

Open Government Partnership Steering Committee meeting minutes Cape Town, South Africa 3-4 May 2016

The [OGP Steering Committee](#) met in Cape Town for a working level meeting on 3 May and a ministerial level meeting on 4 May. The agenda and papers for the meeting were published [here](#) in advance and should be referred to to support these minutes. A list of meeting attendees is included at the end of the minutes.

Working level steering committee meeting

The lead chairs - the government of South Africa and Alejandro Gonzalez - opened the meeting and welcomed the Steering Committee to Cape Town. They presented the agenda for the meeting, highlighted the resolutions that were being tabled for decision, and explained the process for voting.

Subcommittee updates

Objective: feedback from subcommittee meetings that took place in the morning of 3 May.

Governance and Leadership subcommittee (GL)

In their meeting GL had discussed a rotation of subcommittee chairs and propose mirroring the co-chair structure that exists in GL for the peer learning and support, and criteria and standards subcommittees. The Steering Committee was in agreement and GL will discuss this during their next call and circulate a proposal for rotation of subcommittee chairs and membership in September.

GL provided an update on the creation of the board of the OGP Secretariat, which was due to meet on 6 May. The minutes from that meeting will be published [here](#).

Peer Learning and Support subcommittee (PLS)

The chair of the PLS provided a summary of the meeting the subcommittee had had that morning, including the 30 instances of peer exchange activity that had happened in the first four months of this year, and a discussion about engaging new countries, encouraging links with other themes and topics and how to support countries to focus on these.

PLS had also discussed the OGP working groups and their development over the last two and a half years, since they were launched. The working groups had been broadly focused in the first year and a half and became much more specifically focused over the last year, with the creation of peer learning networks. PLS agreed that the challenge now is to use the working groups to enhance the scale of commitments and capacity of countries to implement them. PLS will produce a note on how the Steering Committee can support joint commitments between countries.

PLS had also talked about how OGP could support rolling multi-year commitments in National Action Plans, to enable governments and civil society to be more opportunistic about using OGP to support reforms throughout the National Action Plan process. The Steering Committee agreed that there was scope for the subcommittees to work more closely together to support country participation in OGP, and that there should be more frequent joint subcommittee discussions in the future.

Criteria and Standards subcommittee (C/S)

The chair of the C/S and the OGP Support Unit introduced the resolutions that were being tabled for decision at ministerial level the following day, on the participation of Azerbaijan and Turkey in OGP. They gave members the opportunity to ask questions and clarify the process. Steering Committee members were reminded of the reasons why countries might be placed under review by the C/S. The chair of the C/S explained what 'inactive' status would mean for countries, which is set out in the resolution.

OGP's lead government chair explained the efforts they had made to diplomatically support the countries under review, particularly where they had seen an opportunity for more direct engagement with the governments. A full report of the efforts made by the lead government chair with Azerbaijan can be found [here](#) and they explained that they had been unable to schedule a meeting or discussion with contacts in Turkey in time for the Steering Committee.

The chair of the C/S provided an update on developments in both these cases: the government of Azerbaijan had submitted an OGP action plan in the previous few days, and the Deputy Prime Minister of Turkey had sent a letter recommitting the government to OGP. Other Steering Committee members, particularly members of the C/S, were invited to provide updates on their efforts to engage the government or civil society actors in both countries under review and to comment on the proposed resolution and terms of inactivity.

Following the discussion, the resolutions that would be tabled for decision were finalised as follows:

Azerbaijan:

The Steering Committee recognizes and appreciates recent positive steps taken by the government of Azerbaijan, including the submission of a new National Action Plan. However, the core issues of concern raised in the original letter, validated by the Criteria and Standards subcommittee, remain unresolved, specifically regarding constraints in the operating environment of NGOs.

As a consequence, the OGP Steering Committee resolves that the government of Azerbaijan will be regrettably designated as "inactive", under the terms of the Policy on Upholding the Values and Principles of OGP as articulated in the Open Government Declaration.* The Steering Committee further resolves to offer all necessary support to the government of Azerbaijan to

address the concerns raised, and requests regular progress updates from the Criteria and Standards subcommittee.

