



# Consolidating the Revival of the OGP Process in South Africa

#### OGP 5<sup>th</sup> National Action Plan 2023-2026

#### **30 December 2023**

#### **Department of Public Service and Administration**

Batho Pele House 546 Edmond Street, Arcadia, Pretoria Republic of South Africa





#### 1. Foreword





Ms Noxolo Kiviet, MP

In September 2011, South Africa endorsed the *Open Government Partnership* (OGP) Declaration of Principles, thereby committing itself to work with civil society towards enhancing transparency, public participation, accountability, and the fight against corruption in both the public and private spheres. This global partnership initiative on open government is in line with the African Union's *African Peer Review Mechanism* (APRM) which encourages African governments to improve good governance - including participation, openness and service delivery to their populations.

Following my predecessor's commitment to the revival of the OGP programme in South Africa, the OGP 4<sup>th</sup> National Action Plan 2020-2022 was submitted in December 2020, where my predecessor had, among others, indicated that: "As we commit to continue our support to the global OGP initiative, we will also continue to support and participate in continental initiatives that assess our performance in open governance. In partnership with the other countries and stakeholders, we'll continue to find synergies between the OGP and the APRM as these two initiatives are mutually affirming in strengthening good governance practices in Africa".

Following the finalisation of South Africa's APRM Second-Generation Country Review on 4 February 2022, the Cabinet approved the APRM National Plan of Action (NPoA) on 22 June 2022 which included the reinforcement of the principle of the APRM-OGP complementarity. The said approval of the APRM-OGP compementarity entailed, among others, that the OGP 5<sup>th</sup> National Action Plan 2023-2026 (5<sup>th</sup> NAP 2023-2026) will be used as the implementation tool of the APRM National Plan of Action.

As a result, when the OGP 5<sup>th</sup> NAP 2023-2026 was submitted in December 2022, it served as **Part 1** of South Africa's commitments which was meant to demonstrate

the Cabinet commitment and confidence in the OGP programme, and also to formally introduce the Cabinet approved APRM-OGP principle of complementarity. The APRM NPoA (**Annexure E**) was put forward as representing South Africa's macro commitments, as part of the revival of the OGP programme.

Hence my predecessor advised that the initial OGP 5<sup>th</sup> NAP 2023-2026 submission in December 2022 represented South Africa's macro commitments, and that the detailed commitments will follow after due consultation with the stakeholders and in line with the prescribed OGP template.

Consequently, the due process prescribed in the OGP Handbook (2022) has taken place and the two detailed commitments are now being submitted as **Tag 1** and **Tag 2**. The details on the stakeholder consultation process, which includes the roadmap on the revival of the OGP programme, is also outlined in the synopsis provided below.

As I conclude, may I take this opportunity to thank all the stakeholders who made it possible for the Focal Point to fulfil the requirements of the OGP process, which has manifested in the submission of the detailed commitments as **Part 2** of the OGP 5<sup>th</sup> NAP 2023-2026; to be read in tandem with **Part 1** of the OGP 5<sup>th</sup> NAP 2023-2026 which my predecessor duly submitted in December 2022.

I therefore look forward to the consolidation of the OGP revival process as per the roadmap which forms part of this submission.

Ms Noxolo Kiviet
Minister for the Public Service and Administration
OGP Focal Point for South Africa
Republic of South Africa

# A synopsis of the methodology and process followed in developing the two commitments of the OGP 5<sup>th</sup> National Action Plan 2023-2026

#### 1. A recap on the background

- **1.1** As part of the revival of the OGP process in South Africa, the Focal Point submitted **Part 1** of the OGP 5<sup>th</sup> National Action Plan 2023-2026 (OGP 5<sup>th</sup> NAP 2023-2026) in December 2022 [**Annexe A**], focusing on high-level African Peer Review Mechanism (APRM) National Plan of Action (NPoA) approved at the Cabinet level, which serves as South Africa's macro OGP 5<sup>th</sup> National Action Plan (NAP) 2023-2026 commitments in line with the APRM-OGP complementarity principle.
- 1.2 It was highlighted that the OGP 5<sup>th</sup> NAP 2023 2026 and the subsequent OGP NAPs will thus be firmly entrenched as the implementation platform of the APRM Peer Review recommendations under the five thematic areas of democracy and political governance, Corporate Governance, Economic Governance and Management, Socio-Economic Management and Development, as well as the newly introduced thematic area named State Resilience and Preparedness.
- **1.3** It was also highlighted that the Focal Point would thereafter work with civil society to shape specific detailed commitments in liaison with the relevant departments who will drive those commitments.
- **1.4** The submission of the detailed commitments, as **Part 2** of the OGP 5<sup>th</sup> NAP 2023-2026, consequently signifies a supplementary submission to the OGP 5<sup>th</sup> NAP 2023-2026 macro commitments that were submitted in December 2022.

# 2. Process for the co-creation of the two detailed commitments of the OGP $5^{\rm th}$ NAP 2023-2026

- **2.1** Following an internal to government consultation process to identify feasible draft commitments for the OGP 5<sup>th</sup> NAP 2023-2026, a meeting of the interim Steering Committee was convened by the OGP Point of Contact on 6 October 2023 [**Annexe B**] with a view to:
- **(a)** Providing feedback to stakeholders on the internal to government process of identifying feasible draft commitments.

- **(b)** Providing space for the presentation of the two draft commitments led by the National Treasury (NT) and the Council for Scientific and Industrial Research (CSIR).
- **(c)** Soliciting input on the two draft commitments namely, transformative fiscal transparency, led by the National Treasury, and open data transparency across the three spheres of government, led by the Centre for Scientific and Industrial Research.
- **2.2** The way forward from the presentation and discussion of the two draft commitments was that further consultation with the public had to take place, and that a roadmap should be developed to illustrate how the process will unfold.
- **2.3** The road map was duly developed, and the two draft commitments were posted for public comment on the OGP webpage of the Department of Public Service and Administration, with a due date of 27 November 2023 [Annexe C].
- **2.4** Following the closing of the window for public comments on 27 November 2023, a final consultation session was held on 30 November 2023 to consolidate all the input received and to further confer with the stakeholders on the way forward.
- **2.5** The aforesaid final consultation session was held at the Stellenbosch University, School of Public Leadership, Bellville Park Campus to ensure, among others, a broader participation of stakeholders [**Annexe D**].

# 3. Way forward on the two commitments presented on 30 November 2023

**3.1** There was consensus that the two commitments constitute what South Africa can present at this stage of the OGP revival process, with the understanding that the process outlined in the roadmap will enable the consolidation of the OGP revival process and provide more space for civil society participation in the implementation of the two commitments.

- **3.2** Considering the APRM-OGP complementarity, the two commitments have been crafted in a manner that aligns them with the relevant APRM thematic area of "Democracy and Political Governance", to illustrate the complementarity principle.
- **3.3** The two commitments are thus duly put forward as per the explanation provided above as attached at **Tag 1** and **Tag 2**, to constitute **Part 2** of the OGP 5<sup>th</sup> NAP 2023-2026, to be read as supplementing **Part 1** of the OGP 5<sup>th</sup> NAP 2023-2026 which was submitted in December 2022.

**End** 

#### 1. OGP Commitment Template - As on 04 December 2023

Country	South Africa						
Number and	Commitment number	<i>1</i> :					
Name of the	Transformative fiscal	transparency					
Commitment							
Brief		nt wants to do and would like to	achieve in less than 200				
Description	characters.)						
of the Commitment	champion fiscal transparen thus promote accountabilit transparency to meaning transformative and that ens <b>b</b> ) With the adoption by the APRM's thematic areas of	evious National Action Plans cy, to promote public access y. However, fundamental iss ful public participation that ures accountability of the government of the APRM-OGP on "democracy and political re-inforcing accountability ar	to financial information and ues persist with connecting has the potential to be ernment.  complementarity, one of the governance" has identified				
	c) Hence transformative fisc	cal transparency seeks to ensi	ure that citizens have access				
	and thus play a key role in combating corruption.						
Commitment Lead	National Treasury						
Supporting Stakeholders	Government	Civil Society	Other Actors (Parliament, Private Sector, etc)				
	Department of Public Service and Administration	APRM National Governing Council (NGC) as per the APRM-OGP Complementarity  OGP Interim Steering Committee, which will formalised into a multi-	The sectors that constitute the NGC consists of sectors that come from organised labour, organised business, youth, faith-based organisations, arts and culture, and people with disabilities among others. All the aforesaid sectors are part and parcel of the oversight on the implementation of the				
		stakeholder Forum as per the Roadmap.	issues arising from South Africa's				
Period Covered	2023 to 2026 [four-year Handbook, 2022	action plan] as per section	2.3 of the OGP National				

#### **Problem Definition**

#### 1. What problem does the commitment aim to address?

Who are affected? Where is it taking place? How are they affected? When are they most affected? When did the problem start? How long has the problem impacted those affected?

