes and issues.** As we have closely observed the OGP process from the very moment of its inception, we have found that it is crucial for the OGP member countries to agree on some very explicit common themes/fields to provide for and achieve significant government reforms together. We see this to be an important tool to unify OGP countries and to bring together not only the participating governments, but also their citizens. If, for example, all the OGP member countries take commitment to publish open data and give businesses an opportunity to stimulate economic growth in their respective countries, this may become a trend which may be followed by other countries. At the end of the day it will lead us to the rule of openness, much rather than that of exceptions and restrictions.

**Promotion of e-governance and electronic transparency:** Georgia ranks 1<sup>st</sup> out of 13 Eastern European and Central Asian countries and 29<sup>th</sup> out of 102 countries according to the Open Government Index 2015 published by the World Justice Project aimed at measuring government openness based on the general public's experiences and perceptions worldwide. Much more initiatives are under way, though. Currently, there is an ongoing process of drafting Georgia's new law on e-document and trust service providers aiming at further ensuring Georgian system on **electronic identification and trust services** for electronic transactions in the internal market.

Georgia also elaborated the Trade Facilitation System (TFS) which aims to harmonize the electronic flow of information among key participants in the logistics, shipping, and transport industries, both public and private. The Georgian TFS, which definitely can serve as the subject of common interest to the OGP community, will enable traders, customs brokers, freight forwarders, shipping lines, and other players in international trade to submit information through a single electronic entry point and allow them to save time and money. The TFS has been working as a pilot version since March 2016 and will be fully launched on May 18, this year. The TFS will **replace 1 million papers a year and will save yearly 4.5 million GEL** for the companies involved in the network.

In addition, Georgia has initiated the steps to launch a pilot version of e-voting election system within the coming four-year period. No doubt that **the e-voting system** serves as a major anticorruption tool for conducting the elections across the globe. In the meantime, Georgia has been successful to make electronic ID cards popular and thus to design the country's voters list (2,5 million voters) in such a way as to carry biometric photographs on it.

**Attracting new States.** If Georgia is selected as a co-chair of OGP, we will fully dedicate ourselves to expanding the number of participating governments and civil societies by means of diplomatic outreach and by raising OGP's profile internationally. We will also concentrate on supporting the States which are new to the Partnership. We see this as a source of accelerating OGP's progress globally. In this context it would be very relevant to note that recently, we received a request from the government of Kazakhstan



to help the country to join the OGP. While we will be happy to assist our traditional friendly nation to become an OGP member as soon as possible, it would be a benefit for the Partnership itself to extend its ideals to this largest Central Asian state.

We will demonstrate to the countries who are facing major challenges in their fight against corruption that OGP is a powerful weapon to combat corruption and the best recipe how to win this battle. We already have shared our experience with a number of governments who are willing to import in their countries the Georgian models of community centers in villages, Public Service Halls in big cities, e-governance in local municipalities, etc.

The Government of Georgia will continue to stand by France, the next chair of OGP, to sustain the incredible dynamic within the organization that will benefit all member states. Georgia will provide its expertise to ensure a successful implementation of the OGP four-year strategy. We will assist the government of France to safeguard high-level international political support to the initiative that will consequently result in increasing OGP's influence worldwide. The Georgian government will put a special emphasis on full engagement of the Eastern Partnership countries and, generally, countries of the region to champion openness and meaningful engagement with civil society.

Finally, it is worth mentioning that both historically and geographically **Georgia is at the crossroads of Europe and Asia**, meaning that we will be devoted to play a leading role in different regions of OGP and will use our diplomatic outreach in attracting new States to become the members of OGP community.

**2. How would your government demonstrate leadership of OGP at both the international and domestic levels during your chairmanship? What are your greatest domestic achievements and lessons through OGP that you would want to share with your peers around the world?**

Georgia has been in the process of rapid transformations. The reform priorities include the rule of law, introduction of e-governance, fighting against corruption, ensuring transparency of government decisions, and ensuring proximity and availability of public services even for those leaving in remote villages thus making everybody equal before public institutions. These efforts are aimed to bring public administration as much closer to citizens as possible through the production of services more tailored to the needs of users. Improving the design and quality of public services, coupled with the efforts to foster public participation, are high on the Georgian Government's agenda.

Notably, Georgia has a solid track record in effective public service delivery with a number of agencies, striving to introduce modern approaches and methodologies in their day-to-day operations. Among our successful projects are **the community centers** - an innovative solution in rural development aimed to empower citizens at the regional level and, with the aid of modern technologies, to provide them with more than 200 public and private sector services based on the principle – “everything in one area.” Community centers not only bring together public and private services, but they also carry a library, free

internet and e-library as well as venues for civic engagement in one area, meeting thereby a number of challenges at the local level.

Separation of the back and front offices is at the core of the concept of our community centers and is still the best tool for combating corruption and achieving a high level of transparency even in the remote areas of our country. Community centers, thanks to their well fitted infrastructure, already had a tradition to host public consultations conducted in the process of elaboration of the Open Government Georgia's National Action Plans in 2014 and in 2016. Besides, several Memorandums of Understanding have been concluded with different NGOs offering them the Community Centers' meeting room space for free. This offer aims to allow the NGOs to interact independently and easily with local communities, women and girls, national minorities, migrants in need of (re)integration. With that approach the Centers had become an indivisible part of the state's local development strategy.

In addition, as one of the commitments of our 3<sup>rd</sup> OGP Action Plan, we have been envisaging to install in the middle size cities `community centers of new generation` offering the same services and benefits as in the villages but having the so-called **green building** design and much more space for public gatherings.

We did not forget those tiny villages where only several dozens of families leave. So that everybody be equal before public institutions, **the service delivery busses**, the so called "Express Community Centers" conduct regular trips to remote villages to ensure access to more than 200 public services. With this unprecedented and unique initiative, implemented in cooperation with one of the commercial banks operating in Georgia, local population in remote villages benefit from the same privileges as those in more developed areas of Georgia. Express Community Centers simplify the process for citizens to interact with the government by delivering public services to their doorsteps. In total 71 Express Community Centers are currently operational throughout the country rendering key public and private (banking) services to the rural population through the application of e-services and innovative public-private arrangements to the best interest of the citizens at large. It should be hereby emphasized that the present action demonstrates the value of public-private partnership as a way of introducing private sector technology and innovation in providing better public services through improved operational efficiency.

Our country also prides itself with the innovative solutions in respect of electronic public procurement system, electronic public financial disclosure system and most importantly, public service delivery that have attracted huge international interest and have been praised by **UN awards**.

Georgia has found OGP to be a fantastic vehicle for making Anti-Corruption reforms in collaboration with civil society and business associations, such as civil service reform, political party finance transparency, monitoring of asset declarations etc. This has increased public trust in government. Georgia will be leading a new working group on Anti-Corruption in OGP and we also encourage other OGP members to join this very useful and important platform.

Our Government's aims to ensure that each legislative or policy initiative of the Government undergoes broad and inclusive public consultation process. To this end, the official journal of Georgia "Matsne" has

gained a new function thanks to which draft laws proposing the most important institutional reforms, before submitting to the Government and/or Parliament for adoption, are published on [www.matsne.gov.ge](http://www.matsne.gov.ge) and the public has an opportunity to leave their comments and suggestions allowing the executive to improve the draft well before defending it before Parliament.

Some ambitious changes took place in the freedom of information area. We brought the standards of freedom of information to a higher level by placing upon the state agencies a duty to proactively disclose the public information and to adopt lists of information subject to proactive publication. This reform makes one of the strongest examples of successful collaboration between the CSOs and the Government to achieve the desired results. Our achievements in this field were acknowledged internationally. Georgia was among the **7 finalist Bright Spots** at the OGP London summit in 2013. Furthermore, on October 27, 2015 Georgia won an **OGP Government Champions Award** at the OGP Civil Society Day in Mexico City. The Award is intended to showcase the ideal co-creation dynamic between the government and civil society while elaborating the National Action Plan and to provide a high-level political visibility to the key actors who have played an immense role in upholding the OGP commitments.

