

OGP Steering Committee Meeting May 4-5, 2014 -- Bali, Indonesia

May 4, 2014

Opening and Welcome

Minister Kuntoro Mangkusubroto of Indonesia, as Lead Chair of the Open Government Partnership, welcomed the Steering Committee members to Bali. He reflected on the remarkable growth of OGP since its launch and invited Rakesh Rajani, as OGP Civil Society Chair, to offer words of welcome. Minister Kuntoro then invited Minister Francis Maude of the UK to chair the first session of the meeting, focused on reviewing progress to date in OGP countries.

OGP Health Check

Minister Maude welcomed delegates and invited the IRM Program Manager, Joseph Foti, to present findings from the first round of 43 IRM progress reports (for Cohort 1 and 2 countries). Joseph's presentation synthesized major findings from these reports, summarized lessons learned and identified key areas for improvement. The presentation and a Lessons Learned paper by the IRM will soon be available on the OGP website.

Minister Maude invited Steering Committee members to comment, and the ensuing discussion focused on the following topics:

- Truly impressive amount of work and data generated by the IRM team.
- How to ensure that the IRM reports are being used to inform country-level dialogue, and how to better assess whether this is happening in practice.
- How we go from 25% starred commitments to at least 50%.
- Specific examples of where the IRM reports have informed improvements in the process of developing a country's second national action plan.
- Political transitions present an important moment for renewed engagement by SC members to help build high-level political commitment.
- Do we need a health check on the IRM itself? Is this level of effort sustainable?

In conclusion, Joseph noted that the first round of IRM progress reports covered action plan implementation during a period when OGP was quite new, and guidelines were not always clear and well communicated. This should improve now that the SU is now in regular communication with most government points of contact. He also noted that while many countries were initially disappointed with the findings of their IRM progress report, it was quite helpful for them to know that other countries had struggled with similar challenges.

The UK then invited the SU Executive Director, Linda Frey, to outline ways that both the Support Unit and Steering Committee can offer more support to participating countries. In the past year the Support Unit has prioritized building the necessary capacity to track on-the-ground developments in all participating countries by establishing regular communication with government points of contact. Linda introduced the SU Deputy Director, Joe Powell, to outline the work plan and initial observations of the Direct Country Support team within the Support Unit.

Joe presented a summary of this team's efforts to support the 46 countries currently producing their first or second OGP action plans. He also offered an informal analysis of the level of interest and capacity of OGP countries, suggesting that particular effort should be made to support those countries with high interest but limited capacity (due to resource constraints or otherwise).

He noted that the SU is now piloting efforts to broker technical support to some of these countries through OGP's multilateral partners, OGP working groups and support from Steering Committee members. The presentation concluded with examples of several countries where OGP has effectively brought together different types of support to improve performance.

Minister Maude invited comments and questions from the Steering Committee, which included:

- What SC members can do to ensure continued high-level political support after a change of government or Minister in OGP participating countries
- How multilaterals are supporting action plan development and implementation
- The need for more systematic country case studies to understand the factors driving OGP successes or failures to date
- Examples of Steering Committee members supporting new OGP members in developing their first national action plan

Minister Maude thanked the Support Unit and the IRM for their presentations and closed the session.

May 5, 2014

Welcome and Updates

Indonesia, as Lead Chair of the SC, welcomed SC members and invited Linda Frey to introduce the meeting agenda. After reviewing the agenda, Linda reminded the SC that the minutes from the previous SC meeting (October 2013) had been approved by circular. She then provided several updates on matters arising at the previous meeting and presented a brief summary of Support Unit activities for the last six months, including:

- (ongoing) Providing guidance to 46 countries developing their first or second OGP National Action Plan (to be submitted by June 15)
- Organized in-person meetings of the Governance and Leadership subcommittee (January) and the Criteria and Standards subcommittee (February)
- Worked with GL to draft OGP's four-year strategy, including numerous consultations with SC members and funders
- Developed and launched the first annual Open Government Awards in April (www.opengovawards.org)
- Established regular coordination mechanisms with multilateral partners
- Helped plan and organize two OGP Regional Meetings (Asia Pacific and Europe)

Linda also presented a timeline of OGP activities for the remainder of 2014, including the upcoming Steering Committee elections, the Americas Regional Meeting in August, and an OGP High-Level Event on September 23rd, on the margins of the UN General Assembly in New York.