- 1.1 South Africa's APRM Second Generation Review Report dated February 2022 APRM Review Report clearly identifies the challenge of corruption and its association with ineffective accountability as a topical issue. Since corruption depletes the capacity of the state to deliver on its mandate, the issue of corruption affects all levels of society.
- 1.2 The impact of corruption on the ability of the government to deal with unemployment, poverty, and inequality means that the poor are the most affected by the impact of corruption on the country's fiscus.
- 1.3 Hence transformative fiscal transparency empowers the citizens to have access to the requisite fiscal information kept by the government and thus help to re-inforce the accountability of the public representatives.

#### 2. What are the causes of the problem?

Elaborate on your understanding of the causes of the problem. As much as possible, identify the root causes. Utilize problem analytical tools (e.g., problem tree, five whys, fishbone diagram, or other related methods) when necessary and provide evidence whenever possible.

The causes of the problem are multifaceted, though the APRM Review Report has among others identified the causes of corruption and lack of accountability as being exacerbated by weaknesses in the institutions that are meant to hold government accountable, inadequate consequent management in the public administration, insufficient capacity by the civil society to hold the government accountable.

#### **Commitment Description**

#### 1. What has been done so far to solve the problem?

What solutions were made available for this problem in previous years? How successful have they been?

The Vuleka-mali portal which is hosted by the National Treasury, has been the primary platform to anchor transformative fiscal transparency, with a focus on national and provincial financial data. The Vuleka-mali portal has been successful is ensuring that civil society has access to the budget data of national and provincial departments.

Evidently more needs to be done to tackle the challenge of corruption and insufficient accountability by the government, especially at the local sphere of government.

#### 2. What solution are you proposing?

What will you do to solve the problem? How does this differ from previous efforts? In what way will the solution solve the problem? How will the solution solve the problem? Will it solve the problem in its entirety or partially? What portion of the problem will it solve, if not the whole problem?

The solution that is specifically proposed is to expand the scope of institutions whose financial data will be available in Vuleka-mali portal to also include Schedules 3A and 3C public entities as defined in Public Finance Management Act, 1999.

Schedules 3A and 3C have the mandate to fulfil a specific economic or social responsibility of the government. They rely on government funding and public money, either by means of a transfer from the Revenue Fund or through statutory money.

Additionally, financial data for the local sphere of government will be added to be part of the transformative fiscal transparency through the addition of the GoMuni portal which can be

accessed at: Link to GoMuni: <a href="https://lg.treasury.gov.za/ibi">https://lg.treasury.gov.za/ibi</a> apps/signin - click on the public access.

#### 3. What results do we want to achieve by implementing this commitment? What outputs would we like to produce? What changes in knowledge, skills, and capacities do

What outputs would we like to produce? What changes in knowledge, skills, and capacities do we want to achieve? What changes in behavior, systems, and practices do we want to create?

Given the anchor issues of promoting the rule of law, re-inforcing accountability and combating corruption; the expansion of scope of institutions whose financial data is available on the Vuleka-mali portal will enhance the levels of transparency and widen the number of public entities whose financial data is easily accessible to the community. By extension, such an enhanced level of community access to financial data will improve the level of accountability of government officials.

Additionally, the municipal money portal will be added and an annual report will be published and shared with civil society during October 2024 (covering the local government 1 July 2023 to 30 June 2024 financial year).

Subsequent reports will be published in October 2025 and October 2026 and shared civil society.

<b>Commitment Analysis</b>	
Questions	Answer (if not applicable, just answer with N/A)
1. How will the commitment promote transparency?  How will it help improve citizens' access to information and data? How will it make the government more transparent to citizens?	Refer to paragraph 3 above
2. How will the commitment help foster accountability?  How will it help public agencies become more accountable to the public? How will it facilitate citizens' ability to learn how the implementation is progressing? How will it support transparent monitoring and evaluation systems?	Refer to paragraph 3 above
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?  How will it proactively engage citizens and citizen groups?	Refer to paragraph 3 above

#### Commitment Planning

(This is an initial planning stakeholders involved.)	g process largely looki	ing at milestones	s and expecte	ed outputs, as	well as key
Milestones (Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)	Expected Outputs (Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)	Expected Completion Date	Stakeholde	ers	
1. A formal process	Scope of institutions	November		nal Treasury:	
initiated to expand the scope of institutions whose	on Vuleka-mali portal expanded to include	2024		a-mali officials ni officials	
financial data will be available on Vuleka-mali to	Schedules 3A and 3C public entities as		Supporting	<u>Stakeholders</u>	
also include Schedules 3A and 3C public entities as defined in Public Finance	defined in Public Finance Management Act, 1999		Government	CSOs	Others (e.g., Parliament, Private Sector etc)
Management Act, 1999			DPSA	Steering	Other
3. A formal process initiated to include financial data for the local sphere of government as part of the Transformative Fiscal Transparency	Financial data for the local sphere of government will be added to be part of the transformative fiscal transparency through the addition of the GoMuni portal	November 2024		Committee /Multi- stakeholder Forum	stakeholde rs such as Universitie s will be involved as and when the project unfolds
	Municipal money annual report published and shared with civil society during October 2024 (covering the local government 1 July 2023 to 30 June 2024 financial year)	November 2024			
	Municipal money annual report published and shared with civil society during October 2024 (covering the local government 1 July 2024 to 30 June 2025 financial year)	November 2025			
	Municipal money annual report published and shared with civil society during October 2024 (covering the local government 1 July 2025 to 30 June 2026 financial year).	November 2026			

#### 2. OGP Commitment Template – As on 04 December 2023

Country	South Africa								
Number and	Commitment number 2:								
Name of the		across the three spheres o	f government						
Commitment	Open Data Transparency	across the three spheres o	government						
Brief	(Describe what the commitmen	nt wants to do and would like to	achieve in less than 200						
_	characters.)	it wants to do and would like to	demeve in ress than 200						
Description of the									
Commitment	ways to provide public access fundamental issues persist with	a) Recapping from the previous National Action Plans, South Africa continues to strive to seek ways to provide public access to government data, thus promoting accountability. However, fundamental issues persist with connecting transparency to meaningful public participation that has the potential to be transformative and that ensures accountability of the government.							
	thematic areas on "democracy	Cabinet of the APRM-OGP completed and political governance" has icand combating corruption" as cr	lentified "promoting the rule of						
	the 4 <sup>th</sup> Industrial Revolution (4	Council for Scientific and Industralia, this commitment seeks to an framework/ protocol with the	facilitate the development and						
	d) The engagement with the metropolitan municipalities will thus pilot the development and eventual adoption of a common framework/ protocol for sharing open data with six metropolitan municipalities, as a precursor to the eventual adoption of the national framework/ protocol on open data sharing across the three spheres of government in South Africa.								
Commitment Lead	The CSIR (4IR Centre)								
Supporting Stakeholders	Government	Civil Society	Other Actors (Parliament, Private Sector, etc)						
	DPSA National Treasury South African Local Government Association (SALGA) Departmnet of Cooperative Governance (DCoG) eThekwini Metropolitan Municipality City of Tshwane Metropolitan Municipality City of Joburg Metropolitan Municipality Metropolitan Municipality	Civil Society represented in OGP Interim Steering Committee/ Multi- stakeholder Forum Kagiso Trust Open Cities Lab South African Cities Network (SACN)	Other actors such as Universities will be involved as and when the project unfolds						

	Ekurhuleni Metropolitan Municipality Buffalo City Metropolitan Municipality Nelson Mandela Bay Metropolitan Municipality Makhana Municipality Western Cape Government (WCG) Mpumalanga Province (MP)		
Period Covered	2023 to 2026 [four-year a Handbook, 2022	action plan] as per section 2	2.3 of the OGP National

#### **Problem Definition**

#### 1. What problem does the commitment aim to address?

Who are affected? Where is it taking place? How are they affected? When are they most affected? When did the problem start? How long has the problem impacted those affected?

- 1.1 South Africa's APRM Second Generation Review Report dated February 2022 APRM Review Report clearly identifies the challenge of corruption and its association with ineffective accountability as a topical issue. Since corruption depletes the capacity of the state to deliver on its mandate, the issue of corruption affects all levels of society.
- 1.2 The impact of corruption on the ability of the government to deal with unemployment, poverty, and inequality means that the poor are the most affected by the impact of corruption on the country's fiscus.
- 1.3 Hence Open Data Transparency across the three spheres of government is an essential feature of reinforcing the accountability of the public representatives.
- 1.4 The communities/ citizens of South Africa are affected, especially those civil organizations who track the corruption in the government departments. Thus, the lack of a common framework/ protocol among the three of government on sharing of open data, creates challenges for those who seek to hold the government to account.
- 1.5 Cities generate a significant amount of data that is useful to citizens. However, this information is often hidden from public view and is confined in line department archives or is difficult to access.