Years 2013 and 2014 were marked with the major changes and consequential achievements for the Open Government Georgia. We created a powerful mechanism, an **Open Government Georgia Forum** to coordinate the OGP process at the national level. The Forum, which operates under co-chairmanship of the representatives of the Government and civil society members elected by the Forum, serves as a solid platform for public agencies, civil society and international organizations to put together their efforts to make the government truly transparent and accountable to the public. This demonstrates that civil society is at the heart of all what we do to respond to our citizens' needs.

Following adoption of the Second Action Plan the Secretariat of the Open Government Georgia developed an **Action Plan Monitoring and Self-Assessment Methodology** which was approved by the Forum. Methodology aims to ensure that all stakeholders are involved in assessing the progress we strive to achieve through the Action Plan activities.

According to the methodology, the monitoring of the Action Plan implementation process is to be conducted on a quarterly basis. A monitoring tool is to be filled out and submitted to the Secretariat of the Open Government Georgia by the responsible agencies. The next step is that the monitoring tool filled out by all responsible agencies is to be submitted to the Forum member CSOs and international organizations for their comments and input. The monitoring results are to be finalized by the Secretariat and presented to the Forum for discussion. To fully analyze the achieved progress, responsible agencies submit the written progress reports to the Secretariat and the latter prepares its analysis based on various sources. Secretariat prepares the final self-assessment report and submits it to the Anti-Corruption Council of Georgia and the OGP Secretariat. The OGP Support Unit assesses our methodology very positively and we should think to share this experience with the partner countries.

Georgia has taken several steps to encourage a ‘race to the top’ among OGP members. As an example, in June 2015 we hosted a **European Region Government Point of Contact Conference** in Tbilisi, Georgia, with a primary goal to foster collaboration and learning within the open government community. Through facilitated discussions and dynamic sessions, the participants had an unique opportunity to share their insights with each other and learn about innovative practices of their peers in other countries in various matters related to the OGP process, such as development of Action Plans, holding consultations in the course of Action Plan implementation, conducting thematic workshops, ensuring public participation and access to open data, fiscal transparency, and public service delivery. The OGP Working Groups and multilateral partners contributed to this important gathering of OGP reformers.

In addition, in the framework of the Tbilisi conference, **France and Georgia** set an example of deepening cooperation between two nations devoted to finding innovative solutions to tackle the issues of governance for the benefit of their citizens. The Ministry of State for Government Reform and Simplification of France and the Ministry of Justice of Georgia **exchanged a letter of cooperation** in matters of disclosure of court decisions, electronic governance at the central and local levels and the creation of public service hubs at local levels.

We believe OGP is a platform where our experience can be shared widely. **Our experience shows** that not only democratic governance and development but even maintenance of stability and promotion of OGP values are possible despite the fact that we, as a small country, are situated in a complex geopolitical area of the world, and last, not least, 20% of our territory is being occupied by a foreign state. We thus stand ready to share our experience with our peers around the world and, if elected, to lead the way of change towards a better understanding of how open and accountable government can benefit their citizens.

**3. Which Ministry would lead your OGP chairmanship, and what resources would this Ministry be able to commit to work on OGP? Who do you expect will represent you in Governance and Leadership subcommittee calls and working-level SC meetings?**

The Minister and Ministry of Justice of Georgia would lead Georgia’s chairmanship at the Open Government Partnership. The Georgian Government is ready to dedicate all the necessary human and financial resources to support Georgia’s chairmanship during the defined 2-year term.

The First Deputy Minister of Justice of Georgia, and/or the Head of the Analytical Department at the Ministry of Justice of Georgia (also the Chair of the Forum and the Head of Secretariat of the Open Government Georgia) will represent us in Governance and Leadership subcommittee calls and working-level SC meetings.

**4. How would you envision the role and involvement of your head of state during your OGP chairmanship? What role would you envision for your Foreign Ministry, and how would you use your network of foreign embassies to promote OGP globally? Are there other ministries you would seek to bring into the OGP process?**

The open governance is a priority that has continually and firmly been supported, both domestically and internationally, by Georgia's previous and present prime ministers. At the OGP High Level Event held in New York City, on 24 September 2014, the Prime-Minister of Georgia demonstrated and reaffirmed Georgia's intention to maintain the highest standards for the initiative and ensure its long-term sustainability.

The Minister of Justice represents the country in the OGP Steering Committee which is both appreciation by the partner countries of Georgia's consistent efforts to build effective institutions and the demonstration of much confidence in the good governance and transparency reforms in Georgia.

The Prime-Minister of Georgia together with the Speaker of the Parliament and the President of the Supreme Court co-hosted "European Region Government Point of Contact Conference" in Tbilisi in 2015. Through the Ministry of Foreign Affairs and Georgian embassies to other countries the Prime Minister will thus continue to lead the process of promoting OGP globally. In this connection, to guarantee a unified practice, the Secretariat of the Open Government Georgia will propose specific activities, such as PR/communication strategies, awareness raising operations, etc. which would enable us to promote OGP worldwide.

Currently, most of the line ministries in Georgia are involved in the OGP process. As a chair of the Partnership we will work to further enhance the involvement of Georgian ministries at the local and international levels.

**5. What level of financial and staff resources would your government be able to commit to the organization of an OGP Global Summit in 2017? When would you hope to host the Summit?**

Both events – the European Region Government Point of Contact Conference and the one titled Committing to Openness: Parliamentary Action Plans, Standards, and Data - held in Georgia so far proved that Georgia has high ability and experience to organize such conferences. This is a strong foundation on which we may build a structure of the high level summit aimed to disseminate the OGP message throughout the globe. In addition, holding the summit in Georgia will further attract for the partnership the countries such as Ukraine, Turkey, Moldova, Armenia, etc. As noted above, Kazakhstan has already expressed its intention to join OGP. The Georgian Government is ready to contribute all the necessary human and financial resources to the organization of the OGP Global Summit in 2017 as well as any other peer learning activities.



6. As co-chair, what type of support would you anticipate needing from the other OGP co-chairs (both government and civil society) and from the OGP Support Unit?

We would highly appreciate a close collaboration between the OGP co-chairs both from the government and civil society. We would be keen to learn from their experiences to better plan the future of the Partnership. We expect that the co-chairs will be strong supporters of each other's initiatives and will work hand in hand to attract more members into the partnership and promote the OGP message worldwide. These goals may not be achieved unless there is a strong concerted action on the part of the co-chairs.

We applaud the work of the OGP Support Unit to drive an action and facilitate OGP processes across the world. Georgia, as a member country of the Partnership, has benefited much from the knowledge and experience the Support Unit has generated over these years. In the process of planning the "European Region Government Point of Contact Conference" we worked very intensely with the Support Unit team to make the meeting successful. Our collaboration clearly demonstrates their crucial role in many different ways. Therefore, we strongly believe that the OGP co-chair would certainly need the assistance from the OGP Support Unit.

Sincerely,

**Thea Tsulukiani**

Minister of Justice of Georgia



*Bucharest, April 15<sup>th</sup>, 2016*

**Dear Co-chairs of the Open Government Partnership,**

Thank you for the letter informing us on the possibility to serve as OGP co-chair for the term starting October 2016. We are aware of the tremendous opportunities and challenges that lay in front of OGP - with robust government engagement and thinking around transparency and accountability, alongside global debates such as the Sustainable Development Goals.