She then invited Joseph Foti to provide an update on the IRM's progress and Paul Maassen to provide an update on CSC activities. Joseph described the substantial effort of the IRM team in publishing 35 progress reports in January and February for the second cohort of OGP countries. He noted that the IRM is in the process of contracting with 55 researchers to begin work on the second round of IRM reports, which will now require longer-term contracts to follow the OGP process over a 2-year period.

Paul highlighted the work of the CSC team in supporting civil society engagement in OGP countries, including: outreach to support civil society partners in the countries currently developing action plans; drafting and disseminating improved guidance on public consultation processes; encouraging civil society participation in IRM launch events; and planning civil society days in advance of both OGP regional meetings.

Governance and Leadership (GL) Subcommittee (Session 1)

Four-Year Strategy

The session chair invited Linda Frey to introduce a discussion on OGP's Four-Year Strategy. She noted that the GL subcommittee conducted consultation calls with most SC members in advance of the Bali meeting. Some of the recommendations from those calls that have since been incorporated in the draft strategy document include:

- Broaden and deepen OGP's network of reformers.
- Increase OGP's visibility as a platform.
- Provide stronger incentives for accountability and results.
- Renew SC leadership with more focus on external outreach.
- Increase support for on-the-ground implementation in OGP countries.
- Experiment with bringing local governments into OGP.

Linda proceeded to outline some of the key elements of the strategy, including the Vision, Mission, Strategic Objectives and Core Program of Work. Minister Kuntoro then invited comments and questions from the Steering Committee.

Members cited the following strengths of the strategy document:

- Rooted in experience and achievement of the last three years. Builds from the specifics to the strategy and does a good job documenting early results.
- First comprehensive strategy document that OGP has had. It also proposes a coherent administrative structure and reflects well how a small staff is having quite a large impact.
- Coherent, realistic and consistent. Reflects the level of maturity OGP has achieved, very forward-looking.
- Focus on deepening (vs. broadening) is quite correct – only then can we demonstrate to others how positive OGP can be.
- Good at reminding us of the core prerequisites that have to be in place for OGP to succeed: high-level political support, network of domestic reformers, and civil society engagement.
- It welcomes innovation and experimentation without promising to rapidly institutionalize new ideas. This reflects well the spirit of how OGP has evolved: encouraging decentralized innovation, driven by countries and regions.

Members cited the following areas for improvement:

- More emphasis on the IRM and its role. Make the link between the external communications strategy and effective dissemination of IRM reports.
- Primary focus is on domestic implementation -- may need to say more about the international level, for example how to 'transfer' successful initiatives from one country to another.
- Would benefit from a more coherent framework that knits together Learning and Impact, Monitoring and Evaluation, and the IRM to inform learning more broadly.
- More emphasis on how to ensure that a government's OGP commitments are 'institutionalized' throughout the bureaucracy to ensure impact and uptake beyond one agency or ministry.
- Should recognize existing examples of OGP engaging other branches of government, e.g. legislative and judiciary, noting that this is an area for future growth and experimentation.
- Further crystallize incentives for governments to continue to participate in OGP to promote openness through bilateral and multilateral engagement.
- More emphasis on creating a network for outreach to other multilateral initiatives, inline with the strategy of the SU.

The SC adopted the following **resolution**, as proposed by GL:

The Steering Committee of the Open Government Partnership (OGP) endorses the OGP four-year strategy presented and discussed at its May 5, 2014 meeting. Subject to the incorporation of the changes agreed in the Steering Committee meeting of May 5th, 2014, the strategy is approved, and the Steering Committee delegates the Governance and Leadership subcommittee to oversee the finalization of the document.

Role of Steering Committee Members

The SC discussed the need for its members to play a stronger external ambassador role on behalf of OGP. One member proposed formalizing the following expectations for SC members: 1) Spot opportunities for incorporating OGP principles in other international initiatives and use OGP as a platform to caucus; 2) Engage actively with other OGP countries on a bilateral basis to encourage improvement; 3) Involve a senior Foreign Ministry official to work closely with the OGP domestic lead on the SC, with the goal of mobilizing embassy networks in support of OGP. Other members agreed, noting that these expectations should be clarified in the process of onboarding new SC members.