#### 2. What are the causes of the problem?

Elaborate on your understanding of the causes of the problem. As much as possible, identify the root causes. Utilize problem analytical tools (e.g., problem tree, five whys, fishbone diagram, or other related methods) when necessary and provide evidence whenever possible.

The causes of the problem are multifaceted, though the APRM Review Report has among others identified the causes of corruption and lack of accountability as being exacerbated by weaknesses in the institutions that are meant to hold government accountable, inadequate consequent management in the public administration, insufficient capacity by the civil society to hold the government accountable.

Another cause is that at the city level there are often no open data framework guidelines for the implementation of open data and hence the need for a project of this nature.

#### **Commitment Description**

#### 1. What has been done so far to solve the problem?

What solutions were made available for this problem in previous years? How successful have they been?

The CSIR has done the baseline work of developing a draft Framework/ Protocol on Open Data sharing, working with the metropolitan municipalities. The baseline work now needs to be taken further to the rest of the government.

#### 2. What solution are you proposing?

What will you do to solve the problem? How does this differ from previous efforts? In what way will the solution solve the problem? How will the solution solve the problem? Will it solve the problem in its entirety or partially? What portion of the problem will it solve, if not the whole problem?

The CSIR engagement with the metropolitan municipalities will thus pilot the development and eventual adoption of a common framework/ protocol for open data sharing with six metropolitan municipalities, which should serve as a precursor for the eventual adoption of the national framework/ protocol on open data sharing across the three spheres of government in South Africa.

#### 3. What results do we want to achieve by implementing this commitment?

What outputs would we like to produce? What changes in knowledge, skills, and capacities do we want to achieve? What changes in behavior, systems, and practices do we want to create?

The eventual adoption of a National Framework/ Protocol on Open Data sharing in South Africa, which is informed by the pilot conducted at the metropolitan municipalities.

Commitment Analysis					
Questions	Answer (if not applicable, just answer with N/A)				
<ol> <li>How will the commitment</li> </ol>	Refer to the Commitment Description in paragraph 1 to 3				
promote transparency?	above.				
How will it help improve citizens' access					
to information and data? How will it	One of the key principles of Open Data is that data will be				
make the government more transparent	Open by Default and there will be Citizen Engagement and				
to citizens?	<i>Inclusivity.</i> The Open Data Policy will specify data sets that				
	will be free to access by citizens. It will also highlight formal				
	civil society engagement initiatives coupled with				
	recommended mechanisms and tools for citizen engagement				
	and feedback.				

2. How will the commitment help foster accountability?  How will it help public agencies become more accountable to the public? How will it facilitate citizens' ability to learn how the implementation is progressing? How will it support transparent monitoring and evaluation systems?	Refer to the Problem Definition in 1 and 2 above. The identified data will include all sorts data specifically related to Services. These data sets will be free to access via an open data portal. Citizens will therefore be more proactively informed on data relating to service; thus creating a platform for proactive engagement and resolving challenges.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	Access to data empowers citizens to know what is happening and enables them to hold government to account and thus deal with corruption, among others.
How will it proactively engage citizens and citizen groups?	As mentioned in 1 above, one of the key Open Data Principles is Citizen Engagement. This principle endures the effective engagement of civil society at large.

Commitment Planning (This is an initial plannin stakeholders involved.)	ng process largely look	king at mileston	es and expect	ed outputs, as	s well as key
Milestones (Milestones are part of a series of actions or events that, when executed, will lead to the achievement of the result the commitment would like to achieve.)	Expected Outputs (Outputs are concrete, objectively-verifiable results that are direct products of activities conducted or implemented.)	Expected Completion Date	Stakeholde	rs	
1. Dialogue initiated with six metropolitan municipalities on the	Consensus reached on a common Framework/	November 2024	Revolution (4I	Centre for the R) and DPSA Stakeholders	4 <sup>th</sup> Industrial
adoption on Open Data Sharing Framework/ Protocol	Protocol		Government  DPSA National	CSOs Steering Committee /Multi-	Others Other stakeholders such as
2. Municipal Councils of all six metropolitan municipalities have endorsed Open Data Sharing Framework/ Protocol	All six metropolitan municipalities have the Open Data Sharing Framework /Protocol implemented	November 2025	Treasury	stakeholder Forum	Universities will be involved as and when the project unfolds
3. National Open Data Sharing Framework/ Protocol dialogue initiated	Draft National Open Data Sharing Framework/ Protocol agreed with national stakeholders	November 2026			

#### **Department of Public Service and Administration**



#### **REPUBLIC OF SOUTH AFRICA**

# Reviving the OGP Process in South Africa OGP 5<sup>th</sup> National Action Plan 2023-2026



**30 December 2022** 

#### 1. Foreword





Mr TW Nxesi, MP

In September 2011, South Africa endorsed the *Open Government Partnership* (OGP) Declaration of Principles, thereby committing itself to work with civil society towards enhancing transparency, public participation, accountability, and the fight against corruption in both the public and private spheres.

This global partnership initiative on open government is in line with the African Union's African Peer Review Mechanism (APRM) which encourages African governments to improve good governance - including participation, openness and service delivery to their populations.

Open Government in the South African context, is premised on our progressive and transformative Constitution which enshrines a *Bill of Rights* and the principles of good governance. Chapter 9 of our Constitution specifically provides for the establishment of independent institutions to safeguard and enforce openness, transparency, accountability, responsiveness, and ethical governance in the public and private spheres. These institutions are critical in promoting and protecting the rights of citizens.

South Africa is also committed to leading the implementation of the African Union (AU) decision to pursue universal accession to the African Peer Review Mechanism by AU Member States. The Republic of Burundi became the 42<sup>nd</sup> member of the APRM when the African Peer Review (APR) Forum of Heads of State and Government met on 4 February 2022, which marked the end of our two year Chairship of the APR Forum.

This is also in line with priority seven of the Medium Term Strategic Framework (MTSF) 2019-2024 commitment of ensuring "A better Africa and better World", by using the APRM as a platform to work with other countries to advance good governance and democracy. The

creation and maintenance of genuine avenues for participatory democracy and development and independent institutions to uphold and enforce the broad principles of good governance, is indicative of the South African government's unambiguous commitment to the values and principles of an open society as espoused in, among others, the Declaration of Principles of the OGP.

When the OGP 4<sup>th</sup> National Action Plan (NAP) 2020-2022 was submitted in December 2020 my predecessor, Minister Senzo Mchunu, stated among others as follows:

"As we commit to continue our support to the global OGP initiative, we will also continue to support and participate in continental initiatives that assess our performance in open governance. In partnership with the other countries and stakeholders, we'll continue to find synergies between the OGP and the APRM as these two initiatives are mutually affirming in strengthening good governance practices in Africa".

When the Cabinet adopted the high level APRM National Plan of Action (NPoA) 2022 – 2025 on 22 June 2022, it thus affirmed the principle complementarity between the OGP and the APRM by ensuring that the OGP 5<sup>th</sup> NAP will be responding to the APRM 2<sup>nd</sup> Generation Country Review Recommendations.

Hence the NPoA 2022-25 states among others as follows:

"The Open Government Partnership (OGP) National Action Plan (NAP) 2023 - 2026 will also respond to some of the issues recommended in the APRM 2<sup>nd</sup> Generation Country Review Report, especially on issues of combating corruption and improving access to justice by the vulnerable groups".

This means that the Cabinet's endorsement of the APRM NPoA 2022 - 2025 is broadly an endorsement of the OGP NAP 2023-2026. Civil society will thus, on a continual basis, be at liberty to further formulate focused commitments linked to specific departments as an extension of the macro commitments already endorsed by the Cabinet.

Finally, I want to thank those civil society organisations and government departments who have collaborated with the Department of Public Service and Administration (DPSA) in the development of the OGP 5<sup>th</sup> National Action Plan.

#### Mr TW Nxesi MP

Acting Minister for the Public Service and Administration Government Focal Point on OGP Republic of South Africa

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#### **Annexure E:**

#### High Level Summary of the National Plan of Action (NPoA) 2022-2025:

Arising from the 2<sup>nd</sup> Generation Country Review of South Africa at the 31<sup>st</sup> Summit of the APR Forum of Heads of State and Government held on the 4<sup>th</sup> February 2022

#### 1. Background

The OGP was formally launched on 20 September 2011 on the sidelines of a United Nations General Assembly (UNGA) meeting during which the Heads of State from 8 founding governments (Brazil, Indonesia, Mexico, Norway, Philippines, South Africa, United Kingdom, and the United States) endorsed the Open Government Declaration.

