

Procedural Review Protocols

Agreed by the Criteria & Standards Subcommittee

29 October 2019

A country's participation in OGP may be reviewed by the Criteria and Standards (C&S) Subcommittee, or by the full Steering Committee upon recommendation by the C&S, if it acts contrary to the OGP process. **The objective of this document is to outline how a country may exit the procedural review depending on the action that triggered the process. This is meant to serve as a guideline for C&S discussion of potential future procedural review cases.**

Acting contrary to process:

A country is considered to have acted contrary to process when at least one of the following actions takes place:

1. **ACTION PLAN DELIVERY:** The country does not publish an Action Plan within 4 months of the due date (by December 31).
2. **PUBLIC PARTICIPATION STANDARD:** The government does not meet the International International Association for Public Participation (IAP2) "Involve" requirement during development or "Inform" during implementation of the Action Plan as assessed by the IRM.
3. **ONLINE REPOSITORY:** The government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.
4. **COMMITMENT IMPLEMENTATION:** The IRM Report establishes that there was no progress made on implementing any of the commitments in the country's Action Plan.

Procedural Review and protocol to exit the process:

When a country is found to have acted contrary to process through any of the above mentioned triggers, the Support Unit will notify the government via a letter that is also published [here](#) and in the [OGP Gazette](#). If a country acts contrary to process for two consecutive action plan cycles, it will be placed under Procedural Review by the C&S Subcommittee. To exit the Procedural Review process, the following protocol will be applied depending on the trigger that leads a country to act contrary to process for the *second* of the two action plan cycles:



Trigger	Assessed by	Source of data	When is it reported to C&S for procedural review?	When can the procedural review end?	How can the procedural review end?
1. ACTION PLAN DELIVERY: The country does not publish an Action Plan within 4 months of the due date (by December 31).	OGP Support Unit	Action plan tracker	January of the year after missed submission deadline (within one month after acting contrary to process)	By December of the year after missed submission deadline (within 12 months after acting contrary to process)	The country publishes an action plan. OGP Support Unit will inform C&S, who will automatically remove the country from procedural review.
2. PUBLIC PARTICIPATION STANDARDS: 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.	IRM	IRM Design report	Upon completion of the IRM Design Report (published by August after action plan is delivered) (between 6 to 12 months after acting contrary to process)	Upon completion of the IRM Design Report of the following action plan (published by August after the following action plan is delivered; 18 to 24 months after the trigger is reported)	By meeting the public participation standards, as assessed by the IRM in the following Design Report.
3. ONLINE REPOSITORY: The government fails to collect, publish and document a repository on the national OGP website in line with IRM guidance.	IRM	IRM Implementation report	Upon completion of the IRM implementation report (published by August after implementation of the action plan is finalized (12 months after acting contrary to process)	Upon providing proof of the repository being available.	IRM can make an ad-hoc assessment anytime once the repository is available.
4. COMMITMENT IMPLEMENTATION: The IRM Implementation Report establishes that there was no progress made on implementing any of the commitments in the country’s Action Plan.	IRM	IRM Implementation report	Upon completion of the IRM implementation report (published by August after implementation of the action plan is finalized (12 months after acting contrary to process)	Upon completion of the IRM Implementation Report for the following action plan (published by August after implementation of the following action plan is finalized) (24 to 30 months after the trigger is reported)	Progress is made on implementing at least one of the commitments on the country’s following action plan, as assessed by the IRM in the Implementation report.

Once under Procedural Review, if a country acts contrary to process again (through any trigger) or fails to conclude the review according to the protocol, the Criteria and Standards Subcommittee will automatically recommend that the Steering Committee designates the country as inactive. The C&S inactivity resolution will determine the necessary actions for the country to have their inactive status removed.