The SC adopted the following **resolution**, as proposed by GL:

The Steering Committee resolves to take concrete steps in the coming months to increase Steering Committee engagement on the following tasks, which are critical to advance the strategic objectives outlined in OGP's four-year strategy: 1) Provide targeted outreach and support to encourage countries to meet their OGP commitments; 2) Represent OGP and help raise its profile on the international stage; 3) Recruit and orient new Steering Committee members; 4) Contribute funds and help with fund-raising.

Senior Advisors

Joe Powell reminded the SC of the decision taken in July 2014 to clarify the Senior Advisors' mandate as exclusively working with and supporting the IRM. However, he noted that the work of Senior Advisor

Mo Ibrahim to date has been much broader, and extremely useful to OGP as a whole. This led to a recommendation that the SC should consider expanding the role of the Senior Advisors to support OGP overall. A number of members spoke in favor of this shift, noting that it would contribute to OGP's strategic priority of building high-level political support and increasing OGP's visibility. Some members emphasized the importance of clearly differentiating the roles and responsibilities of Senior Advisors to avoid confusion with the role of Steering Committee members.

With that noted, the draft **resolution** was adopted as follows:

The Steering Committee hereby delegates the immediate past co-chairs – the Government of the United Kingdom and Warren Krafchik – to develop a proposal that would expand the mandate of the Senior Advisors to support OGP overall, including, but not limited to, defending and promoting the principles and integrity of OGP's Independent Reporting Mechanism. The proposal should clarify the terms of reference for the revised role of Senior Advisors to avoid any confusion or duplication with the role of OGP Steering Committee members.

Governance and Leadership Subcommittee (Session 2)

Suneeta Kaimal, as Chair of the session, introduced the questions for consideration and invited Linda Frey to present an overview of the proposed governance, organizational structure and staffing for OGP, as described in the draft Four-Year Strategy.

OGP Governance Structure

Using organizational charts from the strategy document, Linda illustrated the governance structure for OGP and the staffing plan for the Support Unit and IRM.

The OGP lead co-chairs, Indonesia and Rakesh Rajani, then summarized the GL recommendation to administratively integrate the CSC team with the Support Unit, highlighting the following points:

- There is currently a widespread misperception that the SU primarily supports governments, while the CSC team supports civil society. An integrated structure would clarify that the OGP Support Unit provides equal support and voice to both constituencies.
- The SU and CSC teams already work together quite closely. Integrating the two would better reflect reality, and would also make day-to-day collaboration more efficient.
- The primary function of the CSC is and would continue to be providing technical support to civil society partners, which is very much consistent with the mandate of the Support Unit.

Many members expressed agreement that OGP needs to do more to support civil society's engagement in OGP, and that doing so requires more capacity within the Support Unit to encourage and mobilize civil society engagement.

While agreeing with the principle of the SU providing support to both constituencies (governments and civil society), one member of the SC expressed concern that the integration could compromise the independence of the CSC to advocate on behalf of civil society. Another member of the SC noted that OGP's definition of civil society must be broad enough to include a wide variety of community groups and associations, such as youth and rural organizations, as well as citizens themselves.

To address the concerns raised by these members, the **resolution** was revised and adopted as below:

Subject to the Operating Principles outlined in OGP's four-year strategy, the Steering Committee agrees in principle that the Civil Society Coordination team should be integrated with the OGP Support Unit to ensure equal support to both government and civil society participants in OGP. The Steering Committee delegates the Support Unit to work with the government of Brazil and at least one civil society Steering Committee member to revise and finalize this section of the strategy document and share with the Steering Committee by circular in the coming weeks.

Funding Model and Budget

Linda provided a brief overview of the funding model and budget, noting that the Support Unit will refine the 4-year budget projection (2015 – 2018) subsequent to this meeting. She estimated that the annual budget for the Support Unit, including the IRM and civil society support, would be approximately \$5 million per year. OGP's funding model will continue to rely on a balance of contributions from private donors and public donors (including participating governments and bilateral aid agencies).

The SC briefly discussed the proposal for OGP to register as an independent organization and adopted the following **resolution**:

The Steering Committee resolves that OGP will begin the process of incorporating as an independent organization in the United States and authorizes the Support Unit to work with the Governance and Leadership subcommittee to take the necessary steps to file the application on behalf of OGP. The Steering Committee recognizes that this process will begin in the second half of 2014, but that the transition will not be complete for 18 months to two years. In addition, the Support Unit will continue to explore other options as needed to facilitate financial contributions to OGP.