The OGP focuses on promoting accountable, responsive and inclusive governance. There are over 79 countries and a growing number of local governments, representing more than two billion people, along with thousands of civil society organisations who are members of the OGP.

To join the OGP, governments commit to upholding the principles of open and transparent government by endorsing an Open Government Declaration. Members must meet eligibility criteria and pass the values check. In essence, the programme is a voluntary international effort that seeks to encourage good governance principles, namely: transparency, accountability, participation, and innovation.

These good governance principles resonate with South Africa's constitutional values, as well as the vision of a developmental state, as articulated in the National Development Plan (NDP), 2012. The ethos of the OGP has centred on exhibiting exemplary leadership in the global community through being an action-orientated initiative that requires Members to develop National Action Plans (NAPs) that reflect ambitious and time bound commitments.

#### 2. Reflection on the OGP 4<sup>th</sup> National Action Plan 2020-2022

The central feature of the 4<sup>th</sup> National Action Plan is that it is essentially a revival plan that seeks to revive the OGP in South Africa, while exploring various ways and means of ensuring that South Africa can sustainably fulfill its commitments and duly comply with the rules and standards of the OGP.

In line with the above, the implementation of the revival plan coincided with South Africa's process of undertaking the APRM 2<sup>nd</sup> Generation Country Review, which falls under the same Ministry for the Public Service and Administration.

In this regard, the OGP Point of Contact (PoC) is also designated to lead the APRM National Secretariat, with specific responsibilities as defined in the Continental APR Statute and the National Governing Council Charter. Hence a compelling need to find complementarity among the good governance programmes.

Save for the commitment on fiscal transparency and open contracting, progress made on the implementation of the OGP 4<sup>th</sup> NAP 2020-2022 has been limited. Such an overall self-assessment was shared with Ms Eva Maria, a Researcher assigned by the IRM, during the meeting with the PoC on 19 October 2022.

South Africa consequently acknowledges the detailed recommendations of the Independent Reporting Mechanism (IRM), and will be mindful of them when rolling-out the approach and methodology outlined below.

#### 3. Design of the OGP 5<sup>th</sup> National Action Plan 2023-2026

The lessons and constraints associated with the OGP 4<sup>th</sup> NAP 2022-2022 inherently informed the change in the approach, as reflected in the approach and methodology of adopting the APRM/ OGP complementarity as outlined below.

Hence every effort is being made to apply the OGP values of active transparency, participation and accountability in outlining the approach and methodology below.

#### 3.1 First meeting of the OGP Steering Committee held on 4 March 2022

Consequently, the in-person meeting of the OGP interim Steering Committee, which plays the role of a multi-stakeholder forum, was convened on 4 March 2022 to discuss the challenges facing the implementation of the OGP, and to explore means and ways of sustaining the revival of the OGP. The civil society was represented by the following organisations:

- Public Service Accountability Monitor (PSAM);
- Corruption Watch;
- Community Advice Offices South Africa;
- Human Sciences Research Council:
- OpenUp South Africa.

The essence of the meeting was that it concurred with the approach and methodology as presented by the OGP PoC, which entails finding complementarity between the APRM and OGP; as both programmes focus on promoting good governance.

The PoC also outlined the process of developing and seeking Cabinet approval for the APRM National Plan of Action (NPoA), as the APRM NPoA implements the recommendations of South Africa's Peer Review Report which was adopted by the APR Forum of Heads of State and Government on 4 February 2022.

# 3.2 Conference on Collective action for beneficial ownership transparency in South Africa - From commitment to implementation

During OGP Open Week in May 2022, the OGP interim Steering Committee co-hosted a Conference in Cape Town on 16-17 May 2022, which was themed:

"Collective action for beneficial ownership transparency in South Africa - From commitment to implementation"

At the said Conference the way forward on the use of the approach and methodology on development of the OGP 5<sup>th</sup> NAP in the context of the APRM/ OGP complementarity, where the approach and methodology was specifically highlighted.

## 3.3 IRM Co-Creation Brief to Support the Design of South Africa's 2022 OGP Action Plan

On 7 June 2022, the Independent Reporting Mechanism Brief was received by the PoC with a view to share its Co-Creation Brief in support of South Africa's forthcoming co-creation process for the 2022 action plan.

On 9 June 2022, the PoC responded to the IRM Brief as follows:

"Dear Mia,

I wish to acknowledge receipt of your email and attachment.

Certainly South Africa is still committed to submitting the 5<sup>th</sup> NAP by the end of December 2022, and I'm conscious of South Africa's role in the OGP.

The snapshot on the co-creation process (as per the attached brief) states in part "... The fifth action plan also provides a platform for government and civil society to coalesce around and act on shared priorities such as implementing recommendations from the Africa Peer Review Mechanism and Zondo Commission reports."

The above quote captures the essence of our approach which was discussed with civil society in March 2022; under the principle of complementarity among all the good governance programmes, especially the APRM/ OGP complementarity.

The APRM National Plan of Action was adopted by the National Governing Council in April 2022, and I'll further present same to the Cabinet Committee next week for their concurrence.

I'll share the detail once the plan has served before the full Cabinet by the end of June 2022.

**Note:** Due to my workload, my responses to your emails will sometimes be a bit slow – but the task at hand will be attended to following the *Pareto Principle*.

Kind regards,

Patrick"

# 3.4 Adoption by the Cabinet of the approach and methodology of complementarity among the good governance programmes

Arising from the 2<sup>nd</sup> Generation Country Review of South Africa at the 31<sup>st</sup> Summit of the APR Forum of Heads of State and Government held on the 4<sup>th</sup> February 2022, a High Level National Plan of Action (NPoA) 2022-2025 was adopted. The NPoA 2022-2025 is prefaced as follows:

"In line with the methodology of the Country Self-Assessment Report, the NPoA will be a continuation of the previous reporting, accompanied by adaptions and alignments, which will be further complemented and tracked through a stronger focus on research analytics that is informed by credible and verifiable sources.

The focus of the high level summation that follows is thus on the big picture issues in line with the summation of the newsletter "From the President's Desk" of the 07th February 2022, in order to ensure that the focus of the NPoA remains pitched to the level of the Heads of State and Government.

Nonetheless, all the detailed issues arising from the Country Self-Assessment Report, 2021 and the Country Review Report, 2022 will still be tracked in line with the methodology highlighted above."

The NPoA 2022-2025 ends with the paragraph titled:

"Complementarity of Government Programmes to Respond to the 2<sup>nd</sup> Generation Country Review Recommendations" which further embeds the APRM/ OGP complementarity as follows:

"The Open Government Partnership (OGP) National Action Plan (NAP) 2023- 2026 will also respond to some of the issues recommended by the APRM 2nd Generation Country Review, especially on issues of combating corruption and improving access to justice by the vulnerable groups.

In essence, the OGP NAP 2023-2026 and the subsequent plans will serve as a mechanism to implement the APRM National Plans of Action.

Other programmes under the ambit of the National Focal Point will be managed in line with the complementarity principle and brought to the attention of the National Governing Council, in line with the expanded mandate of the APRM."

The Cabinet endorsement of the APRM NPoA on 22 June 2022 firmly entrenches the complementarity principle and the approach and methodology thereof. The OGP 5<sup>th</sup> NAP 2023 – 2026 and the subsequent OGP NAPs are thus firmly entrenched as the implementation platform for the APRM Peer Review recommendations under the five thematic areas of democracy and political governance, Corporate Governance, Economic Governance and Management, Socio economic Management and Development, as well as the newly introduced thematic area named State Resilience and Preparedness [Annexure E].

# 3.5 2<sup>nd</sup> Meeting of the OGP interim Steering Committee on 15 September 2022

Subsequent to the Cabinet endorsement of the APRM NPoA 2022-2025, the second meeting of the interim Steering Committee was arranged for the 15 September 2022. The PoC sent a briefing note in preparation for the said meeting, and it reads as follows:

"Dear Colleagues,

I am following up on the in-person meeting of the OGP Interim Steering Committee held on 4 March 2022 at DPSA in Pretoria.

I wish to advise that the Cabinet has endorsed (on 22 June 2022) five thematic high level/macro commitments for the APRM National Plan of Action 2022-2025 (Attached as Annexure E – note particularly paragraph 3).

In line with the principle of complementarity of good governance programmes, as advised on 4 March 2022, the same five high level commitments serve as the South Africa's commitments for the OGP National Action Plan (NAP) 2023-2026.