**1) What would your vision be for your government's OGP chairmanship, and how would you seek to advance the goals of OGP's four-year strategy during the next two years?**

As an OGP member state for four years, the Government of Romania has already asserted and abode by its commitment to promote governmental transparency, encourage civic participation, use new technologies in administration and fight corruption.

Our vision for OGP chairmanship is to advance the goals of the OGP's four-year strategy during the next two years by maintaining high-level political leadership and commitment for OGP in participating countries and by ensuring that participating countries are held accountable for making progress toward achieving their OGP commitments. These efforts should be complemented by broadening the community of reformers and increasing opportunities for peer exchange, including through regional and thematic networks.

**2) How would your government demonstrate leadership of OGP at both the international and domestic levels during your chairmanship? What are your greatest domestic achievements and lessons through OGP that you would want to share with your peers around the world?**

The Government's programme includes efforts for a stronger affirmation of Romania as a strategic actor at regional, European and international levels, with special attention paid to our neighbourhood, especially in the Eastern part and the Western Balkans.

As OGP co-chair, we are ready to use **on the international level** the leadership potential to foster regional cooperation for implementing the OGP and promote peer learning and exchange among OGP members. As part of this objective, we have already hosted regional meetings to exchange best practices and explore future possibilities for regional cooperation.

We will also promote the implementation of the OGP principles and agenda at the level of the European Union and its member states, stimulating cooperation among participant states particularly in the field of open data.

**On the domestic level**, the Government's programme complies with the OGP principles. As such, it is committed to openness and transparency in the dialogue with central and local government

institutions, civil society and citizens. In the same vein the programme envisages the opening of the decision-making process by facilitating citizen participation in legislative initiatives and policy-making, the optimization of the social dialogue in order to strengthen institutional relations and social cohesion, and the promotion of a steady and efficient dialogue with civil society and the business environment.

All these measures will be reflected in the new National Action Plan, created in close collaboration with the civil society, through which we seek to achieve improved transparency of the public procurement process, open local governments, open justice, open legislative, increased transparency and efficiency of public spending and ensure open access in education and research.

In 2015, Romania endorsed the Joint Declaration on Open Government for the Implementation of the 2030 Agenda for Sustainable Development and is currently promoting several SDG related commitments for the new National Action Plan.

OGP participation and the national action plans developed and implemented since 2012 resulted in increased efforts to promote transparency and fight against corruption and encourage public participation.

Romania is one of the OGP countries that has undertaken substantial and sustained efforts in the fight against corruption. Representatives of the Ministry of Justice have been welcomed as members of the newly created Anti-Corruption Working Group.

3) Which Ministry would lead your OGP chairmanship, and what resources would this Ministry be able to commit to work on OGP? Who do you expect will represent you in Governance and Leadership subcommittee calls and working-level SC meetings?

The Chancellery of the Prime-Minister would lead the OGP chairmanship, with significant support from the Ministry of Foreign Affairs and the Ministry for Public Consultation and Civic Dialogue.

The PM Chancellery is led by the Head of Chancellery, with the rank of Minister and member of the Cabinet.

The responsibilities of the Chancellery include the following: driving open data related endeavours, empowering citizens to identify, download and use public datasets produced or owned by the public administration, monitoring the implementation of e-Government projects, the Open Government Partnership commitments and the Digital Agenda for Romania, and offering support to the relevant public institutions.

Romania will nominate representatives from the PM Chancellery and from the Ministry for Public Consultation and Civic Dialogue to participate in the Governance and Leadership subcommittee calls and working-level SC meetings.

4) How would you envision the role and involvement of your head of state during your OGP chairmanship? What role would you envision for your Foreign Ministry, and how would you use your network of foreign embassies to promote OGP globally? Are there other ministries you would seek to bring into the OGP process?

From the beginning of his tenure, the Romanian President and the Presidential Administration, through the Department for Internal Policy, has shown a high level of support for the open government topic. This institutional framework of support at the highest political level is a

guarantee for its unimpeded continuation, as the Presidential Administration is committed to advocate the sustained interest of governments on this subject. The Presidency, through the Department for Internal Policy, will ensure that the OGP and its principles remain a priority for future governments.

The Ministry of Foreign Affairs has played a significant role in the OGP process from the moment Romania decided to become a member in 2011. The Ministry of Foreign Affairs is determined to continue its direct involvement in the process. Its network of embassies will be instrumental to promoting specific issues on the co-chair's Agenda and the principles of OGP in general.

The Ministry for Public Consultation and Civic Dialogue will also contribute to the OGP process and co-chair agenda. Its role includes the development and monitoring of national policies regarding civic dialogue, public consultation and open government, as well as the representation at both national and international level, in coordination with the Chancellery, of the Government's interests in the sector of open, participative and accountable governance.

**5) What level of financial and staff resources would your government be able to commit to the organization of a regional event in your country?**

The Romanian Government will ensure the financial and human resources as required for the organization of a regional event in Romania. The Government administration has relevant experience in organizing large-scale international events which is a strong prerequisite for Romania's capacity to meet all the requirements of an OGP regional summit.

In consultation with the current and previous co-chairs, we will assess the necessary financial and human resources needed for hosting such an event, so that the budget is provisioned with the necessary amount and the human resource is prepared on a timely manner, based on the other governments' best practices.

**6) As co-chair, what type of support would you anticipate needing from the other OGP co-chairs (both government and civil society) and from the OGP Support Unit?**

As co-chair, we cherish the expertise of OGP Support Unit on chairmanship's best practices and OGP's methodology, as well as its organizational and technical support on issues such as budget, agenda, and members outreach.

Romania will also need the support of the other OGP co-chairs to advance the goals of the Open Government Partnership at both international and domestic levels.

Please let us know if you require further information. The Romanian delegation will also be participating on the 3-4 May Steering Committee meeting in Cape Town and will be available for additional discussions.

Yours sincerely,

**Ioan Dragoş Tudorache**

Head of Prime Minister's Chancellery



**OPEN DEMOCRACY  
ADVICE CENTRE**

TRANSPARENCY IN ACTION

**15 April 2016**

Alejandro Gonzalez Arreola

Lead Civil Society Co-Chair: Open Government Partnership Steering Committee

Director-General: GESOC, Gestión Social y Cooperación A.C.

Presidente Carranza 133,

Col. Villa Coyoacán

Del. Coyoacán,

México D.F.

CP 04000

Tel: +52 (55) 55732399 y 55735789 Ext.18

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***Re: Expression of Interest for Nomination as Co-Chair***

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Dear Mr. Alejandro Gonzales Arreola,

Your letter to me dated 07 April 2016 refers,

Thank you for your enquiry on whether I may be interested to be considered for nomination to be an OGP co-chair for the 2-year term beginning in October 2016.

I will consider it an honour and a call to service to be selected as the next civil society co-Chair and, therefore, make myself available for such a nomination.

Yours sincerely

DocuSigned by:  
  
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**Mukelani Dimba**

Executive Director: ODAC

**Open Government Partnership (OGP):  
Linking Anti-Corruption Summit Commitments with OGP National Action Plans**

The Open Government Partnership (OGP) is a multilateral, multi-stakeholder initiative that aims to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. Launched in 2011 by eight governments, the initiative now includes 69 governments who work with civil society and other stakeholders in their countries to make concrete, actionable commitments towards open government reform in biannual Action Plans. A country's progress on its commitments is independently monitored by the Independent Reporting Mechanism (IRM). In the last four years, OGP participating governments have collectively made over 2,250 commitments on issues ranging from public integrity (including policies on anti-corruption), access to information, citizen participation, fiscal transparency, and public service delivery, among others.