The discussion then turned to the recommendation to request financial contributions from all participating OGP countries. The Chair noted that this idea was agreed in principle by the Steering Committee during its April 2013 meeting, with the goal of promoting greater ownership as well as cost sharing. The Support Unit subsequently engaged the services of the Center for Non-Profit Strategies (CNPS) to develop a more detailed recommendation, which was informed by consultations with Steering Committee members, other participating countries, and funders.

Following a brief discussion, the Steering Committee adopted the **resolution** as drafted:

The Steering Committee resolves that, starting in 2015, the Partnership will expect all participating governments to contribute towards OGP's budget. The Steering Committee authorizes the Support Unit to communicate the decisions outlined below to the broader OGP community. The Steering Committee also offers the Support Unit all needed assistance to help secure government contributions, both by paying their own contributions on time and in full, as well as conducting diplomatic outreach to other governments as needed.

Discussion then turned to the levels at which participating countries should contribute. The OGP lead chairs suggested two additions to the draft resolution originally proposed by GL: 1) provide both minimum and recommended levels for annual financial contributions; 2) use four income tiers instead of

three. SC members agreed with these modifications. One SC member noted that in addition to financial contributions, OGP should continue to welcome in-kind contributions from participating countries.

The SC adopted the following **resolution**:

The Steering Committee will request the following annual contributions from participating governments:

Income Tier	Minimum Contribution	Recommended Contribution
<i>Tier 1 – Low Income</i>	<i>\$10,000</i>	<i>\$25,000</i>
<i>Tier 2 – Lower middle income</i>	<i>\$25,000</i>	<i>\$50,000</i>
<i>Tier 3 – Upper middle income</i>	<i>\$50,000</i>	<i>\$100,000</i>
<i>Tier 4 – High income</i>	<i>\$100,000</i>	<i>\$200,000</i>

All member governments are encouraged to contribute higher amounts commensurate with ability. Governments will also be encouraged to make multi-year funding commitments.

The chair presented the draft resolution proposing consequences for governments that fail to make the minimum required contribution to OGP for two successive years. The SC agreed with the proposed resolution, but several members emphasized that the Support Unit should consult with GL in considering exceptions for governments that are making a concerted effort to overcome obstacles to making their payment. Noting these changes, the adopted **resolution** reads as follows:

The Steering Committee resolves that governments that for two successive years have not made financial contributions to OGP at or above the minimum amount for their income tier will not be eligible to run for a seat on the OGP Steering Committee or participate in any formal vote of OGP members. The only exception to this rule would be if the Support Unit, in consultation with the Governance and Leadership subcommittee, determines that there are legitimate obstacles for a government’s failure to contribute that the government is making a concerted effort to overcome. While all participating governments are expected and encouraged to contribute, failure to make a financial contribution will not result in the suspension of a government’s membership in OGP or any of its committees, nor will it affect said government’s ability to participate in OGP events.

Governance and Leadership Subcommittee (Session 3)

Steering Committee Co-Chairs

The chair invited Indonesia and Rakesh Rajani, on behalf of GL, to introduce the process for selecting incoming government and civil society OGP co-chairs. The Articles of Governance stipulate that nominations for each position must be received by the end of May, after which the GL subcommittee should make a recommendation to the wider Steering Committee, with a final decision to be taken no later than July. Indonesia noted that it was important for GL to adopt a clear and transparent process in formulating its recommendation to the Steering Committee.

The chair informed the SC that a letter had been sent in February to the four government SC members who have not yet served as OGP co-chair. The letter asked about their interest in becoming co-chair and stipulated some of the requirements for the position. As of the Bali SC meeting, the governments of Norway and Tanzania had declined, and South Africa had expressed interest. The government of the Philippines had not officially responded but would have until the end of May to do so.

The Steering Committee agreed that both government and civil society candidates for OGP co-chair should be asked to answer some basic questions about their qualifications and interest in order to inform GL's recommendation. It was agreed that Indonesia, on behalf of GL, would communicate these questions to the government candidates as soon as possible, requesting a reply by the end of May. This would allow GL to make a recommendation to the full Steering Committee by circular sometime in June.