What is now expected of civil society is to indicate specific commitments that they require to be allocated to relevant departments/ organs of state and matched to their needs. Once this is clarified, DPSA Minister will then write to those identified departments/ organs of state in

line with the focus of the high-level NAP 2023-2026 – with a detailed commitment(s) as per the OGP template.

That's what I need to discuss further with yourselves on the 15 September 2022, and to respond to any further clarity issues.

Kind regards,

Patrick"

#### 4. Action Plan Timelines and Delivery Windows

In accordance with paragraph 2.3 of the National Handbook dated March 2022, South Africa has developed a fourth action plan, and thus will deliver the OGP 5<sup>th</sup> NAP by 31 December 2022 based on the Cabinet high-level commitments as outlined in **Annexure E**. The PoC will consequently be the responsible official for the high-level commitments that are contained in the APRM NPoA 2022-2025.

Civil society will however need more time to formulate specific commitments that support the implementation of high-level commitments, as contained in the APRM NPoA 2022-2025. However, the methodology gives space to civil society to formulate supporting commitments and submit them to the PoC, who will then facilitate the co-creation process with the identified lead departments.

At the request of civil society organisations, who constitute the interim Steering Committee, civil society need more time to adjust themselves to the methodology. The PoC will thus encourage civil society organizations to ready themselves to submit their supporting commitments to the PoC by 28 February 2023, in order to enable the co-creation process with the identified lead departments to begin in March 2023; to enable the PoC to submit such supporting commitments to the OGP Support Unit by 30 June 2023.

In essence, by virtue of the methodology and the high-level commitments endorsed by the Cabinet, the co-creation and implementation of the supporting commitments will be ongoing and will be transparently posted on the OGP link platform available at: <a href="https://www.dpsa.gov.za/">https://www.dpsa.gov.za/</a>

#### 5. Conclusion

The above briefing note thus sums up South Africa's high-level OGP commitments made at the Cabinet level. As per the discussion at the meetings of the OGP interim Steering Committee on 4 March 2022 and 15 September 2022; civil society are now expected to present customised commitments that support the high-level commitments that the Cabinet has made.

Given that the approach and methodology outlined above is new, the civil society organisations necessarily need more time to familiarise themselves with complementarity approach in order to co-create supporting commitments which are linked to lead departments.

It is thus recommended that civil society's supporting commitments be submitted to the PoC by 28 February 2023, who in turn will facilitate further engagements with the lead departments identified.

These further engagements with the identified lead departments will be finalised by 31 May 2023, and the final supporting commitments will be ready for submission to the OGP Support Unit by 30 June 2023, in line with section 2.2 of the OGP Handbook on Rules and Guidance for Participants.

**Finally,** the IRM's brief of recognising the complementarity of the APRM and OGP is indeed appreciated, and the respose of the PoC thus seeks to recognise the effort of the IRM to accommodate South Africa's efforts in seeking to consolidate the implementation of its good governance programmes.





#### **Draft Agenda**

# OGP South Africa Steering Committee meeting Revival of the OGP in South Africa

#### **06 October 2023**

#### 10h00 - 14h00

#### 2<sup>nd</sup> Floor Boardroom - DPSA, Pretoria

Time	Activity	Responsibility
09h45 - 10h00	Tea/ Coffee	All
10h00 - 10h15	Opening, welcome and purpose	DPSA
10h15 - 10h30	Introductions and profile of each organisation	All
	Apologies	DPSA
	Adoption of the agenda	All
10h30 - 11h00	Highlights of takeaways from the 8 <sup>th</sup> OGP Global Summit held on 6-7 September 2023	DPSA OGP Country Representative OGP Steering Committee
11h00 - 12h00	Presentation of proposed commitments for the 5 <sup>th</sup> OGP National Action Plan	National Treasury CSIR – Centre for 4 <sup>th</sup> Industrial Revolution South Africa
12h00 - 12h45	Discussion	All
12h45 - 13h15	Follow-up on Access to Justice draft commitment	DPSA
	Any other matters	All
	Summation and way forward	DPSA
	Proposed date of the virtual follow-up meeting	
13h15 - 14h00	Lunch and departure	All





DATE: 06 October 2023 TIME: 10:00 – 14:00 VENUE: 2<sup>nd</sup> Floor Boardroom – DPSA, Batho Pele House, Pretoria

# **ATTENDANCE REGISTER**

NAME	ORGANISATION/ SECTOR REPRESENTING	EMAIL	TELEPHONE	SIGNATURE
Thabo Selomo DPSA	DPSA	thato. Selomof des. gov. 20 012321, 1209 To Selo	01236, 1290	Joseph 1
SEMIRI TLHOMELI	NATIONAL REASURY	ATTIONAL (REASURY SEPHINI. Thomas Strongery ones	4906 904 210	
DELANI MA JOLA	NS)	DELANIMENSI. DEG. 2.A	0785474981	O alor
SHEILA MATSONDOTA	CADSA	shella@caosa soutu africa.ory.za	010 7476 1699	27

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Geme Maka	Mistorne Atlaflapa	Tacyd du Toit	Patrid Sollela	Nontubleta Msibi	Mph Jarosine	Motalsi Komote	Xolite Maluli	Willie Jukela	KOOTHATSO SEMELA	PRUDENCE CELE	MATHYWA BUSIEKA	

Members of the public are requested to input into the draft Milestones/ National Roadmap towards the finalisation of the South African National Action Plan (NAP) by 31 December 2023.

The process for comments and input will open for a period of six (6) weeks, from Friday, 13 October 2023 to Monday, 27 November 2023.

The OGP South Africa website can be accessed from this link: http://www.ogp.gov.za/





#### OPEN GOVERNMENT PARTNERSHIP (OGP) SOUTH AFRICA

### DRAFT MILESTONES/ NATIONAL ROADMAP TOWARDS THE DEVELOPMENT OF THE SOUTH AFRICAN NATIONAL ACTION (NAP) PLAN BY 31 DECEMBER 2023

#### **09 OCTOBER 2023**

South Africa is a founding member of the Open Government Partnership (OGP), a multilateral initiative between governments at the national and local levels and civil society advocates, which was established in 2011. The unique partnership is based on working to implement open government commitments to promote greater transparency, accountability and citizen engagement in policy-making. To date, the OGP has a membership of 76 countries and 104 local governments.

The OGP utilises a unique model, comprising of government and civil society, to co-create a National Action Plan (NAP) which outlines a concrete set of open government reforms, in line with the OGP Participation and Co-creation standards as per the below mentioned:

- 1. **Standard 1:** Establishing a space for ongoing dialogue and collaboration between civil society and other non-governmental stakeholders.
- 2. **Standard 2:** Providing open, accessible and timely information about the activities and progress within a member's participation in OGP.
- 3. **Standard 3**: Providing inclusive and informed opportunities for public participation during the co-creation of the action plan,
- 4. **Standard 4**: Providing a reasoned response and ensuring ongoing dialogue between government and civil society and other non-governmental stakeholders as appropriate during co-creation of the action plan.
- 5. **Standard** 5: Providing inclusive and informed opportunities for ongoing dialogue and collaboration during the implementation and monitoring of the action plan.

The diverse composition of stakeholders in the Co-creation process is to ensure a balanced representation and proactive inclusion of respective groups of society to represent the diverse set of stakeholders and interests the country has. Additionally, the adherence to the processes provides assurance of adherence to the transparency, accountability and participative of the process.

The OGP 2023-2028 Strategy identifies five (5) Strategic Goals which the OGP South Africa will support with a view to build on the values and principles as espoused by the Partnership since 2011 i.e., transparency, accountability, citizen participation and inclusiveness:

- 1. **Strategic Goal 1**: Build a growing committed and interconnected community of open government reformers, activists and champions.
- 2. **Strategic Goal 2**: Make open government central to how all levels and branches of government function and deliver on their priorities.
- 3. Strategic Goal 3: Protect and expand civic space.
- 4. **Strategic Goal 4**: Accelerate collective progress on open government reforms.
- 5. **Strategic Goal 5**: Become the home of inspirational open government innovations, evidence and stories.

The above-mentioned goals will be delivered under the African Peer Review Mechanism (APRM) five (5) thematic areas as highlighted in the APRM National Plan of Action (NPoA):

- 1. Democracy and Political Governance (DPG)
- 2. Economic Governance and Management (EGM)
- 3. Corporate Governance (CG)
- 4. Socio-Economic Development and Management (SEDM)
- 5. State Resilience and Preparedness

The Department of Public Service and Administration (DPSA) is responsible for coordinating the Country's OGP process and activities and serves as the official Contact Point for the Partnership.