The Open Government Declaration, endorsed by countries when they join OGP, specifies fighting corruption as one of its core areas of commitment. Yet, while some OGP Action Plans do contain country commitments to fight corruption, such measures (including anti-corruption, beneficial ownership, open contracting, conflict of interest and ethics reform, and whistleblower protection, among other areas) comprise only 12% of the total commitments made as part of OGP National Action Plans. A few innovative examples include:

- Improving citizen oversight of corruption prevention and enforcement measures (Colombia)
- Creating a public registry of company beneficial ownership information (UK)
- Increasing the capacity of the Attorney General's Office to fight corruption (Brazil)
- Addressing corruption risk in the judiciary (Ukraine and Georgia)

**There are 30 OGP countries invited to the UK Anti-Corruption Summit on 12 May, and 26 of them are submitting new National Action Plans this year.** It is a platform for ongoing reform that these governments are committed to – and, as such, **OGP is a crucial vehicle for ensuring citizen engagement in, and independent monitoring of, commitments made at the Summit** – both of which will help ensure Summit commitments lead to real change in the fight against corruption in the years ahead. Members of the OGP's new Anti-Corruption Working Group (ACWG), including the governments of the UK, Georgia, Brazil, and Romania, and civil society from Transparency International, Open Society Foundations, and the Open Contracting Partnership, are working in their countries to develop new anti-corruption commitments that can both be announced at the Summit in May, and included in their 2016 OGP Action Plans which are due mid-year. Representatives from these countries, as well as Joe Powell, Deputy Director of the OGP Support Unit, will be available throughout the Sherpa meetings to discuss how OGP participating countries can integrate the anti-corruption commitments made at the Summit with their national OGP Action Plans.

For OGP governments interested in linking Summit commitments with OGP Action Plan process, **the key next steps are to:**

- 1) Explore options with the OGP's Joe Powell, Thom Townsend from the UK Cabinet Office, and other members of the OGP ACWG at the Sherpa meeting (contact info below);
- 2) Confer with your government's lead OGP points of contact (see contact list below); and
- 3) Consult with domestic civil society organizations about potential anti-corruption commitments.

**OGP Lead Points of Contact by Country:**

Country	Lead Contact	Lead Contact Email	Minister/ Senior Official	Position	Ministry
Argentina	Natalia Carfi	<a href="mailto:ncarfi@modernizacion.gob.ar">ncarfi@modernizacion.gob.ar</a>	Rudi Borrman	Subsecretario de Innovación y Gobierno Abierto	Secretaría de Innovación y Gestión Pública
Australia	Toby Bellwood	<a href="mailto:Toby.Bellwood@pmc.gov.au">Toby.Bellwood@pmc.gov.au</a>	Malcolm Turnbull	Prime Minister	Office of the Prime Minister and Cabinet
Brazil	Camila Colares	<a href="mailto:camila.colares@cgu.gov.br">camila.colares@cgu.gov.br</a>	Carlos Higino Ribeiro de Alencar	Chief Minister of the Comptroller General of the Union	Comptroller General's Unit
Canada	Stephen Walker, Mark Levene	<a href="mailto:stephen.walker@tbs-sct.gc.ca">stephen.walker@tbs-sct.gc.ca</a> , <a href="mailto:mark.levene@tbs-sct.gc.ca">mark.levene@tbs-sct.gc.ca</a>	Scott Brison	President, Treasury Board Secretariat	Treasury Board Secretariat
Chile	Rodrigo Mora Ortega, Francisco	<a href="mailto:fsanchez@minsegpres.gob.cl">fsanchez@minsegpres.gob.cl</a> , <a href="mailto:rmora@minsegpres.gob.cl">rmora@minsegpres.gob.cl</a>	Mr. Nicolás Eyzaguirre	Minister of the General Secretariat of Presidency	General Secretariat of Presidency

	Sánchez				
Colombia	Sandra Celis, Alice Bergnum	<a href="mailto:sandrachelis@presidencia.gov.co">sandrachelis@presidencia.gov.co</a> <a href="mailto:aliceberggrun@presidencia.gov.co">aliceberggrun@presidencia.gov.co</a>	Camilo Enciso	Anticorruption Tzar	Presidency
Costa Rica	Francela Valerin	<a href="mailto:francela.valerin@presidencia.gov.cr">francela.valerin@presidencia.gov.cr</a>	Ana Gabriel Zúñiga Aponte	Vice Minister of Political Affairs and Citizen Dialogue	Public Security Ministry
France	Laure Lucchesi	<a href="mailto:laure.lucchesi@modernisation.gouv.fr">laure.lucchesi@modernisation.gouv.fr</a>	Jean-Vincent Placé	Minister for Government Reform and Better Regulation	Office of the Prime Minister
Georgia	Zurab Sanikidze	<a href="mailto:zsanikidze@justice.gov.ge">zsanikidze@justice.gov.ge</a>	Tea Tsulukiani	Minister of Justice	Ministry of Justice
Ghana	Kwame Adorbor Pethuel Danyo	<a href="mailto:kwame.adorbor@psrs.gov.gh">kwame.adorbor@psrs.gov.gh</a> <a href="mailto:pethuelak@yahoo.com">pethuelak@yahoo.com</a>	Honorable Alhassan Azong	Minister of State, Public Sector Reform	Public Sector Reform Secretariat
Indonesia	Yanuar Nugroho	<a href="mailto:yanuar.nugroho@ksp.go.id">yanuar.nugroho@ksp.go.id</a>	Luhut Panjaitan	Chief of Staff	Executive Office of the President
Ireland	Evelyn O'Connor	<a href="mailto:Evelyn.O'Connor@per.gov.ie">Evelyn.O'Connor@per.gov.ie</a>	Brendan Howlin TD	Minister for Public Expenditure and Reform	Department of Public Expenditure and Reform
Italy	Stefano Pizzicannella	<a href="mailto:s.pizzicannella@governo.it">s.pizzicannella@governo.it</a>	Marianna Madia	Minister of Public Administration and Simplification.	Ministry of Public Administration and Simplification.
Jordan	Zeina Toukan	<a href="mailto:zeina.t@mop.gov.jo">zeina.t@mop.gov.jo</a>	Minister Imad Fakhoury	Minister of Planning and International Cooperation	Ministry of Planning and International Cooperation
Kenya	Philip Thigo, Casper Sitemba, Linet Kwamboka	<a href="mailto:philip.thigo@deputypresident.go.ke">philip.thigo@deputypresident.go.ke</a> , <a href="mailto:casper.sitemba@deputypresident.go.ke">casper.sitemba@deputypresident.go.ke</a> , <a href="mailto:lkwamboka@ict.go.ke">lkwamboka@ict.go.ke</a>	Dr. Korir Sing'Oei, Dr. Fred Matiang'i	Legal Advisor & Head Legislative & Intergovernmental Affairs, Office of the Deputy President; Cabinet Secretary, Ministry of Information and Communications	Office of the Deputy President
Mexico	Guillermo Ruiz de Teresa	<a href="mailto:ruizdeteresa@presidencia.gob.mx">ruizdeteresa@presidencia.gob.mx</a>	Alejandra Lagunes	Coordinator of the National Digital Strategy	Office of the President Of Mexico
Netherlands	Roxana Chandali	<a href="mailto:Roxana.Chandali@minbzk.nl">Roxana.Chandali@minbzk.nl</a>	Ronald Plasterk	Minister of the Interior and Kingdom Relations	Ministry of Interior
New Zealand	Tim Blackmore	<a href="mailto:Tim.Blackmore@ssc.govt.nz">Tim.Blackmore@ssc.govt.nz</a>	Minister Louise Upston	Minister of Land Information, Minister for Women	Government Cabinet
Norway	Tom Arne Nygaard, Asbjørn Seim	<a href="mailto:tom-arne.nygaard@kmd.dep.no">tom-arne.nygaard@kmd.dep.no</a>	Paul Chaffey	State Secretary for Minister of Local Government Administration	Ministry of Local Government and Modernisation
Panama	Aida Martinez, Mortola	<a href="mailto:amartinez@antai.gob.pa">amartinez@antai.gob.pa</a>	Angélica Maytín	General Director	National Authority for Transparency and Access to Information
Romania	Radu Puchiu	<a href="mailto:radu.puchiu@gov.ro">radu.puchiu@gov.ro</a>	Radu Puchiu	State Secretary	Prime Minister's Chancellery
South Africa	Qinisile Delwa	<a href="mailto:Qinisiled@dpsa.gov.za">Qinisiled@dpsa.gov.za</a>	Deputy Minister Ayanda Dlodlo	Deputy Minister of Public Service and Administration	Ministry of Public Service and Administration
South Korea	Minju Koo	<a href="mailto:mjkoo99@korea.kr">mjkoo99@korea.kr</a>	Yoon-sik Hong	Ministry of Interior	Ministry of Interior
Spain	Victoria Figueroa Dominguez	<a href="mailto:victoria.figueroa@mpr.es">victoria.figueroa@mpr.es</a>	Angelina Trigo Portela	Directora	Oficina para la Ejecución De la Reforma de la Administración (OPERA)
Sri Lanka	Piyumanthi Peiris	<a href="mailto:piyumanthipeiris@gmail.com">piyumanthipeiris@gmail.com</a>	Wijeyadasa Rajapakshe	Minister of Justice and Buddhist Affairs	Ministry of Justice
Tanzania	Christina	<a href="mailto:twambali@yahoo.co.uk">twambali@yahoo.co.uk</a>	Angellah Kairuki	Minister of State	President's Office-Public