The chair invited Steering Committee members to comment on the questions that should be posed to candidates. Suggestions included: the ability to commit financial resources, level of staff capacity and, in the case of the government co-chair, the capacity to mobilize support from foreign embassies.

Steering Committee Elections

The chair invited Joe Powell to review the election timeline and summarize the work the Support Unit has done to inform governments of the upcoming elections. It was agreed that the Civil Society Coordination team should circulate to the SC the criteria and procedures for selecting the next civil society SC members. The timeline for the two processes (civil society and government) coincide, such that all new Steering Committee members will be identified in advance of the September SC meeting.

Regional Groupings for Elections

The government of Mexico introduced the GL recommendation to adopt the UNGA regional groupings for the purposes of ensuring regional balance on the Steering Committee (through annual elections).

Several members expressed support for the proposal, since the five UNGA regions are more widely accepted and used than the four UN Statistics Division regions. In addition, members noted that adopting five regions would better reflect the distribution of countries in OGP, since there are a large number of participating countries in both Latin America and Eastern Europe.

However, several members objected to the proposal, citing two primary concerns: 1) Europe should be considered as one region, not two. 2) The SC should carefully consider which approach would best ensure that incoming SC members have the capacity and commitment to effectively lead OGP.

After discussion, two SC members volunteered to work on a compromise solution that was subsequently approved by the SC in the **resolution** below.

The Steering Committee hereby resolves that, as a temporary measure, OGP will use the current UN Statistical Division regional breakdowns for the 2014 OGP Steering Committee election for new government members. In addition, the Steering Committee resolves to increase the maximum number of governments elected from each region to 4. This would mean that, to ensure regional balance on the Steering Committee, a minimum of 1 and a maximum of 4 spaces would be available for each regional grouping. The total number of government and civil society representatives on the Steering Committee will each increase to 11. Following the 2014 election,

the GL and the Support Unit will review the election process, including how to ensure regional balance, and present an options paper to be tabled at the September 2014 OGP Steering Committee meeting.

Government Applications to Join OGP

The SC considered a policy proposal to address interest in joining OGP by governments not formally recognized by the UN. The proposal was circulated to the SC in February but did not have consensus approval.

The United States volunteered to organize a process of bringing together Foreign Ministries from interested governments to finalize a proposal that would then be circulated to the full SC for approval. The SC agreed this process should be completed quickly, if possible by the end of May.

September 2014 High-Level Event

The government of Mexico updated the Steering Committee on plans to convene a high-level OGP event on the margins of the UN General Assembly in September. Mexico asked SC members to save the date for the afternoon of September 23rd in New York. The working title for the event is “Citizen Action, Responsive Government,” and will feature the presentation of the 2014 Open Government Awards.

Criteria and Standards Subcommittee

Brazil, as Chair of the Criteria and Standards subcommittee (CS), presented an update of progress made since the last SC meeting, including at an in-person meeting in February. The SC was informed of letters sent by the SU to OGP participating countries that were found to be acting contrary to OGP processes in their first action plan cycle. Brazil also noted the new annual government self-assessment guidelines drawn up and agreed by the subcommittee, which will now be shared with all participating countries.

The subcommittee chair then presented a draft policy on upholding OGP values and principles. Many SC members indicated support for the policy proposal and the principles that lie behind it. Maryati Abdullah also read a Communiqué strongly endorsing the policy, as agreed at the CSO Day prior to the Asia Pacific Regional Conference. Some SC members endorsed the principle of the policy but requested several additional weeks to consult on the detail of how it would be implemented. The Steering Committee agreed that a legal review of the policy would be needed before it is finalized. The issue of the capacity of OGP as a whole to implement the policy was also raised.

Noting these concerns, the SC adopted the **resolution** as modified below:

The Steering Committee hereby resolves that OGP will adopt a response policy to uphold the values and principles of OGP, as articulated in the Open Government Declaration and OGP Articles of Governance. The Steering Committee notes that the proposal presented to the Steering Committee at its May 5, 2014 meeting contains the initial components of an effective policy that would balance interventions to support countries with interventions necessary to protect the credibility of OGP. The Steering Committee asks the Criteria and Standards subcommittee to revise the draft policy document taking into account feedback at this meeting, a legal review, and further inputs from members of the Steering Committee. After taking these

steps, the Criteria and Standards subcommittee should finalize the draft policy in time for consideration at the next Steering Committee meeting in September 2014.

