

2 OGP Membership, Governance, and Action Framework

Key Takeaways

- National governments must meet specific eligibility criteria and pass the OGP Values Check to become a member of OGP.
- Once an OGP member, national governments have to fulfil certain responsibilities and are subject to membership accountability mechanisms.
- There are a broad range of national and international actors supporting the advancement of open government within each OGP member.
- The OGP Action Framework allows OGP members to engage in various ways, with involvement of different branches and levels of governments.
- The primary focus of the Action Framework is the development and implementation of OGP action plans, which advance open government reforms and are cocreated with civil society.



2.1 OGP Membership

An OGP Member is a country or local government that meets OGP's eligibility criteria and formally commits to advancing transparency, citizen participation, and public accountability through the co-creation and implementation of open government reforms. OGP members must fulfill specific membership responsibilities (see <u>Key National Membership Responsibilities</u>) and engage in the OGP Action Framework. Membership includes a diverse range of actors, including government—typically represented by the executive branch with opportunities for participation from all branches and levels —and civil society organizations.

OGP membership is open to national and local governments, but other branches can participate in OGP in different ways. Parliaments, autonomous bodies, and judiciaries can engage in national processes, develop standalone action plans, or participate in the <u>Open Gov Challenge</u>. See <u>Engagement of Other Levels and Branches of Government</u> for details. Local governments can apply to join OGP Local, collaborate on national plans, or submit commitments through the Open Gov Challenge. See <u>Raising Ambition through the Open Gov Challenge</u> for details.

2.1.1 JOINING OGP

Both national and local governments can become members of OGP.

For a national government to become a member of OGP, it must:

- Meet the Core Eligibility criteria and successfully pass the OGP Values Check assessment. Core Eligibility metrics measure a government's performance across four key areas of open government using third-party data (fiscal transparency, access to information, public officials' asset disclosure, and citizen engagement). The OGP Values Check assesses country scores on two indicators from the Varieties of Democracy (V-DEM) dataset: government control over CSO entry/exit and the repression of CSOs. The Values Check aims to ensure that new countries joining OGP adhere to the democratic governance norms and values established in the <u>Open Government Declaration</u>, particularly in protecting civic space. For more information, please see <u>Core Eligibility Criteria and Values Check</u> <u>Assessment</u>.
- Designate a lead ministry or government agency. This ministry or agency will assume the responsibility for coordinating the government's OGP process and activities and serve as the official contact point for the Partnership, as well as designate both a high-level and working-level point of contact (POC). The former is normally a ministerial-level official who represents the government formally and officially within the Partnership, while the latter is a senior civil servant with the ability to coordinate across government and serve as the day-to-day contact point for the Support Unit.
- Submit a Letter of Intent. If a country passes the Core Eligibility Criteria and Values Check and the government has identified a lead ministry or agency, it should signal its intent to participate in OGP by sending a Letter of Intent, which formally expresses the government's intention to join OGP. Letters of Intent should confirm that the government is eligible to join OGP, specifically endorse the Open Government Declaration, describe past open government reforms, and specify the lead ministry or agency and the high-level POC that will be responsible for OGP within the government. Letters of Intent should come from ministerial level officials or above, be addressed to the <u>OGP co-chairs</u> and sent to <u>info@opengovpartnership.org</u>.

• **Engage civil society.** OGP's model does not require civil society organizations to join through a formal process as governments do, but these organizations and individuals are a vital part of a successful process. Governments should make sure that there are paths for national civil society to become active in OGP, even before officially joining.

For more information about national governments joining OGP and how civil society organizations can take part in the OGP process, please visit the "Joining OGP" page.

For a **local government** to become a member in its own right, it must join <u>OGP Local</u>. This is only possible by responding to a call for Expressions of Interest. The calls for applications to join are announced by the OGP Support Unit on a periodic basis. In all cases, local governments must meet the eligibility criteria specific to OGP Local and submit a Letter of Support as outlined in the <u>OGP Local Handbook</u>.

Any local jurisdiction from a current OGP member country in good standing can apply to join OGP Local. Additionally, local jurisdictions from non-participating countries that are eligible to join OGP can also apply. (A list of eligible countries is available <u>here</u>).

For more information about local governments joining OGP, please visit the "<u>OGP Local</u>" page as well as <u>OGP Membership at the Local Level</u>.

2.1.2 KEY NATIONAL MEMBERSHIP RESPONSIBILITIES

OGP national members must fulfill key responsibilities to maintain their member status. These include the following.