** Under the Policy on Upholding the Values and Principles of OGP as articulated in the Open Government Declaration, 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 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 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, primarily to address the operating environment for civil society. These areas (summarized in the subcommittee’s [February 2016 resolution](#)) would need to be adequately addressed for the Criteria and Standards subcommittee to recommend to the Steering Committee that the government’s active status be restored.*

- *The government of Azerbaijan will have a period of one year to demonstrate 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 the Criteria and Standards subcommittee determines that the original concerns have been addressed by the government of Azerbaijan, it shall recommend to the full Steering Committee that the country be placed back in active status immediately.*
- *While inactive, Azerbaijan will continue to receive Steering Committee and Support Unit assistance, including from OGP Working Groups and peer exchange visits.*
- *While inactive, the government of Azerbaijan will be able to submit a revised National Action Plan as evidence of progress made (should it so choose), and will be advised to develop new ambitious commitments (whether as part of a revised NAP or as standalone reforms) in order to address all the original Criteria and Standards subcommittee recommendations, particularly around the civil society operating environment.*
- *While inactive, no new recommendations or requirements for reactivation would be made to the government of Azerbaijan by the Criteria and Standards subcommittee or the Steering Committee regarding the addressed issues.*
- *While inactive, the Azerbaijan government will not be eligible to vote in Steering Committee elections, and can only attend OGP events as observers for learning purposes.*
- *While inactive, Azerbaijan’s inactivity will be noted on the OGP website and public information materials, where appropriate (e.g., in a list of participating OGP countries).*

Turkey:

The OGP Steering Committee welcomes the high-level commitment of the government of Turkey to reengage with the Open Government Partnership, yet notes that the government of Turkey has acted contrary to OGP process for two consecutive action plan cycles. The OGP Steering Committee therefore resolves to provide the government of Turkey with an additional period of time to act upon its commitment and offers all necessary support to develop a new National Action Plan together with civil society. However, the government of Turkey will be automatically designated “inactive”* at the September Steering Committee meeting, barring satisfactory compliance of terms as outlined below.

Terms for Preventing Inactive Status:

- *The government of Turkey will identify both a Ministerial lead and Point of Contact to lead the development of proposals and engagement with civil society for a National Action Plan.*
- *By May 31, 2016, the government of Turkey will produce a publicly available plan to produce a National Action Plan, which includes the timeline of key moments, meetings, and process, including ways for civil society to participate and co-create.*
- *The government of Turkey will collaborate with the OGP Support Unit to organize a visit during the drafting period, which will include a comprehensive public meeting with civil society organizations.*
- *The government of Turkey will follow through on its promise to complete a National Action Plan by no later than September 1, 2016.*

The Criteria and Standards subcommittee requires a demonstration of completion of the above points, including summary of the consultation process in the submitted National Action Plan, in line with the OGP requirements.

** For countries placed on inactive status by decision of the full Steering Committee after acting contrary to OGP process for two consecutive action plan cycles, the inactive status lasts up to a maximum of one year or until the country publishes a National Action Plan, developed with the engagement of citizens and civil society; or the country works 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 (note, this rule derives from Steering Committee decision on inactivity agreed on April 23, 2015).*

Subnational pilot

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.

Members of the Steering Committee task force on subnational government participation in OGP provided an update on progress since the last meeting, including the selection of governments

as part of the pilot. They explained the distinction between the 15 pioneer governments and the broader leaders' network and provided some feedback about how participation has been going so far. They asked the Steering Committee how members could support the participation of the pioneers' tier and how they could champion broader subnational government participation in National Action Plans.

In discussion Steering Committee members talked about how they were involving subnational governments in their domestic OGP work, particularly in countries where there are pilot participants. They talked about how the Steering Committee could help share ideas and set up processes in governments that are new to OGP, and the importance of ensuring that the pilot does not circumvent national OGP processes. The Support Unit will make sure that all governments that applied for the pilot, but were not selected, understand how the process operated and get feedback on their applications, as well as making sure they are able to participate in the leaders' network. There will be a subnational track at the OGP Global Summit in Paris in December this year.

