

**Open Government Partnership
Criteria and Standards Subcommittee monthly call**

Tuesday November 8, 2016

*10:00 WASHINGTON / 11:00 BUENOS AIRES - SANTIAGO/ 15:30 ZAGREB / 16:00 MADRID -
JOHANNESBURG / 17:00 BUCHAREST*

Agenda items

- 1. Action Plan Delivery brief**
- 2. Countries Under Review:** Australia, Montenegro, Bosnia and Herzegovina, Tanzania, Trinidad and Tobago
- 3. Response Policy:** Azerbaijan, Hungary, Israel, Australia.
- 4. Response Policy two-year review**

Participants:

- Francisco Sánchez, Rodrigo Mora and Claudia Montero; Government of Chile
- Radu Puchiu; Government of Romania
- Qinisile Delwa; Government of South Africa
- Camille Eiss, Corinna Zarek and Aden Daniel; Government of the United States
- Nathaniel Heller; Results for Development Institute (R4D)
- Suneeta Kaimal and Erica Westenberg; Natural Resource Governance Institute (NRGI)
- Paul Maassen, Jack Mahoney, Alonso Cerdan: Support Unit (SU)

Summary and Action Items

- 1. New OGP National Action Plans (NAPs)** - As of October 31, the Support Unit has received 36 new NAPs (37 with Azerbaijan). We were due to receive 51 total in 2016. By the end of 2016, the SU expects 9 of remaining 15 to be delivered. There are six countries currently expected to shift to a new cohort. The Support Unit prepared and delivered letters for those 15 countries.

Action Items:

- Agreement that the Steering Committee should be more proactive about Cabo Verde where possible, as the Support Unit has had difficulty establishing contact. Suggestion for the State Department to arrange a bilateral at the Summit with Cabo Verde.
- 2. Countries Under Review**
 - **Australia** - Sent a letter indicating they will publish the final NAP before the end of the year. The government published a draft in late October which is open for consultation for a three-week period until the 18th.

- **Bosnia-Herzegovina** - Now under review as a result of this second consecutive missed deadline. The government recently endorsed the design of a permanent dialogue mechanism which should submit the NAP next year. Prime Minister possibly coming to the Summit.
- **Montenegro** - Government is indicating they should submit the NAP before the Summit and now have budget allocated specifically for implementation.
- **South Korea** - As South Korea submitted a NAP just before the deadline, they are no longer under review. According to both civil society and government, there has been consultation specifically on OGP in developing this plan. Until the IRM report is published in Q1 2018, we will not be able to verify this independently.
- **Tanzania** - Delivery of the new NAP is expected by the end of the year, they are under review because they did not submit a self-assessment report within four months of the last deadline.
- **Trinidad and Tobago** - No movement recently, but a new government was just formed and they also have funding for the implementation of a new plan.

Action Items:

- For Australia and Montenegro, the subcommittee agreed that if a NAP is not submitted to the Support Unit by the end of 2016, the subcommittee will automatically recommend that the full Steering Committee should then consider designating both countries as inactive in OGP at its next in person meeting in 2017. The Support Unit should communicate this to those countries. (completed)
- The Support Unit should aim to update the website with this new information as soon as possible after it has been posted and also aim to provide more regular updates to the full Steering Committee on this issue.
- The Subcommittee should incorporate a discussion of these processes into the upcoming lessons-learned process.

3. Response Policy

- **Azerbaijan** - The subcommittee briefly discussed EITI's recent resolution on Azerbaijan, with Erica Westerberg of NRG. The conclusion was that the government did retain candidate status, but subject only to further government action. Those actions are specifically to cease requiring CSOs to register foreign donations and their organizations and assets.

Action Items:

- The Subcommittee will request the taskforce for a work plan for their engagement with Azerbaijan. This should include a calendar and objectives for the visit.
- Erica will join another call in February to provide any updates.
- **Hungary** - The SU reached out to the Community of Democracies. Their report should be finalized very shortly. The SU also drafted a proposed response and a brief on Peter Vargas' trip.

The State department also shared two important pieces of information:

- a. New case of harassment of civil society, in particular an NGO called Energiaklub, which was managing a program related to the Norway Grants. Here is the [link to their statement](#), and there is [reporting here](#) and [analysis here](#).
- b. Declarations by PM Viktor Orban that he intends to turn Hungary into an 'illiberal state,' citing Russia and Turkey as examples. Please see this [report](#) from the International Federation for Human Rights, a Paris-based [umbrella rights group](#). It calls for strong action against Hungary by the EU. You can find a summary of the report [here](#).

Recent reports from many sources indicate that the situation has not improved. The overall recommendation to move forward is to host a high-level meeting with the Hungarian delegation. Hungary has given an indication that they will start work on their new Action Plan in January.

Action Items:

- SU will receive feedback from the letter and send a final version for approval by the end of the week. (attached).
 - The Support Unit will provide updates on Hungary's high-level attendance at the Summit.
- **Israel** - Passop submitted a response to the CS letter questioning our interpretation of the Response Policy. The Support Unit proposed to hire a consultant to draft a more formal response that could be used as a precedent when dealing with this type of situation.

Action Items:

- Hiring the consultant will be put on hold until all Subcommittee members agree.
- **Australia** – We need four volunteers to form the review team. As in the above, we will hire a consultant to draft the report we need someone with legal background to draft a response that will set a precedent regarding GONGOs.

Action Items:

- Helen Darbshire, Suneeta Kaimal and the Government of Chile have agreed to join the review team.
- South Africa requested further clarification about the role the lawyers will play in this review.

4. Response policy review

Action Items:

- Subcommittee will begin review of the response policy starting in early January. At the Summit the subcommittee should try to meet briefly and agree a plan for this review.