Peer Learning and Support Subcommittee

Martin Tisne, as chair of the PLS, summarized the main takeaways of the productive PLS working session held on May 4th, and sought ideas on how SC members can help advance OGP's peer learning and exchange goals.

SC members highlighted the role of the working groups as a useful vehicle for peer learning and exchange and agreed that partnering with other multi-stakeholder initiatives could advance OGP's strategic objectives. They offered assistance where needed, especially in SC countries where MSI secretariats are located.

There was widespread consensus on the value of in-person meetings for effective peer exchange, including through regional meetings and the biannual Summit. One member proposed convening smaller groups of reformers along thematic and geographic focus areas as an experiment and encouraged piloting the idea at the next regional meeting.

Participant List
May 4-5, 2014 Steering Committee Meeting

Location:

Bali International Convention Center
Bali, Indonesia

Steering Committee

Governments

Brazil

Claudia Taya	Office of the Comptroller General - CGU
Roberta Solis Ribeiro	Office of the Comptroller General - CGU

Indonesia

Minister Kuntoro Mangkusubroto	President's Delivery Unit (UKP-PPP)
Tara Hidayat	President's Delivery Unit (UKP-PPP)
Yanuar Nugroho	President's Delivery Unit (UKP-PPP)
Jourdan Hussein	President's Delivery Unit (UKP-PPP)
Hasan Kleib	Ministry of Foreign Affairs
Toffery Primanda Soetikno	Ministry of Foreign Affairs

Mexico

Ania Calderon	Coordinator of the National Digital Strategy
Guillermo Ruiz de Teresa	Coordinator of the National Digital Strategy
Roberto Armando De León Huerta	Ministry of Foreign Affairs

Norway

State Secretary Paul Chaffey	Ministry of Local Government and Modernisation
Terje Dyrstad	Ministry of Local Government and Modernisation
Asbjørn Seim	Ministry of Local Government and Modernisation
Geir Moe Sørensen	Ministry of Foreign Affairs

Philippines

Under Secretary Richard Moya	Department of Budget and Management
Patrick Lim	Department of Budget and Management

South Africa

Deputy Minister Ayanda Dlodo	Department of Public Service and Administration
Qinisile Delwa	Department of Public Service and Administration
Dumi Mpande	Department of Public Service and Administration

Tanzania

Hon. Mathias Chikawe	Ministry of Home Affairs
Susan Mlawi	State House
Nelson Kaminyoge	Ministry of Home Affairs

United Kingdom	
Hon. Francis Maude	Cabinet Office
Oliver Buckley	Cabinet Office
Paul Maltby	Cabinet Office
Henry Newman	Cabinet Office
Joe Taylor	Cabinet Office
Kitty von Bertele	Cabinet Office
Millie McDevitt	Foreign Office
United States	
Under Secretary Sarah Sewall	Department of State
Asst. Secretary Tom Malinowski	Department of State
Heather Flynn	Department of State
Lawrence Sperling	Department of State
Steve Moody	Department of State
Alex Kahan	Department of State
Vanessa Guest	Department of State
JP Feldmayer	Department of State
<i>Civil Society</i>	
Maryati Abdullah	Publish What You Pay (Indonesia)
Veronica Cretu	Open Government Institute
Nikhil Dey	MKSS
Alejandro Gonzalez	GESOC
Suneeta Kaimal	Revenue Watch Institute
Warren Krafchik	International Budget Partnership
Rakesh Rajani	Twaweza
Martin Tisne	Transparency and Accountability Initiative (Omidyar Network)
Mark de la Iglesia	Transparency and Accountability Initiative (Open Society Foundations)
Laura Bacon	Transparency and Accountability Initiative (Omidyar Network)
Open Government Partnership	
Linda Frey	Support Unit
Joe Powell	Support Unit
Abhinav Bahl	Support Unit
Jack Mahoney	Support Unit

Joseph Foti

Independent Reporting Mechanism

Paul Maassen

Independent Civil Society Coordinator

Suzane Muhereza

Civil Society Co-Chair Associate

Regrets

Iara Pietricovsky

INESC