

IRM Guidance on minimum threshold for involve

According to OGP's Procedural Review Policy, OGP participating governments must meet the International Association for Public Participation (IAP2) "Involve" requirement during development of the Action Plan, as assessed by the IRM.

Procedural Review Policy

A government is considered to have acted contrary to process when:

1. *The government does not meet the International Association for Public Participation (IAP2) "Involve" requirement during development or "Inform" during implementation of the Action Plan, as assessed by the IRM.*

<https://www.opengovpartnership.org/procedural-review>

The IRM has designed this document to clarify what it means to meet the IAP2 "involve" requirement during the development of the action plan and how it will be assessed by the IRM.

It is important to understand the difference between meeting OGP standards and acting contrary to process. OGP developed the [OGP's Participation & Co-creation Standards](#) to outline a set of basic requirements and advanced steps that countries should strive for to support participation and co-creation at all stages of the OGP cycle. However, there is a minimum threshold (or sub set of the standards) that countries should meet in order not to act contrary to OGP process. The IRM will assess the country's compliance to all OGP standards including the minimum threshold required not to act contrary to OGP process.

IAP2 "Involve"

To evaluate the level of public influence during the OGP process the IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.¹

The adapted IAP2 Spectrum describes six different levels of public influence: no consultation, inform, consult, **involve**, collaborate and empower (See Annex 1).

To determine whether a country falls within the category of "involve" on the spectrum, the IRM assesses different elements from [OGP's Participation & Co-creation Standards](#). The IRM will assess whether the country complied with the following aspects of the standards during the development of the action plan, which constitute the minimum threshold:

1. A forum exists: there is a forum to oversee the OGP process.
2. The forum is multi-stakeholder: Both government and civil society participate in it.
3. Reasoned response: The government or multistakeholder forum documents or is able to demonstrate how they provided feedback during the co-creation process. This may include a summary of major categories and/or themes proposed for inclusion, amendment or rejection.

¹ "IAP2's Public Participation Spectrum," IAP2, 2014, <https://www.iap2.org/page/pillars>

How does the IRM assess these elements?

1 A forum exists

2 The forum is multistakeholder

The standard

As explained in [OGP's Participation & Co-creation Standards](#), the standards draw on the practice of many successful OGP countries in requiring the establishment of a multi-stakeholder forum. The standard defines the forum as a group of government, civil society and other stakeholders selected through a fair and transparent process, with a clear remit, membership and governance, that meets on a regular basis to oversee the OGP process. While the standards set out high level criteria that the multi-stakeholder forum should meet, countries are encouraged to adopt a model that fits their specific country context.

The minimum threshold

Although the standard provides multiple characteristics of what constitutes a forum, in order to meet the minimum threshold not to be considered acting contrary to OGP process, the IRM will look into the following basic elements:

When is the government acting contrary to process?

The IRM will consider that **there is no evidence of action** towards meeting this requirement **when**:

- there is no demonstrable proof that a space existed for stakeholders to discuss the OGP process during the development of the action plan
- a space existed, but only for government representatives and did not allow the participation of civil society or any other non-governmental stakeholders during the development of the action plan.

3 Reasoned Response

The standard

According to [OGP's Participation & Co-creation Standards](#), when developing a national action plan:

Basic requirements

- *(Dissemination of information) The government publishes an overview of public and civil society contributions, and the government's response, on the national OGP website/webpage.*
- *(Co-ownership and decision making) Once commitments have been drafted, government representatives review with the multi-stakeholder forum their comments, the final selection of commitments to be included in the NAP and state clearly their reasoning behind decisions.*

Advanced steps

- *(Dissemination of information) The government and/or multi-stakeholder forum publishes all written contributions (e.g. consultation responses) to the NAP development on the national OGP website/webpage.*
- *(Dissemination of information) The multi-stakeholder forum publishes, via the national OGP website/webpage, its reasoning behind the selection of commitments in the NAP, including justifications for commitment proposals not adopted*

The minimum threshold

Although the standard provides multiple characteristics of what countries should do to respond to stakeholder input, in order to meet the minimum threshold, the IRM will look into the following basic elements:

When is the government acting contrary to process?

The IRM will consider that **there is no evidence of action** towards meeting this requirement **when**:

- the government or multi stakeholder forum (MSF) is not able to show that they reported back or provided feedback to stakeholders on how their contributions were considered during the creation of the action plan.

Note: The IRM is neutral as to the mechanism or form in which governments or MSFs provide feedback to stakeholders. If there is no evidence that demonstrates reasoned response (e.g. reports, videos, websites, etc), the IRM will rely on interviews with participating stakeholders to understand whether this requirement was met.

ANNEX 1

Level of public influence	
Empower	The government handed decision-making power to members of the public.
Collaborate	There was iterative dialogue AND the public helped set the agenda.
Involve	The government gave feedback on how public input was considered.
Consult	The public could give inputs.
Inform	The government provided the public with information on the action plan.
No Consultation	No consultation