Open Government Partnership 1100 13th St NW, Suite 800 Washington, DC 20005 United States

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February 9, 2023

Hon Mark Dreyfus KC, MP Attorney-General Government of Australia

Dear Attorney-General,

We welcome Australia's participation in the Open Government Partnership (OGP), which now comprises 76 countries and 106 local governments working to implement open government commitments to promote greater transparency, accountability and citizen engagement in policy-making.

As you are aware, all OGP participating governments are expected to co-create an Action Plan outlining a concrete set of open government reforms, in line with OGP Participation and Co-Creation standards.

As foreshadowed in our earlier correspondence in August and October 2022, I confirm that since the OGP Support Unit did not receive a new action plan from Australia by the deadline of December 31, 2022, Australia has acted contrary to the OGP process for the 2022-2024 cycle.

I understand that these delays were significantly impacted by Australia's recent change in government, and that the new government has taken significant steps to restart the OGP process, including refreshing membership of your multistakeholder forum and imminently commencing development of a new action plan. I welcome your reassurances of your intention to work closely with civil society to co-create a new action plan that captures a greater level of ambition for open government, transparency, and accountability, and look forward to traveling to Australia in the coming months to help support this process.

I must note that due in part to an earlier instance of acting contrary to process under the previous government, Australia has now acted contrary to the OGP process for two consecutive action plan cycles. A copy of the letter notifying the previous occurrence (late delivery of its 2021-2023 action plan) is enclosed for your records. In line with <u>OGP policy</u> and as we have previously discussed, Australia will now automatically be placed under review by the OGP Criteria & Standards Subcommittee (C&S). This review process involves enhanced support by the C&S, the OGP Support Unit and the OGP Steering Committee - which has already commenced - in order to help address the issues that have led to it being placed under review.

The review process will be finalized by addressing the most recent occurrence of acting contrary to process; in this case by submitting an action plan by the next deadline, December 31, 2023. I have every confidence that the steps you have undertaken will result in a robust co-creation process and action plan - but do note that if a country fails to deliver an action plan for three consecutive years, the C&S will automatically recommend that country be designated as "inactive" in OGP by resolution of the Steering Committee.



The OGP Support Unit and Steering Committee looks forward to continuing to support Australia's government and civil society in their co-creation of Australia's next action plan, in their work to advance the open government agenda, and in realising the ample opportunity for future international leadership within our Partnership.

Yours sincerely,

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Sanjay Pradhan Chief Executive Officer



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15 February 2022

Mr. John Reid First Assistant Secretary, Government Division Department of the Prime Minister & Cabinet Australian Government

Dear Mr Reid,

We welcome the Government of Australia's participation in the Open Government Partnership (OGP), which now comprises 78 countries and 76 local governments working to implement open government commitments to promote greater transparency, accountability and citizen engagement in policy-making.

This letter is to inform you that as of the deadline of 31 December 2021, the Support Unit has not received Australia's 2021-23 Action Plan, and therefore has acted contrary to the OGP process. The Government of Australia is also now considered to have started a new action plan cycle.

Please be mindful that in 2021 the Steering Committee approved new Participation and Cocreation Standards that all OGP participating countries will have to observe. As per the new standards, your new Action Plan has to be delivered before 31 December 2022 in order to avoid acting contrary to the OGP process again. Governments that act contrary to process for two consecutive cycles are placed under review by the OGP Steering Committee, which involves enhanced support to resolve the issues that led to being placed in that status. Guidance materials for the new standards will be available soon.

The OGP Support Unit and Steering Committee stand ready to support you in whatever way would be useful. Please do not hesitate to contact the Support Unit if you have any questions regarding this notification.

Yours sincerely,

Sanjay Pradhan Chief Executive Officer