The process to revive the OGP in South Africa has been an ongoing Co-creation process, infused with the methodology of the African Peer Review Mechanism (APRM) and the OGP complementarity, to ensure that the country delivers on the detailed 5<sup>th</sup> OGP NAP 2023-2026 by 31 December 2023.

There are four (4) key moments in the Co-creation process that the country must adhere to ensure the credibility of the process as set out below:

- 1. **Planning for the process**: The identification of key considerations before embarking on a co-creation process.
- 2. **Outreach**: The process of informing stakeholders about the OGP, the action plan process and how they can participate as well as gathering information on what the identified action plan is to tackle.
- 3. **Action plan development**: This process seeks to make sense of the inputs gathered, defines the problems, formulates possible solutions and drafting of the commitments.
- 4. **Feedback**: Participating stakeholders are informed of the results of their contribution to and participation in the action plan development process.

The National Action Plan Roadmap will be used as a strategic instrument to set the agenda for the revival of the OGP in South Africa.

South Africa has to date identified two (2) firm draft commitments and has activated the country's dormant OGP South Africa website in line with the revival process. The matrix below highlights the key moments in the co-creation process to date.

<sup>\*</sup> The key moments process will be embedded with other processes concurrently to ensure the achievement of the objective.

NO	MILESTONE	RESPONSIBLE PERSON/ UNIT	TIMEFRAME
1.	Revival of the OGP South Africa + Meeting with the OGP Interim Steering Committee	OGP South Africa Point of Contact	04 March 2022
2.	Cabinet approval of the APRM High-Level National Plan of Action (NPoA) which encompasses APRM/ OGP complementarity methodology	OGP South Africa Point of Contact	22 June 2022
3.	Consultations with State Institutions to identify commitments for the OGP South Africa 2023 -2026 National Action Plan	OGP South Africa Point of Contact	29 June 2023
4.	Minister-to-Minister correspondence sent to State Institutions identified for the implementation of the High-Level APRM NPoA	OGP South Africa Point of Contact	July 2023
5.	Meeting on the South African OGP process with the OGP Country Representative	OGP South Africa Point of Contact	16 August 2023
6.	Confirmation of reactivation of the OGP South Africa website	OGP South Africa Point of Contact	05 October 2023
	The OGP South Africa website can be accessed from this link: <a href="http://www.ogp.gov.za/">http://www.ogp.gov.za/</a>		
7.	OGP South Africa Steering Committee meeting on the Revival of the OGP in South Africa - discussion of draft detailed Commitments for the 5 <sup>th</sup> OGP National Action Plan 2023 - 2026	OGP South Africa Point of Contact  OGP South Africa Interim Steering Committee	06 October 2023
8.	Draft Country Commitments for the 5 <sup>th</sup> OGP National Action Plan as presented at the Interim Steering Committee  1. Transformative Fiscal Transparency  Vuleka Mali <a href="https://vulekamali.gov.za/">https://vulekamali.gov.za/</a> Municipal Money <a href="https://openup.org.za/projects/municipal-money">https://openup.org.za/projects/municipal-money</a>	National Treasury OGP South Africa Point of Contact	06 October 2023 30 November 2023
	Reimagining and Reinventing Open Data Policy within Local Government environment. <a href="https://c4ir.co.za/all_projects/reimagining-and-reinventing-open-data-policy-within-local-government-environment/">https://c4ir.co.za/all_projects/reimagining-and-reinventing-open-data-policy-within-local-government-environment/</a>	CSIR-Centre for the Fourth Industrial Revolution South Africa (C4IR SA) OGP South Africa Point of Contact	30 November 2023

	<ul> <li>*Access to Justice</li> <li>This commitment is still under discussion between the OGP South Africa Point of Contact, Department of Justice and the Community Advice Offices South Africa</li> </ul>	OGP South Africa Point of Contact  Department of Justice and Constitutional Development  Community Advice Offices South Africa (COASA)	31 October 2023
9.	The proposed draft commitments are opened for comments and public participation for a period of six (6) weeks	OGP South Africa Point of Contact  Members of the Public	13 October 2023 – 30 November 2023
10.	The draft commitments to be publicised on the OGP South Africa website on the requisite OGP Commitment Template	OGP South Africa Point of Contact	20 October 2023
11.	Outreach activities to raise awareness and consult on the draft commitments	OGP South Africa Point of Contact  OGP South Africa Steering Committee	November 2023
12.	Development and finalisation of the draft National Action Plan based on feedback and responses  A hybrid multistakeholder session was held at Stellenbosch University Bellville Park Campus to confer with stakeholders on the final two commitments to be submitted to the OGP	OGP South Africa Point of Contact  OGP South Africa Steering Committee	30 November 2023
13.	Submission of the OGP South Africa National Action Plan to the OGP	OGP South Africa Point of Contact	December 2023
14.	Proposal on the formalisation of the OGP South Africa Interim Steering Committee / Multi stakeholder Forum	OGP South Africa Point of Contact Stakeholders	March 2024
15.	Formal endorsement of the OGP South Africa Steering Committee / Multi stakeholder Forum	OGP South Africa Point of Contact Stakeholders	June 2024

16.	Inaugural meeting of the formalised OGP South Africa Steering Committee / Multi stakeholder Forum	OGP South Africa Point of Contact  OGP South Africa Steering Committee	September 2024
17.	Second meeting of the formalised OGP South Africa Steering Committee / Multi stakeholder Forum	OGP South Africa Point of Contact  OGP South Africa Steering Committee	December 2024







#### **Department of Public Service and Administration**

#### Multistakeholder Session

**Reviving the OGP Programme in South Africa Discussion and Endorsement of Draft Detailed Commitments** for the OGP Fifth (5th) National Action Plan 2023-2026

Date: 30 November 2023; Time: 08h00 - 15h30 [SAST]

Venue: [In person/ with a virtual option] School of Public Leadership, Stellenbosch University, South Africa



School of Public Leadership iSikolo sobuNkokheli boLuntu Skool vir Publieke Leierskap

Facilitators: Dr Patrick M Sokhela/ Ms Gcino Mlaba

#### Main objective of the Multistakeholder Session

The revival of the OGP programme in South Africa, which started with the submission of the OGP 4<sup>th</sup> National Action Plan in 2020, has reached a stage of consolidation. The main objective of the session is thus to further confer with stakeholders on the feedback received from the public, as per the co-creation principle, on the two draft commitments which will constitute the OGP 5<sup>th</sup> National Action Plan by among others:

- Conferring further with the stakeholders based on the feedback received on the two commitments;
- Sharing the roadmap on the consolidation of the OGP programme revival;
- Contextualising the two commitments within the implementation of the African Peer Review Mechanism (APRM) National Plan of Action, as per the principle of complementarity adopted by the Cabinet; and
- Providing a platform to stakeholders to articulate their views/ opinions on the revival process going forward.

#### **30 November 2023**

Time	Agenda Item	Responsible Person
07h45 - 08h30	Arrival/ Tea/ Coffee	All
08h30 - 08h45	Welcome and introductions	Facilitators
08h45 - 09h00	Opening Remarks	Mr. Johnny Douglas Stellenbosch University
09h00 - 09h20	Remarks	Ms. Zuki Kota Interim Steering Committee
09h20 - 09h40	Remarks	Dr. Ntsibane Ntlatlapa Council for Scientific and Industrial Research (CSIR)
09h40 - 10h00	Remarks	<b>Dr. Mary Mangai</b> University of Pretoria
10h00 - 10h20	Remarks	Ms. Sara Hamouda Continental APRM Secretariat [and/or] Mr. Mukelani Dimba Information Regulator [South Africa]
10h20 - 10h45	Tea/ Coffee Break	All
10h45 - 11h45	Presentation on South Africa's draft     Commitment One:     Transformative fiscal transparency [2 parts]	Ms. Prudence Cele Ms. Una Rautenbach National Treasury
11h45 - 12h15	Comments/ Discussions	All
12h15 - 12h45	Presentation on South Africa's draft     Commitment Two:     Open data transparency across the three spheres of government	Mr. Zaaid du Toit Council for Scientific and Industrial Research (CSIR)
12h45 - 13h15	Comments/ Discussions	All
13h15 - 14h00	Lunch	All
14h00 - 14h20	Presentation of the Road map	Ms. Gcino Mlaba Department of Public Service and Administration
14h20 - 14h50	Comments/ Discussions	All
14h50 - 15h10	Summary of the discussions/ way forward	Dr. Patrick M Sokhela Department of Public Service and Administration
15h10 - 15h15	Vote of thanks	Ms. Nonkululeko Msibi Department of Public Service and Administration
15h15	Departure	All