IRM/IEP session

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

IRM staff provided the Steering Committee with a summary of the steps taken to respond to feedback that had been provided during the last Steering Committee discussion about the IRM, in October 2015. The template for reports has been simplified, language is more readable and the IRM is trying to improve tracking of government progress on openness and the extent to which governments are taking up the recommendations of previous IRM reports. IRM staff also provided an update on IRM launch events during the last few months and efforts made to improve outreach and communication about the reports.

The IRM International Experts' Panel (IEP) was represented at the meeting by Hazel Feigenblatt, who provided a brief explanation of the role and structure of the IEP and an update on their work. The IEP is divided into three groups that focus on: 1) ethics and conflict of interest; 2) methods; 3) communications. They are currently working on defining a methodology for assessing the action plans that will be submitted through the subnational pilot, which could eventually be streamlined for IRM work overall. They have also been developing a more systematic way for feedback from civil society to be collected and addressed.

The IRM posed two questions to the Steering Committee:

- how can governments better track information and data on action plan progress?
- what products would you like to see the IRM putting out in 2020?

In response the Steering Committee discussed the need for more comparative analysis between countries in a particular region (for example), whether the IRM could develop a cross-country

summary of how countries are doing in OGP and how OGP can better collect lessons learnt from successful commitments and measure the impact of starred commitments. The Steering Committee agreed it would be possible to do this work within the IRM's mandate. They also suggested it would help to be able to track progress on commitments online, for government agencies to have ways of reporting on an ongoing basis, and for IRM researchers to be able to assess progress in this way too, rather than just at two points in the National Action Plan cycle. Steering Committee members talked about ways of enhancing the IRM's profile, with ideas about dedicated media support for specific launches and more concise reports.

Ministerial level Steering Committee meeting

The lead chair welcomed Steering Committee members and OGP Ambassador Mo Ibrahim to the meeting. The lead chair also welcomed the incoming OGP CEO Sanjay Pradhan to his first Steering Committee meeting. The OGP Support Unit provided a brief summary of the working level meeting the previous day.

OGP state of the partnership and strategic vision for the next five years

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.

The OGP Support Unit presented on progress made since the last meeting, including examples of starred commitments, IRM launches, peer networks and Steering Committee support to other countries. They set out the questions and challenges that had been included in the framing note in the meeting papers. They invited a discussion about how OGP can enhance its impact, and knowledge of what is being achieved in participating countries; how the Steering Committee's leadership can help encourage much more ambitious, transformative and substantially implemented commitments; and how the Steering Committee can demonstrate thematic leadership on specific areas, to enhance country commitments in some of the issues at the core of OGP and close the gap between ambitious commitments and successful implementation.

The Steering Committee provided feedback on these questions and also thought about how they could develop a strategic vision for OGP's future. The following points and questions were raised and discussed: there is still a need for more inspiring stories about how OGP can really change people's lives and different ways of engaging with people who aren't involved yet; how can OGP ensure that a wider representation of civil society is able to participate; support on implementation of open government reforms remains a real challenge which OGP needs to focus more on; are there sufficient financial resources to support the actors needed to make OGP work and are enough OGP countries contributing; civil society members need to be advocating more strongly for permanent dialogue mechanisms and more meaningful consultations; how can OGP take real advantage of the opportunity for scale available through the large number of participants; how can OGP set a standard for openness and trust between

governments and citizens; how can OGP engage and work with the private sector; and how can OGP be better capitalising on political transitions and other wider opportunities.

Steering Committee members presented a number of specific proposals to help support and enhance OGP's work, including on: broadening the involvement of more digital technologies and people working in digital roles, to make sure OGP is able to capitalise on a diversity of expertise; responding better to implementation challenges by finding and using people with specific expertise to support country commitments; supporting the commitments countries had made by endorsing the OGP declaration on the post-2015 sustainable development goals; and how to position OGP as a means of following up on the agreements made at the 2015 Paris Climate Conference.

In summary the chair said that a lot of these ideas focused on moving beyond rhetoric, towards achieving more tangible results. There were recurring themes around enhancing OGP's impact, improving engagement with the private sector and how to encourage more ambitious commitments. The Support Unit agreed that this discussion should be the beginning of a conversation and that they would work with GL to develop plans for a strategic refresh of OGP this year.

Criteria and standards: countries under review

Objective: decision on proposals put forward by the Criteria and Standards Subcommittee on the participation of Azerbaijan and Turkey in OGP.