	Wambali, Sue Mlawi	<a href="mailto:suemlawi@yahoo.com">suemlawi@yahoo.com</a>			Service Management and Good Governance
Trinidad and Tobago	Mr. John Gillette	<a href="mailto:gillettej@mpa.gov.tt">gillettej@mpa.gov.tt</a>			
Tunisia	Khaled Sellami	<a href="mailto:khaled.sellami@pm.gov.tn">khaled.sellami@pm.gov.tn</a>	Kamel Ayadi	Minister of Public Service, Governance and Fight against Corruption	Ministry of Public Service, Governance and Fight against Corruption
Turkey	TBC				
Ukraine	Natalia Oksha	<a href="mailto:oksha@kmu.gov.ua">oksha@kmu.gov.ua</a> <a href="mailto:pakhno@kmu.gov.ua">pakhno@kmu.gov.ua</a>	Hennadii Zubko	Vice Prime Minister of Ukraine and Regional Development, Construction, Housing and Utilities Economy Minister	Office of the Prime Minister
United Kingdom	Ollie Buckley	<a href="mailto:oliver.buckley@cabinetoffice.gov.uk">oliver.buckley@cabinetoffice.gov.uk</a> ,	Matthew Hancock	Minister for the Cabinet Office and Paymaster General	Office of HM Paymaster General
United States	Cori Zarek	<a href="mailto:corinna_j_zarek@ostp.eop.gov">corinna_j_zarek@ostp.eop.gov</a> v	Tom Malinowski	Assistant Secretary	Bureau of Democracy, Human Rights, and Labor



## Open Government Partnership (OGP) Working Group on Anti-Corruption

This note outlines the purpose and initial goals of the Open Government Partnership's (OGP) **new working group on anti-corruption**, launched in early 2016 with support from members of the OGP Steering Committee, other OGP participant countries and civil society organizations.

### Background

Concern about government corruption was one of central driving forces behind the OGP's creation in 2011. Open, accountable, participatory governance is threatened at every turn by the scourge of corruption; whether it's the large-scale looting of state assets by members of government, or petty bribery that overwhelmingly impacts the poorest in society and undermines citizen trust. Corruption distorts policymaking toward special interests and undermines the delivery of government services. It is a driver of conflict and instability, a major security concern in an unstable global environment and a serious barrier for many countries to accessing finance from global capital markets.

Despite the centrality of fighting corruption to the OGP's mission – it features as one of the four core areas of commitment in the [Open Government Declaration](#) – this area has received much less explicit attention in country commitments and peer exchange opportunities than one would expect. Creating an anti-corruption working group is a critical opportunity to encourage more focus, exchange of ideas and, most importantly, action, on anti-corruption reform in OGP countries, drawing on the enormous experience of government and civil society actors within the partnership. A greater internal emphasis on anti-corruption is also in keeping with OGP's commitment to integrating implementation of the UN Sustainable Development Goals into its work.<sup>1</sup>

### Goals

The goal of the working group is to identify and share good practice and diverse country experiences that can feed into the development and implementation of anti-corruption commitments on an ongoing basis. As a forum for peer learning and support, it is intended to stimulate a greater number of ambitious commitments around anti-corruption within OGP countries, to identify cross-cutting areas where collective commitments could be more beneficial than individual country efforts (for example, on anti-money laundering cooperation), to provide technical resources to shape the elaboration of commitments and to facilitate more effective implementation of commitments.

### Scope: Emphasizing Accountability and Ambition in Anti-Corruption Efforts

Many existing OGP commitments do, of course play, a crucial role in fighting corruption: procurement transparency, freedom of information laws, asset disclosure and open data for example are all central to helping to *prevent* corruption from taking place. There has, however, been much less focus within OGP on the *detection* and *enforcement* components of the anti-corruption system. This means having the

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<sup>1</sup> Goal 16 of the UN SDGs, among other goals, includes several targets related to anti-corruption, including: 16.5: Substantially reduce corruption and bribery in all their forms; 16.6: Develop effective, accountable and transparent institutions at all levels; and 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.

appropriate rules, institutions, capacities and incentives in place to investigate corrupt networks, identify corrupt actors, pursue legal remedy and secure convictions to deny these actors impunity – in other words, to hold corrupt actors accountable. Areas of potential country commitments within this domain include but are not limited to: (1) institutional reforms such as increasing the independence, mandate, and budget of anti-corruption authorities; (2) whistleblower protection; (3) stolen asset recovery measures; (4) anti-bribery laws; (5) the creation and use of beneficial ownership registries and other datasets that are crucial in identifying corrupt actors; (6) anti-money laundering reforms; (7) judicial reforms; and (8) strengthening political finance regulation.

Accountability is thus a central focus of this working group, as it will encourage OGP country efforts to improve *detection* of corruption and *enforcement* of anti-corruption laws and regulations. Nonetheless, the group will also encourage continued OGP efforts on corruption *prevention* – particularly those that are ambitious, in that they are potentially transformative to countries’ anti-corruption systems and highly relevant for areas at high risk of corruption. In sum, the group will promote robust anti-corruption commitments across the spectrum of prevention, detection, investigation, prosecution and sanction.<sup>2</sup>

There are also unintended negative consequences that anti-corruption efforts can have on civic space that are worth considering within the scope of this group - for example, anti-money laundering laws that can make it difficult for civil society to register and access funding. Given the broader emerging interest within OGP on issues of access to justice, including open judiciaries and legal empowerment, this working group may also consider broadening its focus over time to include a broader access to justice agenda.

### **Global Anti-Corruption Summit**

The formation of this group also comes in the lead-up to a global anti-corruption summit being hosted by the UK government in May 2016, just a month before 2016 OGP action plans are due. This high-level event offers a valuable political platform for OGP members to make ambitious new commitments that demonstrate their commitment to fighting corruption. 51 OGP countries will be developing new action plans by June 2016 so if we can link up effectively with the anti-corruption summit, there are clear potential benefits: countries receive greater attention for the new policy announcements they make at the summit; OGP action plans become more ambitious on a key topic for both governments and civil society; and the legacy of the summit will be sustained where commitments are included in national action plans because the OGP’s Independent Reporting Mechanism (IRM) will hold governments to account for implementing them. The summit also offers an opportunity to convene the working group in person for the first time and hold a high-level peer exchange event highlighting countries’ experiences in fighting corruption on a global stage.