YEARS

# Stellenbosch UNIVERSITY IYUNIVESITHI UNIVERSITEIT

School of Public Leadership ISikolo sobuNkokheli boLuntu Skool vir Publieke Leierskap

# Revival of the OGP Programme in South Africa

Date: 30 November 2023

Time: 08:00 – 15:30

Venue: Stellenbosch University - SPL - Bellville Park Campus

# **Attendance Register**

NAME and SURNAME	ORGANISATION/ SECTOR REPRESENTING	EMAIL	TELEPHONE	SIGNATURE
Geino Maba	RSG	Genne. Maba @alpsagov	C58640827	
Johnny Douglas	45STELLENBOSCH UNIV.	UNIV. johnnyd@ Sun, CC, ZG 021-918 4022	270+816-120	188
Zeeid du Toit	CSIR- CAIR	C41R 2dtoit@csir.co.20 082534533	082534533	200
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NAME and SURNAME	ORGANISATION/ SECTOR REPRESENTING	EMAIL	TELEPHONE	SIGNATURE
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Dr Many Mangai University of Pretoria Many. Mangai Quepiaciza 07/9547222	University of Pretaria	Mary. Mangaileupiaci	10 0719547222	Mary
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Charon Shulden	SPL	shoones of gulac 29	7 2 2 2 D 19 4 6 0 8 5 6 7	, de la constant de l

Meeting Summary

Total Number of Participants, 28

Meeting Title, Revival of the OGP in South Africa - Discussion and Endorsement of Draft Detailed Commitments for the OGP 5th National Action Plan 2023-2026 Meeting Start Time, "Thu, 30 Nov, 07:41"

Meeting End Time, "Thu, 30 Nov, 15:13"

Meeting Id,e3d3e30d-831a-46bd-b59e-03623cc37312

Name, First join, Last leave, Duration, Email, Role, Participant ID (UPN)

Patrick Sokhela, "Thu, 30 Nov, 08:10", "Thu, 30 Nov, 14:58", 6hr 48min, Patricks@dpsa.gov.za, Organizer, Patricks@dpsa.gov.za

SPL Room 206,"Thu, 30 Nov, 08:10","Thu, 30 Nov, 15:00",6hr 50min,spl\_room206\_rr@sun.ac.za,Attendee,spl\_room206\_rr@sun.ac.za

Thabo Selomo, "Thu, 30 Nov, 08:25", "Thu, 30 Nov, 14:58", 6hr 31min, Thabo. Selomo@dpsa.gov.za, Presenter, Thabo. Selomo@dpsa.gov.za

De Wit Coetsee, "Thu, 30 Nov, 08:27", "Thu, 30 Nov, 14:58", 4hr 20min, DeWit. Coetsee@westerncape.gov.za, Attendee, DeWit. Coetsee@westerncape.gov.za Navin Singh (SIREN Global ZA), "Thu, 30 Nov, 08:29", "Thu, 30 Nov, 14:58", 6hr 28min, Attendee,

Nonkululeko Msibi, "Thu, 30 Nov, 08:31", "Thu, 30 Nov, 15:00", 6hr 29min, Nonkululeko M@dpsa.gov.za, Presenter, Nonkululeko M@dpsa.gov.za

Zukiswa Kota, "Thu, 30 Nov, 08:32", "Thu, 30 Nov, 08:39",6min 44sec,,Attendee,

Paul Plantinga, "Thu, 30 Nov, 08:34", "Thu, 30 Nov, 14:58", 6hr 24min, PPlantinga@hsrc.ac.za, Attendee, PPlantinga@hsrc.ac.za

Mpho Gaosiwe, "Thu, 30 Nov, 08:37", "Thu, 30 Nov, 12:12", 3hr 35min, Mpho. Gaosiwe@treasury.gov.za, Presenter, mpho. gaosiwe@Treasury.gov.za

Alufheli Gloria Swalivha, "Thu, 30 Nov, 08:37", "Thu, 30 Nov, 12:55", 3hr 13min, Alufheli@dpsa.gov.za, Presenter, Alufheli@dpsa.gov.za

Zukiswa Kota (Guest), "Thu, 30 Nov, 08:39", "Thu, 30 Nov, 14:00", 5hr 20min,, Attendee,

Jna Rautenbach, "Thu, 30 Nov, 08:41", "Thu, 30 Nov, 14:58", 5hr 16min, Una.Rautenbach@treasury.gov.za, Attendee, Una.Rautenbach@Treasury.gov.za

Kgothatso Matlala, "Thu, 30 Nov, 09:04", "Thu, 30 Nov, 13:20", 4hr 15min, Kgothatso. Matlala@treasury.gov.za, Presenter, Kgothatso. Matlala@Treasury.gov.za Matsetsu Botha, "Thu, 30 Nov, 09:05", "Thu, 30 Nov, 14:22", 2hr 6min, mbotha@dpsa.gov.za, Presenter, mbotha@dpsa.gov.za

Kgothatso, "Thu, 30 Nov, 09:20", "Thu, 30 Nov, 10:31", 1hr 11min, Attendee,

Zaaid du Toit, "Thu, 30 Nov, 09:56", "Thu, 30 Nov, 15:02", 5hr 5min, ZdToit@csir.co.za, Presenter, ZdToit@csir.co.za

Sephiri Thomeli, "Thu, 30 Nov, 10:03", "Thu, 30 Nov, 15:02", 4hr 16min, Sephiri. Thomeli@treasury.gov.za, Presenter, Sephiri. Thomeli@Treasury.gov.za

(gothatso (Guest), "Thu, 30 Nov, 10:31", "Thu, 30 Nov, 12:09",1hr 38min,,Attendee,

Prudence Cele, "Thu, 30 Nov, 10:46", "Thu, 30 Nov, 12:11", 1hr 25min, Prudence. Cele@treasury.gov.za, Attendee, Prudence. Cele@Treasury.gov.za

Lizelle Leonard, "Thu, 30 Nov, 10:58", "Thu, 30 Nov, 12:06", 1hr 7min, Lizelle. Leonard@westerncape.gov.za, Attendee, Lizelle. Leonard@westerncape.gov.za Xolile Mdluli, "Thu, 30 Nov, 11:01", "Thu, 30 Nov, 14:13", 3hr 11min, Xolile. Mdluli@Treasury.gov.za, Attendee, Xolile. Mdluli@Treasury.gov.za

Gcino Mlaba, "Thu, 30 Nov, 11:46", "Thu, 30 Nov, 15:04", 3hr 17min, Gcino. Mlaba@dpsa.gov.za, Presenter, GcinoM@dpsa.gov.za

Mataywa Busieka, "Thu, 30 Nov, 12:12", "Thu, 30 Nov, 15:10", 2hr 57min, Mataywa. Busieka 2@dpsa.gov.za, Presenter, mataywa b @dpsa.gov.za

Kgothatso (Guest),"Thu, 30 Nov, 12:12","Thu, 30 Nov, 14:10",1hr 57min,,Attendee,

Moses Mushi, "Thu, 30 Nov, 13:51", "Thu, 30 Nov, 15:13", 1hr 21min, Mosesm@dpsa.gov.za, Presenter, Mosesm@dpsa.gov.za

Zukiswa Kota, "Thu, 30 Nov, 14:04", "Thu, 30 Nov, 14:48",44min 3sec,,Attendee,

Kgothatso, "Thu, 30 Nov, 14:06", "Thu, 30 Nov, 14:47", 41min 30sec,, Attendee,

Zukiswa Kota,"Thu, 30 Nov, 14:28","Thu, 30 Nov, 14:58",29min 45sec,,Attendee,





# PLAN OF ACTION (NPoA) 2022-2025

ARISING FROM THE  $2^{ND}$  GENERATION COUNTRY REVIEW OF SOUTH AFRICA AT THE  $31^{ST}$  SUMMIT OF THE APR FORUM OF HEADS OF STATE AND GOVERNMENT HELD ON THE  $4^{TH}$  FEBRUARY 2022

# 1. RECAP ON THE COUNTRY SELF-ASSESSMENT REPORT METHODOLOGY

In line with the methodology of the Country Self-Assessment Report, the NPoA will be a continuation of the previous reporting, accompanied by adaptions and alignments, which will be further complemented and tracked through a stronger focus on research analytics that is informed by credible and verifiable sources.

The focus of the high level summation that follows is thus on the *big picture issues* in *line with the summation* of the newsletter "From the President's Desk" of the 07<sup>th</sup> February 2022, in order to ensure that the focus of the NPoA *remains pitched* to the level of the Heads of State and Government.

Nonetheless, all the detailed issues arising from the Country Self-Assessment Report, 2021 and the Country Review Report, 2022 will still be tracked in line with the methodology highlighted above.

