

Open Government Partnership
Criteria and Standards Subcommittee Monthly Call

Friday May 26, 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)
- Suneeta Kaimal, Natural Resource Governance Institute (NRGI)
- Radu Puchiu, Government of Romania
- Aden Daniel, Government of the United States
- Chanan Weissman, Government of the United States
- Sophie Smyth, independent consultant
- Alonso Cerdan, Jaime Mercado, Paul Maassen: Support Unit (SU)

Apologies:

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

Agenda items

1. Azerbaijan mission report back
2. Countries Under Review updates
 - Montenegro
 - Tunisia
3. Response Policy Review presentation
4. Rules of the Game discussions:
 - Eligibility criteria
 - Review Process
5. Update on Mexican Civil Society Coalition participation in OGP

Action Items

1. Azerbaijan mission report back

- An OGP delegation of staff and Steering Committee members visited Baku on May 22-23 for a set of high level meetings to better understand the situation and changes since the OGP SC designated Azerbaijan inactive in early 2016.
 - Delegation: Radu Puchiu, Mukelani Dimba, Fabienne Drout-Lozinski (Deputy Chief of Mission at the French Embassy in Azerbaijan), Alonso Cerdan, Paul Maassen.

Highlights:

- The delegation met with many stakeholders including government representatives, civil society (from the OGP platform and independent), journalists, and diplomatic missions. While there has been overall progress since 2016, including on 4 out of the 5 recommendations outlined in the inactivity decision, the operating environment for civil society has not drastically improved.
- The government counterparts believe that Azerbaijan should be reinstated due to the progress achieved, although they recognize some conditions should be applied. Civil society on the other hand believes that despite the progress, the framework of operating space still requires legislative changes, therefore feels that inactivity should be extended.

Action items:

- SU will draft a report based on the progress made on the recommendations from the original response policy case. The report will include expert analysis, research on the consultation process and information gathered during the official visit.
- The three options before the C&S are 1) expel from OGP 2) reinstatement in OGP 3) extension of inactivity (length and conditions would be decided by C&S). The preliminary conclusion from the subcommittee points toward extended inactivity, pending review of the final report. The final recommendation will be made once the report is available.
- The report and draft resolution will be shared by the SU on June 2nd. Final comments and decision by the C&S scheduled to be made on June 8 call.

2. Countries under review

- **Montenegro:**
 - Highlights: OGP SU staff on the ground will provide an update on possibility of Montenegro submitting its NAP in time before the June 30 deadline. The proposal is to draft a preemptive recommendation for inactivity based on the team's status check.
 - **Action item:** SU to draft an inactivity to be tabled at the Steering Committee meeting. A draft resolution will be sent for comments to the C&S subcommittee.
- **Tunisia:**
 - Highlights: Tunisia fell below score due to failure to publish its audit report on time. The Ministry of Finance is working on an alternative report which would not be audited by the Parliament and is aimed to be submitted before the June 30 deadline. In addition, a commitment to address this issue has been included in Tunisia's current NAP.
 - **Action Item:** Given the measures being taken to address this problem, the technical recommendation of the SU is to extend the deadline to solve this problem by one year. The SU will draft a letter addressed to the Government of Tunisia to come from the C&S co-chairs conveying support, yet underscoring the seriousness of staying above the eligibility threshold.

Reference materials: Consult our [Countries Under Review tracker](#).

3. Response Policy Review

- Presentation by Sophie Smith, consultant undertaking the Response Policy review
- Remaining timeline:
 1. June 2: SU reviews and sends draft to C&S

2. June 8: Discussion by C&S
 3. June 12: Report with first round of recommendations submitted as part of the final C&S packet to Steering Committee
 4. June 27-28 (SC meetings): Present preliminary findings to full Steering Committee for input.
- **Action item:** SU to circulate draft report including recommendations for each section of the Response Policy on June 2nd.

4. Rules of the Game review and next steps

- Eligibility Criteria
 - **Action Item:** The proposals outlined in the two-pager were approved and will be tabled for discussion and approval at the June Steering Committee meeting.
- Review Process
 - **Action Item:** The proposals outlined in the two-pager were approved and will be tabled for discussion and approval at the June Steering Committee meeting.
- NAP & MDTF/SC eligibility
 - SU and taskforce working on exploring options on proposed “Commitment Cap” and the 3-month calendar bump. An update will be provided after polling of POCs and civil society colleagues is done.
 - Will continue working on linking MDTF and SC eligibility based on good standing.
 - **Action Item:** Final recommendation from the SU will be shared on June 2nd.

Reference materials: 2-pagers on Eligibility and Review process.