### **Participation and Expectations**

The governments of Georgia, the United Kingdom, and Brazil, as well as Transparency International and the Open Society Foundations, founded and will serve as the initial co-anchors of the working group.

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<sup>2</sup> For illustrative examples of ambitious OGP anti-corruption commitments, see Transparency International’s “Anti-Corruption Commitments in the Open Government Partnership”

Given capacity constraints and the immediate opportunities presented by the UK Summit in May 2016 and the June 2016 action-plan deadline, the working group will begin with a relatively small group of highly committed OGP countries (8 countries maximum, including initial co-anchors) and civil society groups, as a pilot peer learning network. Criteria for participation have included:

- (1) Demonstrated willingness by country to: (a) make ambitious commitment(s) in next OGP action plan related to anti-corruption; (b) implement action plan commitment(s) related to anti-corruption via sufficient funding and mandate; and (c) pursue both commitment development and implementation with active engagement of domestic civil society (see [OGP public consultation guidelines](#))
- (2) Countries whose next OGP action plan is due in June 2016
- (3) Geographic and economic diversity among participating countries
- (4) Willingness to participate actively in the peer exchange activities of the working group, including regular calls, in-person meetings, technical support and information-sharing about the development of commitments
- (5) Commitment to participate at a high level in the UK Anti-Corruption Summit in May 2016

Over time the working group will be open to all interested government and civil society representatives from OGP, as long as they are committed to driving action on anti-corruption under the banner of OGP, and are willing to commit to joining regular calls and participating in relevant peer exchange meetings/events (including the planning, to the extent appropriate).

#### **Timeline and Next Steps - 2016**

February:	Initial calls of the Anti-Corruption working group (WG) conveners to discuss ambitions
Early March:	Recruitment of 3-5 additional initial WG member countries committed to making ambitious anti-corruption commitments in June, with domestic civil society involvement
Late March:	First call of the full WG to coordinate on action plan development and plan for in-person meeting in April and UK summit in May
Early April:	Continued member-country work and information-sharing on action-plan development
April 19-21:	In-person working-level meeting of WG in Paris as part of OECD anti-corruption policy forum (April 19-20). Goals: share initial plans on anti-corruption commitments; get feedback and further inspiration; identify if there are

overlapping areas that lend themselves to collective/complementary commitments on particular themes; discuss plans for May summit

- Early May: Working group call to follow up on in-person meeting and continue refining commitments and preparations for May summit
- Mid-May (date TBD): Meeting on margins of High-level International Anti-Corruption Summit in the UK, where government members of the OGP Anti-Corruption working group preview their 2016 commitments via a high-level, peer exchange meeting to discuss country success stories and challenges in fighting corruption and impunity. Role for civil society groups (either integrated or in parallel) TBD.
- July: 2016 OGP action plans are formalized and published. Post summit working group follow-up call, identifying next steps on implementation and new opportunities arising from the summit
- Planning for another in-person working group meeting and related peer exchange event on the margins of the UN General Assembly in September 2016. Discuss potential for expanding WG membership beyond initial members.
- September: In-person meeting of working group at UNGA and second peer exchange event

## DISCUSSION PAPER ON THE ROLE OF LEGISLATURES WITHIN THE OGP FRAMEWORK: PRACTICAL OPTIONS AND KEY POLICY CONSIDERATIONS FOR THE OGP

### 1. Purpose of the Discussion Paper

This discussion paper seeks to provide pertinent information and policy considerations to the Open Government Partnership's (OGP) Steering Committee on the role of legislatures within the OGP framework. This document has been drafted for the upcoming OGP Steering Committee meeting on the 3<sup>rd</sup> and 4<sup>th</sup> May, to be held in Cape Town, South Africa.

The aim of this paper is to present all the potential considerations for developing the role of parliaments within the OGP.

### 2. Background

In order to advance open government reforms at national level, the involvement of all branches of government is required. Parliaments, in their power to legislate and allocate resources, play a key role in supporting sustainable open government reforms. Government commitments are critical to generating reform; but, legislation and resources are required to ensure that such commitments are sustainable and effectively implemented. Parliaments are uniquely positioned to support the institutionalization and effective implementation of open government commitments. As open government is an attempt to build citizen trust and strengthen the relationship between the public and their government, parliaments, as democratically elected institutions, play a key role in realizing these goals as the representative organ of government. Moreover, by anchoring OGP commitments beyond a government or governing political party and involving parliaments, OGP is able to build a larger political consensus that improves sustainability of open government reforms beyond a governing party position or a particular election.

The OGP methodology is particularly interesting for parliaments, including, in particular, the setting of timelines, the reviewing of commitments and civil society engagement. Parliaments have often been very reluctant to engage with civil society, largely because they do not fully recognise the potential of such an engagement. Many civil society organizations in turn view parliaments as complex institutions that fail to see the added value they have to offer. OGP's mandatory requirement of including civil society from the initial commitment development stage onwards is seen as a very positive driver for establishing a strong civil society-parliament relationship. Furthermore, parliaments would immensely benefit from the platform and visibility associated with OGP.

### 3. OGP Country Commitments to Parliamentary Openness

The table below shows a sample of some of the current OGP country commitments on parliamentary openness which relate to Parliament:

Parliamentary/Legislative Openness Commitment	Country Commitments <sup>1</sup>
No OGP NAP yet <sup>2</sup>	Australia, Bosnia and Herzegovina, Cabo Verde, Côte D'Ivoire,

<sup>1</sup> Note, this is based on current commitments.

<sup>2</sup> Where the country has recently joined the OGP and has not yet developed a NAP and formulated commitments.

(Total = 7 countries)	Papua New Guinea, Sri Lanka.
Commitment relating to Access to Information Law (Total = 11 countries)	<p><b>Columbia:</b> developing Public Information Access Law;</p> <p><b>Costa Rica:</b> submission of a Bill on access to public records to the Legislative Assembly;</p> <p><b>Croatia:</b> improving the legislative framework for exercising the right of access to information;</p> <p><b>Ghana:</b> developing Right to Information Bill</p> <p><b>Guatemala:</b> develop complementary legislation to guarantee the right to free access to public information;</p> <p><b>Malawi:</b> enact Freedom of Information Law;</p> <p><b>Mongolia:</b> amendments to Transparency and Information Access Right Act;</p> <p><b>Philippines:</b> support on passage of access to information legislation;</p> <p><b>Serbia:</b> amendments to Law on Free Access to Information of Public Importance;</p> <p><b>Spain:</b> pass the Transparency, Access to Public Information and Good Governance Act;</p> <p><b>Tanzania:</b> preparation and scoping for a potential access to information law.</p>
Other legislative commitments (Total = 8 countries)	<p><b>Albania:</b> drafting new law on “Notice and Consultation”;</p> <p><b>Czech Republic:</b> the adoption of an Act on Civil Servants;</p> <p><b>Denmark:</b> reform legislation relating to technology and data;</p> <p><b>Philippines:</b> support on passage of whistle-blower protection legislation;</p> <p><b>Serbia:</b> amendments to legal framework on financing political activities and political subjects; amendments to Law on Anti-Corruption Agency; amendments to Law on Local Self-Government; draft law on ratification of the Additional Protocol to the European Charter of Local Self-Government;</p> <p><b>Sierra Leone:</b> pass Archives and Records Management Act; enact Extractive Industry Revenue Act; pass Extractive Industries Transparency Initiative Bill; pass Local Content Bill.</p> <p><b>Spain:</b> amendments to the Subsidies Act;</p> <p><b>Tunisia:</b> strengthen legal framework to fight corruption; review legal framework on personal data protection; establish a legal framework that regulates communication and interaction within public sector and between public structures and citizens using ICTs; prepare a legal framework for public consultation.</p>
E-Acts project (Total = 5 countries)	Albania, United Kingdom, Azerbaijan, Paraguay, Georgia.
Commitment on promoting legislative openness (Total = 7 countries)	<p><b>Albania:</b> E-Parliament project;</p> <p><b>Chile:</b> improving public services through the use of technology to inform citizens about the work of the National Congress;</p> <p><b>Croatia:</b> improving the practice of consulting the interested public in procedures of adopting new law, other regulations and acts;</p> <p><b>France:</b> (as below);</p>