# 2. THEMATIC AREAS ILLUSTRATION OF THE NPoA

#### 2.1 DEMOCRACY AND POLITICAL GOVERNANCE

#### 2.1.1 Anchor Issues:

(a) Promoting the rule of law, re-inforcing accountability and combating corruption.

## 2.1.2 Lead Departments:

- (a) The Presidency.
- **(b)** Department of Justice and Constitutional Development.
- (c) Department of Police.

# **2.1.3 Source Documents** to anchor South Africa's response to the issues raised include:

- (a) Zondo Commission Report Parts 1, 2, 3 and 4 as published, as well as the Final Report due by mid-June 2022; and
- **(b)** The Presidency response to be submitted to Parliament by mid-October 2022.
- (c) National Anti-Corruption Strategy (NACS) A nationwide intervention framework adopted by the Cabinet on the 18<sup>th</sup> November 2020.

# 2.1.4 Monitoring and Reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the National Governing Council (NGC) Charter.

#### 2.1.5 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report that re-inforce the crucial role of accountability and the rule of law in promoting good governance by public officials.

For example, the electoral reforms that were triggered by the Constitutional Court judgment that declared that "the Electoral Act, 73 of 1998 is unconstitutional to the extent that it requires that adult citizens may be elected to the National Assembly and Provincial Legislatures only through their membership of political parties" (Constitutional Court of South Africa Case, CCT

110/19 - 11 June 2020) - are also critical in reinforcing accountability by public officials. This judgment seeks to ensure that public officials are directly accountable to the citizens rather than to their political parties.

#### 2.1.6 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

#### 2.2 ECONOMIC GOVERNANCE AND MANAGEMENT

#### 2.2.1 Anchor Issue:

(a) Addressing structural challenges in the economy.

#### 2.2.2 Associated Anchor Issues:

- (a) Combating of corruption.
- (b) Promotion of economic policies and programmes that enhance economic growth and development.
- (c) Professionalising the public service, including the improving/ upscaling the skills of the public servants.

#### 2.2.3 Lead Departments:

- (a) The Presidency.
- (b) National Planning Commission.
- (c) Departments from the Economic Cluster.
- (d) National School of Government.
- **2.2.4 Source documents** to anchor South Africa's response to the issues raised include:
  - (a) Zondo Commission Reports Parts 1, 2, 3 and 4 as published, as well the Final Report due by mid-June 2022.

- **(b)** The Presidency response to be submitted to Parliament by mid-October 2022.
- (c) The United Nations Sustainable Development Cooperation Framework (UNSDCF) 2020-2025 on the implementation of the SDGs.
- (d) Reconstruction and Recovery Strategy announced in the State of the Nation Address in 2021.
- (e) Policies and strategies that promote growth and recovery.
- (f) **Draft Professionalisation Framework** which is envisaged for adoption by the Cabinet during the first quarter of the financial year 2022-23.

# 2.2.5 Monitoring and reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the NGC Charter.

#### 2.2.6 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report, including the promotion of interventions that seek to fundamentally alter the trajectory of the economy.

#### 2.2.7 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

#### 2.3 CORPORATE GOVERNANCE

#### 2.3.1 Anchor Issue:

- (a) Combating corruption to re-inforce good governance.
- **2.3.2 Source Documents** to anchor South Africa's response to the issues raised:
  - (a) Zondo Commission Report Parts 1, 2, 3 and 4 as published, as well the Final Report due by mid-June 2022; and
  - **(b)** The Presidency response to be submitted to Parliament by mid-October 2022.
  - (c) The Presidency led initiatives to reform and streamline the governance of State Owned Enterprises.

## 2.3.3 Monitoring and Reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the NGC Charter.

#### 2.3.4 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report.

#### 2.3.5 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

#### 2.4 SOCIO-ECONOMIC DEVELOPMENT AND MANAGEMENT

#### 2.4.1 Anchor Issue:

(a) Addressing South Africa's challenges of inequality, poverty and unemployment.

# 2.4.2 Lead Departments:

- (a) National Planning Commission.
- **(b)** The Presidency.
- (c) Department of Social Development.
- (d) Department of Employment and Labour.

#### **2.4.3** Source Documents to anchor South Africa's response to the issues raised:

- (a) The United Nations Sustainable Development Cooperation Framework (UNSDCF) 2020-2025 on the implementation of the SDGs.
- (b) Reconstruction and Recovery Strategy announced in the State of the Nation Address in 2021.
- (c) Policies and programmes that seek to enhance social security.
- (d) Policies and programmes that seek to promote employment and safeguard labour rights.

#### 2.4.4 Monitoring and Reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the NGC Charter.

#### 2.4.5 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report.

#### 2.4.6 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

The recommended development of the "home-grown barometer to measure inequality" and a "tool to measure efficacy of the transformation interventions" is one of the issues to be addressed through Minister to Minister liaison.

#### 2.5 STATE RESILIENCE AND PREPAREDNESS

#### 2.5.1 Anchor Issue:

(a) Reforming of the Disaster Resilience Governance.

#### 2.5.2 Associated Anchor Issue:

(a) Developing effective architecture to manage and combat climate change.

#### 2.5.3 Lead departments:

- (a) Departments of Cooperative Governance and Traditional Affairs.
- **(b)** Department of Forestry, Fisheries and the Environment.
- (c) Department of Mineral Resources and Energy.

#### **2.5.4 Source Documents** to anchor South Africa's response to the issues raised:

- (a) Reform initiatives on Disaster Resilience Governance in response to the Country Review Recommendations.
- (b) Policies and programmes that seek to strengthen the capacity and capability of the local sphere of government.
- (c) Revised nationally determined contribution (NDC) strategy adopted by the Cabinet in 2021 and the implementation of the associated legislation.

(d) Policies and programmes that seek to facilitate a just transition to a clean energy future.

# 2.5.5 Monitoring and Reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the NGC Charter.

#### 2.5.6 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report.

#### 2.5.7 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

The recommended reforms of the Disaster Resilience Governance is one of the issues to be addressed through Minister to Minister liaison.

#### **2.6** CROSS-CUTTING ISSUES

#### 2.6.1 Anchor Issue:

(a) Combating Gender- Based Violence.

#### 2.6.2 Associated Anchor Issues:

(a) Strengthening the capacity and effectiveness of the justice system to respond to the issue of the Gender-Based Violence; and effective implementation of policies. (b) Combating Racism, Xenophobia and related Issues.

# 2.6.3 Lead departments:

- (a) The Presidency.
- **(b)** Department of Justice and Constitutional Development.
- (c) Department of Police.
- (d) National Prosecuting Authority.

# **2.6.4 Source Documents** to anchor South Africa's response to the issues raised:

- (a) National Strategic Plan including the implementation of the associated legislation, such as the three pieces of legislation recently signed into law by the President.
- (b) National policies on gender and disability main-streaming and the implementation of the associated legislation.
- (c) National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerances.
- (d) Capacity building interventions that seek to improve access to justice.

#### 2.6.5 Monitoring and Reporting on the Implementation of the Interventions

The National Secretariat will be responsible for monitoring and reporting in line with the 2<sup>nd</sup> Generation Country-Self Assessment methodology and as per Article 19.1 (5) and (9) of the NGC Charter.

#### 2.6.6 The Role of the NGC

In line with its functions, as per Article 19 of the APRM Statute and Article 17 of the NGC Charter, the NGC will regularly undertake complementary interventions as part of its Advocacy Role.

The Advocacy Role will be inclusive of all issues raised in the Country Self-Assessment Report and the Country Review Report.

#### 2.6.7 The Role of the National Focal Point

As the APRM Personal Representative of the President, the National Focal Point will, with the support of the National Secretariat, among others liaise with the relevant Ministers and Organs of State on the implementation and reporting on specific interventions arising from the 2<sup>nd</sup> Generation Country Review; in line with Article 18 of the APRM Statute and Article 9 of the NGC Charter.

# 3. COMPLEMENTARITY OF GOVERNMENT PROGRAMMES TO RESPOND TO THE 2<sup>nd</sup> GENERATION COUNTRY REVIEW RECOMMENDATIONS

The Open Government Partnership (OGP) National Action Plan (NAP) 2023-2026 will also respond to some of the issues recommended by the APRM 2<sup>nd</sup> Generation Country Review, especially on issues of combating corruption and improving access to justice by the vulnerable groups.

In essence, the OGP NAP 2023-2026 and the subsequent plans will serve as a mechanism to implement the APRM National Plans of Action.

# 3.1 Other complementary governance programmes

Other programmes under the ambit of the National Focal Point will be managed in line with the complementarity principle and brought to the attention of the National Governing Council, in line with the expanded mandate of the APRM.

**END**