The chair introduced this discussion. There are five examples of countries acting contrary to OGP processes, and one decision to be made in the case of Turkey. There are two cases being reviewed under the [response policy](#) and one decision to be made in the case of Azerbaijan. The chair explained the process for a vote, should that be needed.

The chair of the Criteria and Standards subcommittee presented an update about countries under review for acting contrary to OGP processes. They are Australia, Kenya, Malawi, Montenegro. The government of Malawi submitted its National Action Plan in April, so that review is finalised and closed. Members were urged to support the government of Malawi to implement their new commitments. The other three governments will remain under review until they submit the National Action Plans, but seem to be on track to do so at the moment. The Steering Committee was content with the update.

The Support Unit was then asked to provide a summary of the review of Azerbaijan under the response policy and an update on their recent submission of a National Action Plan. The chair of the subcommittee then read the resolution and invited comments and feedback from the Steering Committee. OGP's lead government chair explained the efforts they had made to diplomatically support the countries under review, particularly where they had seen an

opportunity for more direct engagement with the governments. A full report of the efforts made by the lead government chair with Azerbaijan can be found [here](#).

The Steering Committee then discussed how they could balance the need to protect OGP's credibility and respond to cases where countries are acting contrary to the principles in the Open Government Declaration, with their duty to support countries' participation in OGP. Members of the Criteria and Standards subcommittee provided further information about the efforts that had been undertaken over the last 10 months to verify the original complaint and arrive at the proposed resolution. A number of members highlighted the concern that declaring Azerbaijan inactive could remove the space for any dialogue. The Steering Committee talked about the need to mitigate this risk and focus efforts to support any country that is made inactive in OGP, to help them move back into active status and there was agreement that OGP's role should be to support government and civil society reformers in Azerbaijan. Members of the Steering Committee made clear that if they voted to make Azerbaijan inactive in OGP, they would be willing to move the country back into full participation at any point that they substantially and meaningfully addressed the concerns that had been raised. The Steering Committee agreed to form a group of members that would focus on supporting Azerbaijan to respond to the concerns raised in the original letter filed under the response policy.

The chair concluded that the Steering Committee would be unable to reach a consensus decision and called a vote on the resolution. The resolution was passed with 16 votes agreeing it, 3 against and 3 abstentions.

The OGP voting protocol states: *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 following Steering Committee members requested that their vote be noted:

Voted yes to the resolution: Manish Bapna, Nathaniel Heller, Suneeta Kaimal, Warren Krafchik
Voted no to the resolution: the government of Georgia

The chair of the Criteria and Standards subcommittee read the resolution tabled on Turkey's participation in OGP and the Steering Committee unanimously agreed it. An update on Turkey's participation in OGP will be presented at the next Steering Committee meeting.

OGP events in 2016

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

The lead government chair presented their proposal for an event in the margins of the UN General Assembly in September, to celebrate OGP's fifth anniversary and highlight the priorities that they set out to achieve as chair. The OGP co-chairs will continue to develop this proposal.

The French government introduced their plans for the OGP Global Summit in Paris, 7-9 December 2016. The Summit will be co-created with civil society and government peers from around the world and the call for proposals was launched at an event in Paris in April. The French government provided an overview of the agenda and specific tracks, including how they would incorporate specific themes. The French government also announced that a hackathon will take place during the summit with the objective of developing an 'open government tool box', which countries and CSOs are invited to contribute to. More information will be provided about this soon.

Steering Committee members thanked the French government for their approach and it was noted that the call for proposals and open approach to co-creating the agenda would lead to stronger content. Members suggested that more could be made of the Open Government Awards and that they should be imaginatively showcased at the Summit, and that the French government should look to other successful events, such as the Solutions Summit, for ideas. The Internet Governance Summit will take place in Mexico at the same time, which led Steering Committee members to highlight the importance of remote participation and aligning with other relevant events and discussions.

Agree on the new incoming co-chairs

Objective: agreement on next OGP chairs, by vote.

There were three applications from Steering Committee governments to be the next co-chair - Croatia, Georgia and Romania. The successful government will take over in support of France in October 2016, and assume the lead chair role in October 2017. Each government set out the reason they wanted to assume the chair, and the case for them doing it. Their letters of application are in the Steering Committee papers.