	<p><b>Georgia:</b> allow public comments on draft legislation; empower citizens to engage in the legislative process by facilitating public discussions on draft laws;</p> <p><b>Ukraine:</b> online discussion of draft laws;</p> <p><b>United Kingdom:</b> publish draft legislation for public comment; make legislative data available and accessible;</p> <p><b>Uruguay:</b> promote transparency in the life cycle of Uruguayan draft laws.</p>
Other parliamentary related commitment (Total = 5 countries)	<p><b>Chile:</b> Increasing public integrity by improving public perception on the rules of conduct for members of Congress;</p> <p><b>France:</b> (as below);</p> <p><b>Georgia:</b> maintain physical public access to parliament; develop an obligation to parliament to justify changes in their agenda; develop a public education programme on the role of parliament; develop a code of ethics for members of parliament;</p> <p><b>Sierra Leone:</b> develop policy paper to advise the Parliamentary Public Accounts Committee with regard to placing limitations on length of time for their review and deliberations and publishing of the audit report.</p> <p><b>Ukraine:</b> (as below)</p>
Commitment on Open-Parliament (Total = 5 countries)	Chile, France, Ukraine, Georgia, Costa Rica.

#### 4. Options for Parliamentary Involvement

A reflection on the above broad trends demonstrate an increase in governments' expanding their action plans under the OGP to include parliamentary openness. However, this trend is implemented through a variety of different levels of involvement type, which form an important framework for the OGP Steering Committee to guide recommendations. There are four proposed options that might be considered for the type of parliamentary involvement:

- To have a modest parliamentary engagement in OGP;
- For parliamentary commitments to be placed in the country's national action plans;
- For parliaments to have their own independent action plans that follow OGP guidelines, timelines and monitoring process; and
- For parliaments to have their own independent action plans with a separate monitoring process by the OGP and to sign on to the Parliamentary Openness Declaration.

##### 4.1. Modest Parliamentary Involvement (Parliament as an Enabler)

This approach somewhat represents the current status quo where parliaments are indirectly involved in the OGP through executive commitments, for instance, in the passing of laws that give legal anchor to commitments being made by the executive, e.g. passage of Freedom of Information laws to improve transparency in public institutions. This option does not take into consideration the existing open stand-alone parliament action plans.

This is the basic minimum. It is recommended that if this approach is taken, this involvement could be extended by recommending to the executive that they should make an effort to involve their

parliaments more actively in the OGP process, for example through exercising oversight over the country's self assessments, or monitoring the resolution of the findings and the implementation of the recommendations in the OGP independent reports.

Pros	Cons
Maintains the working methodology of the OGP.	Does not maximise the opportunity that parliaments offer in overseeing the implementation of the commitments.
Maintains the separation of powers between government and parliament.	The minimal involvement of parliaments does not maximise the opportunity of members of parliament as public representatives to facilitate dialogue between government and the public.
Enables OGP to have a niche focus and sustains political will and interest.	The focus on the executive may have a long term risk of OGP participation by member states where the broad spectrum of government has not been involved in the country processes.
Does not involve additional cost implications on OGP support structures.	Does not reflect the trend for increased parliamentary involvement.

#### 4.2. Specific Section of Open Parliament Commitments Developed within one National Action Plan

This approach involves developing separate parliamentary commitments within a single national action plan aimed at enhancing parliaments own performance in becoming more open and accessible to public. This could be seen as having one National Action Plan with separate chapters, for example chapter 1 would contain commitments made by the executive and chapter 2 commitments made by parliament.

Pros	Cons
This option provides the opportunity to develop a multi-stakeholder approach and inter-governmental coordination, which leads to the sustainability of the OGP in the respective countries.	If commitments are generated by the executive, there is potential for rejection by parliamentary leadership that may see it as the executive imposing policy requirements on the governance structure of parliament.
Allows for integrated participation by two arms of the state working with civil society.	
Many countries have embarked on governance reform / improvement programmes and there is a solid body of practice on how governance at executive levels can be enhanced. However the issue of enhancing the governance of the legislative arms of the state is not as deeply rooted. OGP in parliaments can contribute towards building a body of practice that relates to parliamentary governance. Parliament-to-Parliament peer learning would be an important contribution by the OGP into this field.	



#### 4.3. Specific Open Parliament Commitments in a Separate Stand-alone Parliamentary Action Plan

The option suggests that stand-alone separate Action Plans are acceptable, as long as OGP guidelines and the executive's biennial timeline are followed, and the OGP monitoring process would be the same, meaning one assessment looking at both the executive and parliament plan in one report. This comes close to the approach followed by Chile, France, Costa Rica, Ukraine and Georgia. These countries have developed specific parliamentary commitments on governance, access to information and innovative technology that have been locked down in a stand-alone and separate Action Plan. In most cases however these countries did not (fully) follow OGP guidelines nor the executive's timeline. To date there is also no clear accountability mechanism for those plans.

Pros	Cons
It allows a country's leadership to focus on their priorities, whether executive or parliamentary commitments.	There is no collective and unitary action plan that covers comprehensively the two main arms of the state for better coordination of implementation.
It has the potential for innovative solutions that can be replicated by other countries.	There could be additional costs related to the conduct of parallel public consultation exercises and assessment of implementation.
It gives OGP a footprint across government arms in the respective countries.	IRM reports will expand to cover an even greater number of commitments at a time when OGP guidance is suggesting shorter, more ambitious action plans.
The OGP IRM and technical expertise will be developed to be able to handle not just executive actions but also actions that relate to the parliament.	

Current parliamentary Action Plans that currently fall under this rubric include:

X = yes; .. = No; ? = Unclear

Country Commitment	France (4)	Ukraine (20)	Georgia (19)	Costa Rica (9)	Chile (Planned)
<b>Standalone Plan</b>	X	X	X	X	Probably not
<b>OGP-Branded</b>	X	..	X	..	X
<b>Leadership</b> (Political/Civil Society)	Political	Mixed	Political	Mixed	Political
<b>Clear point of contact</b>	..	..	..	..	..
<b>Calendar</b>	Unclear	2016-2017	Different	?	X
<b>Evidence of consultation</b>	..	X	X	X	X

<b>Parliament as subject</b>	X	X	X	X	X
<b>Parliament as promoter</b>	..	..	X	..	X
<b>Monitoring</b>	?	..	Unclear (CSO + IRM)	X	?

#### 4.4. Specific Open Parliament Commitments in a Separate Plan with a Separate OGP Monitoring Process

A more ambitious approach would be for parliaments to adopt a separate action plan that would require a parallel OGP monitoring process, as well as the possibility of a formal endorsement of the OGP declaration by country parliaments or the declaration on parliamentary openness. Parliaments would have official status in the OGP and would develop open parliament action plans with a specific IRM mechanism for monitoring and evaluation of commitments. Timelines followed could also deviate.

