

**Open Government Partnership  
Criteria and Standards Subcommittee Monthly Call**

*Thursday, June 8 2017*

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

**Participation**

In attendance:

- Maria Baron, Directorio Legislativo
- Nathaniel Heller, Results for Development Institute (R4D)
- Marie Lintzer, Natural Resource Governance Institute (NRGI)
- Radu Puchiu, Government of Romania
- Aden Daniel, Government of the United States
- Chanan Weissman, Government of the United States
- Joseph Foti, IRM
- Alonso Cerdan, Jaime Mercado Support Unit (SU)

Apologies:

- Helen Darbshire, Access Info Europe
- Government of South Africa
- Government of Chile

**Action items**

1. Recap of Rules of the Game approved changes
2. Remaining Rules of the Game discussions:
  - NAP development and implementation
  - Steering Committee eligibility
3. Response Policy Review discussion
4. Montenegro comments on proposed resolution
5. Azerbaijan report discussion & Support Unit recommendation
6. AOB
  - Agenda for in person for Monday June 26 C&S

**Preliminary Information**

1. **Recap of Rules of the Game approved changes**
  - a. The C&S has approved the following changes which will be tabled for input and approval from the full Steering Committee during the June 28 meeting. Items not resolved will be

moved to the September ministerial meetings. After September Ministerial the Support Unit will amend the Articles of Governance to incorporate these decisions and circulate to the full Steering Committee - and for public consultation - before final sign-off by circular. Further details included in corresponding 2-pagers.

- i. Eligibility Criteria: There are three conditions in a country which trigger a SC review before a country can join OGP. (see 2-pager for details)
- ii. Acting Contrary to Process: Changing the name to *Procedural Review and updates to the triggers for “acting contrary to process”* (see 2-pager for details)

*Reference materials: Eligibility changes 2-pager; Acting contrary to process 2-pager*

*Highlights:*

- No further comments were provided by the C&S and subcommittee agrees to proceed as proposed.

**2. Remaining Rules of the Game discussions:**

- a. NAP development and implementation
  - i. The C&S proposes a calendar shift summarized as below (mock calendar included in the 2-pager):
    1. NAP development is pushed back by two months: formal deadline would be August 31st.
    2. New concept of delivery window is introduced, it outlines that countries could deliver their NAP within a three month period from July 1st to September 30. Regardless of when the NAP is delivered, the NAP implementation would end on August 31st.
    3. The hard deadline would shift to December 31st (four months after the deadline). If missed, countries would shift to the next cohort.
    4. Self-assessment report would be due on September 30, giving countries only 60 days to develop.
    5. IRM report would be delivered during April, not January.
- b. SC eligibility
  - i. The C&S and additional proposal to heighten the requirements for governments interested in serving in the OGP Steering Committee. The options include a combination of establishing a permanent dialogue mechanism (PDM), requiring a letter from civil society endorsing and supporting their government’s candidature, and a proxy on achieving ‘Advanced Steps’ described in OGP’s Participation and Co-creation Standards.
- c. Commitment Cap
  - i. The Support Unit presented a proposal for implementing a commitment cap (20 commitments per NAP) based on IRM data. Given the pros and cons of implementing this cap, the Support Unit proposes that further discussion is

undertaken among the C&S based on IRM's data.

*Reference materials: NAP Development and Implementation 2-pager; proposed SC eligibility one-pager*

*Highlights:*

- Calendar shift: General agreement among government and civil society stakeholders. If approved by the full Steering Committee, new calendar would enter into effect in 2018.
- SC eligibility: further work needed by the Support Unit and added to June 26 meeting.
- Commitment cap: further discussion needed and added to June 26 meeting.

*Action item:*

- **The Support Unit will send the following Rules of the Game proposals to the full Steering Committee on June 13: i) Eligibility Criteria ii) Procedural review iii) Calendar Shift**
- **SC eligibility: Support Unit to continue developing proposal and table for further discussion with C&S in June 26 meeting**
- **Commitment cap: The Support Unit will send a 1-pager for further discussion in the June 26 C&S meeting (not to be included in the packet)**

**3. Response Policy Review discussion**

- a. C&S will provide comments to the Response Policy Review report and accompanying attachments. A consolidated version which incorporates the comments received will be presented to the full Steering Committee for their input at the June SC meetings. The remaining timeline is:
  - i. June 27: Present preliminary findings to full Steering Committee for input.
  - ii. July 10: Final draft version shared with Criteria & Standards.
  - iii. July 17: Criteria & Standards call to discuss final draft and take final comments from the subcommittee.
  - iv. August 8: Final version agreed by Criteria & Standards and shared with SC.
  - v. September TBC: Revised Response Policy tabled for discussion with and approval of full Steering Committee.

*Reference materials: Draft Response Policy Review Report*

*Action item:*

- **Support Unit will proceed to send the draft for comments to the Steering Committee with an executive summary. The final text would be approved in September SC meeting. Further discussion by the C&S in June 26 meeting.**

**4. Montenegro comments on proposed resolution**

- a. C&S agreed on Montenegro's inactivity due to failure to submit an action plan since

- 2014, thus having acted contrary to process for three consecutive action plan cycles.
- b. On January 30, 2017, the C&S drafted its formal recommendation for the Steering Committee to designate Montenegro inactive in its June 2017 meeting. To prevent inactivity, Montenegro was advised that it should publish its new NAP before the decision was taken during the June SC meetings.
  - c. A Support Unit team visited Montenegro on May 25-26 to meet with the government POC and check the status of the NAP. Delivery is extremely unlikely as work has not started yet. C&S will table a resolution to the Steering Committee for decision on June 28.

*Reference materials: C&S Recommendation to the SC regarding Montenegro's status; draft inactivity resolution*

**Action item:**

- **Support Unit will send the C&S recommendation and inactivity resolution to the full Steering Committee for approval. Any further comments on the resolution text must be provided to the Support Unit by end of day on Friday June 9.**

**5. Azerbaijan report discussion & Support Unit recommendation**

- a. Report assesses the progress made one year after the inactivity resolution of Azerbaijan. The report is based on expert analysis, research on the consultation process and information gathered during the official visit.
- b. The Support Unit's recommendation is to extend inactivity of Azerbaijan for a period of 12-18 months, based on an updated set of requirements to improve the operating environment for CSOs.

*Reference materials: Support Unit's draft report & recommendation on Azerbaijan's participation in OGP*

**Action Item:**

- **The C&S subcommittee reached a consensus on recommending Azerbaijan's extended inactivity for a period of 12 months with a specific timeline to be developed. Final version of the Support Unit report will be sent to C&S by end of day June 9. Approval on no objection basis is required by end of day Tuesday June 13.**

**5. AOB**

- a. C&S in-person meeting on Monday June 26, 2017 for 4 hours. Agenda items so far include:
  - i. Basic prep on Azerbaijan case presentation to the full Steering Committee
  - ii. Remaining Rules of the Game review items (Steering Committee eligibility, Commitment cap; and Response policy review)
  - iii. IRM refresh

- iv. Discuss proposal for “Accession Status” for countries shy of reaching eligibility threshold and what the potential support from OGP for these countries.