Open Government Partnership
Criteria and Standards Subcommittee monthly call
Thursday November 09, 2017
10:00 WASHINGTON / 12:00 SANTIAGO / 16:00 BERLIN - ROME / 17:00 BUCHAREST - PRETORIA / 23:00
ULAANBAATAR

Agenda items

1. **Intro to C&S for new members**
2. **Approval of new members of International Experts Panel**
3. **Update on countries under procedural review and response policy cases, including inactivity recommendations for T&T and Bosnia**
4. **Update on rapid response - TORs to be presented to C&S for comment and approval**
5. **Articles of Governance roadmap (no decision point) - parked for next call**

Participants
- Rodrigo Mora; Government of Chile
- Stefano Pizzicannella; Government of Italy
- Robin Hodess; Transparency International
- Marie Lintzer, NRGI
- Maria Baron, Directorio Legislativo
- Alonso Cerdan, Jaime Mercado: Support Unit (SU)
- Lesly Baesens, Joseph Foti (IRM)

Apologies
- Government of Romania
- Government of South Africa
- Tur-Od Lkhagvajav, Asia Democracy Network

Call Summary

1. Intro to C&S for new members (no decision point).

General introduction on the way the C&S subcommittee works and the main parts of its mandate.

From OGP's Articles of Governance:

● *The Criteria and Standards Subcommittee (CS) recommends to the SC the eligibility criteria for OGP governments and indicates to SC when there may be a need to update the criteria. It makes recommendations to SC when a government's actions are deemed contrary to OGP principles and its full participation in OGP is in question. It develops guidelines for government self-assessment reports and other best practices. It maintains a watching brief over the IRM to ensure that the International Expert Panel (IEP), project management team, and local researchers are able to deliver high quality and accurate reports. This includes providing input for*

the selection of members of the IEP and the hiring of the IRM Program Manager.

2. Approval of new members of International Experts Panel.

The IRM is seeking C&S approval on five IEP nominees. The five current steering IEP members will rotate off in February 2018. The IRM charter provides for five IEP members in a steering role and five in a quality control role. The current quality control members will become the new steering members. Therefore, the IEP is seeking the Criteria and Standards Subcommittee's approval on five quality control members of the IEP. Ahead of the CS call, the IRM will circulate a memo explaining the selection process to recruit new IEP members as well as highlighting the candidates' CVs and areas of expertise. Upon C&S approval, the list of candidates will be sent to the full steering committee for approval on a no-objection basis. The IRM would like to bring the new IEP to a training in DC in early December so they can be ready to review reports ASAP.

Decision: The C&S subcommittee approved the list of 5 IEP nominees presented by the IRM. The list has been shared with the full Steering Committee for review and approval on no-objection basis by November 15. In future, it was suggested to consider a staggered transition process to maintain a mix of new and incoming expertise in the two IEP cohorts, helping facilitate transition of new members.

3. Update on countries under procedural review and response policy cases, including inactivity recommendations for T&T and Bosnia.

The following countries failed to deliver a new National Action Plan by the October 31st deadline:

1. Afghanistan
2. **Bosnia and Herzegovina (recommend inactive)**
3. **Cabo Verde (would be under review if they do not deliver)**
4. **Croatia (expected soon, would be under review if they do not deliver)**
5. **Denmark (expected soon, would be under review if they do not deliver)**
6. France (expected by the end of the year)
7. Ghana (expected by the end of the year)
8. Israel (expected soon)
9. Jamaica
10. Latvia (delivered late)
11. Luxembourg
12. Malta
13. **Montenegro (inactive)**
14. Pakistan (expected soon)
15. Papua New Guinea (would be under review)
16. Peru (expected soon)
17. **Trinidad and Tobago (recommend inactive)**
18. United States (expected by the end of the year)

Summary and decision:

- **Azerbaijan** - A new set of recommendations built on local and international feedback has been shared with the government. These recommendations must be addressed by September 25 2018. The Support Unit will continue to hold monthly check-in calls with the POC and report

back to the subcommittee.

- **Late NAPs:** The 18 countries listed above have failed to deliver NAPS by December 31st deadline, and thus have acted contrary to OGP process. This is the highest number of late NAPs ever; causes include changes in government or ministers, and other factors. If countries fail to deliver NAPs by the December 31st hard deadline, they will shift to the next year cohort.

  Decision: i) The Support Unit will draft letters addressed to these countries communicating that they have acted contrary to process, and where applicable, acknowledging that the NAP was received but after the established deadline.

- **Countries under review tracker:** Please find below a link to the C&S tracker of countries that have acted contrary to process and those that are under C&S review: Bosnia and Herzegovina, Croatia, Denmark, papua New Guinea, and Trinidad and Tobago.

  Decision: The Support Unit will provide a list of countries where C&S interventions would be helpful to nudge the process, including letters, calls, or other targeted intervention. In addition, the C&S requested to receive brief summaries of what support has been provided so far and proposed next steps. Access the C&S tracker here.

- **Trinidad and Tobago & Bosnia Herzegovina:** As per the current rules, for countries that are already under review and now have acted contrary to process (acted contrary to process three times), C&S will recommend inactivity to the full Steering Committee. These countries are Trinidad and Tobago and Bosnia Herzegovina, who have failed to deliver NAPs for three years.

  Decision: Support Unit will draft the recommendation of C&S to place these countries under inactive status. Recommendations will include summary of outreach efforts to date, and a timeline of events. The Steering Committee will take a decision in its next in-person meeting.

4. Update on rapid response - TORs to be presented to C&S for comment and approval.
The attached document outlines the existing response mechanisms available, and presents the options for a rapid response for situations that fall outside of the five existing mechanisms. The Governance and Leadership subcommittee would determine the appropriate Rapid Response for a situation, with recommendations from the C&S where applicable. Please find draft TORs attached.

Summary and Decision: The C&S reviewed the draft TORs for the Rapid Response mechanism. Overarching comments received include: i) Need for additional information on who and how is the rapid response triggered; ii) Need for clear differentiation between Rapid Response and Response Policy; iii) Explore a staggered approach to response times based on severity of the situation. The Support Unit will work to address the comments received and present a revised version ahead of December C&S call.

5. Articles of Governance roadmap (no decision point) - parked for next call