<b>Pros</b>	<b>Cons</b>
Could lead to substantial changes in country parliaments and lead to more parliamentary openness.	Huge costs for OGP support unit in the set up and monitoring of new action plans.
Involves a wider spectrum of civil society organisations working specifically on open parliaments.	OGP becomes too big to effectively manage with the prospect of an additional action plans per participating country.
Allows OGP to dedicate resources to focus on parliamentary monitoring.	OGP loses its focus and fails to record any meaningful changes for openness.
In many regions, parliaments are among the least trusted public institutions, frequently below the executive, political parties, and the security sector. The opportunity to highlight the good work of parliaments engaged in OGP on the international stage can help reverse this damaging trend, and can help prop up citizen confidence in the representative branch.	Eligibility for participation by parliaments presents a significant problem. Is their eligibility determined by country eligibility? This position is tenuous if it taken that parliaments have an independent vested interest. How then is eligibility determined?
	Questions arise as to who will pay for parliament's OGP membership.

## 5. Factors to Consider

In considering the different ways parliaments may be involved in the OGP, there are a variety of factors the OGP should be alerted to in considering the options. The extent to which these factors play a role will depend on the option considered.

### 5.1 General factors

- **Assessing eligibility:** The two current proposals for eligibility for formal OGP parliamentary membership are through eligibility for only OGP countries or through the endorsement of the OGP declaration by country parliaments themselves. There might also be endorsement

to another declaration – given the current declaration does not include parliaments as actors – such as the Declaration on Parliamentary Openness.

- **Separation of Powers:** The separation of powers varies strongly across different systems. In parliamentary systems such as the UK, the legislature and the executive are closely linked: some or all members of the government will also be active Parliamentarians. By contrast, presidential systems tend to keep these branches strictly separated, with a separately elected president and legislature. Beyond this, mixed systems employ a variety of different arrangements.<sup>3</sup>

A question to consider is the extent to which parliaments should play a role in shaping government policy that is not law-based. Joining the OGP and the subsequent executive commitments are political, and, in some parliamentary systems, these are policy decisions that fall outside the mandate of parliament where an oversight role on the implementation of laws does not exist. What needs to be considered is what including parliaments means for the doctrine of the separation of powers and whether there will be sufficient political will to implement this expansion to parliaments in member countries with hung parliaments, coalition governments, minority governments or even in political contexts where different political formations control the parliament and the executive.

- **Overburden of Commitments:** Where parliamentary commitments are added to national action plans, a long list of commitments could potentially lead to less substantive commitments that could drive real change or make an impact in open government practices. Should parliamentary commitments be stand-alone within their own action plan or should they be enveloped within the broader, executive-driven national action plan?
- **Space to further strengthen the oversight role of parliaments:** It is important, too, to note the express role of parliament to monitor the fulfilment by the executive of its obligations. This oversight role is a means for holding the executive accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the parliament. The robust monitoring of the executive by the parliament is an indicator of good governance. Besides the parliament's legislative function, it is through oversight that the parliament can ensure a balance of power and assert its role as the defender of people's interests. In terms of international law, parliament must formally adopt the law/standard and then monitor its implementation by the executive.
- **Political Concerns:** While open parliaments offer an excellent opportunity within the OGP to advance its goals, there are political risks that must be taken into account. A fundamental risk is the rejection of national parliament to help implement commitments made by the executive (e.g. passing a law promised in the NAP) or if the executive would make commitments on openness of parliament and its processes. These risks would be minimized if parliament makes its own commitments. A related risk exists if the political leadership of the executive and that in parliament are not on the same page.
- **Citizen engagement:** As noted above, there could be additional costs for countries in terms of citizen participation in the development of commitments. However, this could potentially be rationalised through a Permanent Dialogue Mechanism.
- **Spreading political support thin:** The OGP currently enjoys the support of political leadership in the various OGP countries. However, significant challenges may arise in encouraging the leadership in the countries to recruit more support for the OGP from the political leadership of parliament for a policy decision of the executive. The OGP is still a

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<sup>3</sup> The specific configuration of the executive, the legislative and the judiciary of any given state is usually defined in its constitution or supreme document. It is crucial to ensure that the rights and responsibilities of parliament that can be impacted by external actors, such as the executive or judiciary, are defined in the constitution. By doing so, they cannot be amended without an amendment to the supreme law.

relatively new initiative and as a result, the political interest is still strong. However, this interest is not guaranteed to maintain over time. It is therefore important to sustain the continued interest of the various political leaderships in this initiative by emphasizing niche areas to advance the OGP's theory of change.

## **5.2 The Impact of Expanding the Role of Parliaments on OGP Support Unit and Governance**

The OGP core program of work may need to significantly change depending on the different approaches taken. The following impacts would arise:

- **OGP Mandate:**
  - If standalone plans were to be adopted, it would require either the Open Government Declaration to be amended, or for signature to a new Declaration such as the Open Parliaments Declaration. If the first were to be pursued, a question would be whether the approval for amendment would be needed from all signatories or just the Steering Committee.
  - If the second option is taken, what does this mean for the OGP's mandate?
- **OGP guidelines and support:**
  - The support offered to OGP countries would require orientation to be conducted for parliaments who join the OGP. Furthermore, technical support would have to be specially rendered to parliaments if they should be able to develop and implement their action plans. As noted, depending on the option selected the level to which this support would need to be facilitated would change;
  - For the civil society engagement, new advocacy tools would have to be developed for CSOs that are engaged in dialogue with parliaments;
  - A new set of guidelines on the commitments and development of the action plans would have to be developed if the option option 4 is chosen.
- **OGP Governance:**
  - The OGP Steering Committee currently has three subcommittees; the functions of all the subcommittees would have to be expanded;, and
  - The OGP Steering Committee could consider creating additional places for members of parliament;
  - In terms of governance, further considerations include the extent to which parliaments should be represented in the OGP Steering Committee; the role of the legislative openness working group; as well as the financial implications of any proposed expansion.
- **OGP Monitoring and Learning:**
  - To document learning and impact, the OGP Support Unit would have to develop new tools and case study methodologies; and
  - It would also require the expansion of the independent reporting mechanism program to cover and monitor the production of reports in either separate or stand alone plans. The OGP would need to implement a new monitoring and evaluation strategy to oversee the new action plans if either option 3 or 4 are chosen.
- **Budget**
  - The Steering Committee would need to assess the budget implications. The more elaborate and the more stand-alone the option chosen, the bigger the budget implications, especially for the IRM.

## **6. Conclusion and points for discussion with the Steering Committee**

The advantages of formally including parliament in the OGP process are numerous: increased capacity for oversight of implementation, development of commitments to open the legislative branch of government, deeper engagement of the entire political spectrum on open government issues, and institutionalization and enhanced sustainability of action plan commitments. The optimal preference would be for the OGP to maintain a single action plan divided into two chapters that cover both the executive and parliament. Given the existence of this practice with the five countries listed above, a pilot program to test the formal expansion to parliaments would not be necessary. However, for the OGP to maintain its credibility and control over the process, given the existence of current parliamentary action plans in some countries, it is necessary that the OGP should endorse the existing plans and allow the formal expansion in order for these commitments to follow the OGP methodology where civil society organisations are equally represented in the process. To ensure this takes place, the policy considerations and impact assessment above should be considered to sketch a way forward on what the OGP's recommended involvement with parliaments should like.

#### Points for discussion

- The factors listed under section 5 are crucial for identifying the appropriate option for OGP. What are the considerations and reactions around the table?
- Should "OGP in Parliaments" be compulsory for all OGP countries, or should countries be allowed to opt in or out of the parliaments component of national OGP effort?
- Is there a preference for a more traditional role of parliaments in OGP (e.g. help implement commitments made in the NAP; play an oversight role) or is their interest to expand this role (e.g. commitments by parliament on transparency, accountability and participation)?