Mukelani Dimba was the only civil society Steering Committee member to put himself forward and he presented his case and vision for being co-chair, focusing on broadening OGP's relevance to civil society and ensuring it more accurately reflects and responds to what is happening for civil society in OGP countries.

The Steering Committee voted on the next government chair and Georgia was elected with 18 votes. Croatia and Romania received two votes each. Mukelani Dimba was elected as the next civil society chair by consensus.

Breakout discussions

The Steering Committee then split into two groups, to discuss two emerging areas of interest for OGP. One discussion was about the anti-corruption agenda, including the UK Anti-Corruption Summit that was to take place the week after and the new OGP Anti-Corruption working group, which Steering Committee members committed to support. The other discussion was about the role of legislatures in OGP and Steering Committee members agreed that a proposal should be developed and presented to the full Steering Committee at its next meeting in September.

Participant List

Governments

South Africa (lead co-chair)

Deputy Minister Ayanda Dlodlo, Deputy Minister of Public Service and Administration
Qinisile Delwa, Department of Public Service and Administration

France (support co-chair)

Jean-Vincent Placé, Secretary of State for State Reform and Simplification, attached to the Prime Minister

Mathieu CUIP, deputy chief of Staff, Office of the Secretary of State for State Reform and Simplification, attached to the Prime Minister

Boris Jamet-Fournier, advisor for digital affairs and open government, Office of the Secretary of State for State Reform and Simplification, attached to the Prime Minister

David Martinon, Ambassador for cyber diplomacy and the digital economy, Ministry of Foreign Affairs and International Development

Laurence Coste, Ministry of Foreign affairs and International Development

Laure Lucchesi, Head of Etalab, Secretariat-General for Government Modernisation (SGMAP) – Prime Minister’s Office

Paula Forteza, Etalab, SGMAP, Prime Minister’s Office

Mathilde Bras, Etalab, SGMAP, Prime Minister’s Office

Amélie Banzet, Etalab, SGMAP, Prime Minister’s Office

Brazil

Camila Colares Bezerra, General Coordinator of Agreements and International Cooperation

Otávio Moreira de Castro Neves, General Coordinator of Open Government and Transparency

Pedro Fontoura Simões Pires, Ministry of Foreign Affairs

Chile

Francisco Sanchez Lay, OGP Point of Contact

Hernan Larrain, Hon. Senator

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, Ambassador to South Africa

Pablo Villarreal Soberanes, Director of Open Government for the Office of the President

Romania

Radu Puchiu, Secretary of State

Larisa Panait, Counselor in the Prime-Minister's Chancellery

United Kingdom

Matthew Hancock, Minister for the Cabinet Office and Paymaster General

Paul Maltby, Director of Data, Cabinet Office

Oliver Buckley, Deputy Director, Policy and International, Cabinet Office

Thom Townsend, Cabinet Office

United States

Megan Smith, United States Chief Technology Officer, Office of Science and Technology Policy

Mary Beth Goodman, Senior Director for Development and Democracy, National Security Council

Camille Eiss, State Department

Cori Zarek, Office of Science and Technology Policy

Corinne Graff, USAID

Civil Society

Names in brackets below members are their designated seconds.

Alejandro Gonzalez (lead co-chair)

GESOC

Manish Bapna (support co-chair)

World Resources Institute (WRI)

(Mark Robinson)

World Resources Institute (WRI)

Sugeng Bahagijo

INFID

Veronica Cretu

Open Government Institute

Mukelani Dimba

Open Democracy Advice Centre (ODAC)

Aidan Eyakuze

Twaweza

Nathaniel Heller

Results for Development Institute

Suneeta Kaimal

Natural Resource Governance Institute (NRGI)

Martin Tisne

Transparency and Accountability Initiative

(Julie McCarthy)

Transparency and Accountability Initiative

Zuzana Wienk

Fair Play Alliance

Open Government Partnership Support Unit

Sanjay Pradhan

Joe Powell

Alonso Cerdan

Tinatin Ninua

Kitty von Bertele

OGP Ambassadors

Mo Ibrahim

IRM International Experts' Panel

Hazel Feigenblatt