- Develop and submit an Action Plan on time in accordance with OGP requirements (see <u>Development of Action Plans and Commitments</u>).
- Meet the minimum requirements for co-creation of the Action Plan as defined in the OGP Participation and Co-Creation Standards (see <u>OGP Participation and Co-Creation Standards</u>).
- Demonstrate progress in implementing commitments made in Action Plans, as assessed by the IRM (see <u>Ensuring Accountability and Learning through the Independent Reporting</u> <u>Mechanism</u>).
- Uphold the principles and values of the <u>Open Government Declaration</u> and refrain from actions that undermine them.

Beyond these core responsibilities, OGP members are expected to do the following.

- Make annual financial contributions to OGP according to the agreed-upon contribution levels (see <u>Country Contributions</u>).
- Engage in OGP governance processes, including Steering Committee elections, where applicable.
- Make commitments that are ambitious and go beyond a government's current practice.
- Contribute to the advancement of open government in other countries by sharing best practices, expertise, technical assistance, technologies, and resources.
- Participate in OGP events, including the <u>OGP Global Summit</u>, regional meetings, <u>Open Gov</u> <u>Week</u>, thematic events, and peer exchanges.
- Support the advancement of open government through the different avenues of engagement offered by the Action Framework to advance ambitious reforms in key governance areas and accelerate progress on open government priorities, such as the <u>Open</u> <u>Gov Challenge</u> or by supporting different branches of government (see <u>Engagement of</u> <u>Other Levels and Branches of Government</u>).

More information about the mandates and policies of OGP is available in the <u>OGP Articles of</u> <u>Governance</u>.

2.1.3 COUNTRY CONTRIBUTIONS

To support OGP's collective vision and ensure our Partnership can continue to thrive, all national members are asked for a financial contribution. Support for OGP reinforces our shared commitment to building a stronger partnership of more open and democratic governments that work with civil society to meet people's needs and tackle today's most pressing challenges. Annual country contributions help the OGP Support Unit to deliver on these goals by creating the spaces needed for ambitious thematic norm-building and high-level political engagement, as well as supporting members on their open government journey with co-creation support, guidance and assessments provided by the IRM, technical assistance on reforms, and more.

In 2023, the OGP Steering Committee reassessed country contribution levels and <u>made a decision</u> to update the OGP country contribution framework for the first time since 2015. Contribution levels were marginally increased in two phases, and will continue to be scaled according to country income tiers set by the World Bank, with additional considerations for GDP size.

The OGP Support Unit sends a letter and invoice to national members ahead of their respective budgetary cycles, notifying them of their country's yearly dues to OGP. It is strongly recommended that members make provisions in their national budgets to cover the annual country contribution.

For more information about country contributions, including contribution levels and past contributions from members, please visit the <u>government contributions page</u> on the OGP website.

2.1.4 OGP MEMBERSHIP ACCOUNTABILITY MECHANISMS

There are four mechanisms to assess a country's compliance with OGP regulations, which are overseen by the <u>OGP Steering Committee</u>, the executive decision-making body of OGP.

- <u>OGP Procedural Review</u>. This mechanism is to ensure that all participating members at the national level act in accordance with the OGP process, from the timely delivery of action plans to meeting minimum co-creation standards throughout action plan cycles (see <u>OGP</u> <u>Participation and Co-Creation Standards</u>), and making progress in the implementation of commitments. A country's participation in OGP may be reviewed by the Steering Committee if it acts contrary to the OGP process for multiple cycles consecutively.
- <u>OGP Eligibility Review</u>. OGP member countries that fall below the minimum core eligibility for two consecutive years are automatically placed under "Eligibility Review." This process includes enhanced support to help them meet the minimum criteria, at which point they can be removed from the list. The list of countries under review is published on the OGP website and updated regularly. While this alone does not lead to an inactive designation, it may prompt the Steering Committee to consider inactivity if a country also fails to meet other requirements for OGP participation, such as delivering action plans on time, meeting minimum co-creation standards, or making progress in implementing commitments.
- <u>OGP Response Policy</u>. This mechanism applies in exceptional circumstances only, when an OGP member country appears to be taking actions that undermine the values and principles of OGP, as articulated in the Open Government Declaration, in a way that demonstrates an egregious and blatant disregard for those values and has the potential to be sufficiently damaging to OGP reputation.

 OGP Rapid Response Protocol. This mechanism allows OGP to respond swiftly to situations where there are allegations of serious violations of OGP principles by an OGP member country and a response required is urgent in nature, meaning that the concern cannot or will not be addressed in the short term by any of the other OGP accountability and compliance mechanisms.

2.2 Key OGP Actors

All OGP members are made of a broad ecosystem of actors. On the one hand, it includes those who participate in OGP activities at the country level, such as government actors, civil society organizations, and others. It also encompasses international actors promoting open government globally and may also provide support and assistance to countries. On the other hand, it includes those involved in the staffing and governance of OGP who play a key role in supporting participation within the Partnership.

Key actors at national level include the following.

- **Government stakeholders.** Each national government designates a lead ministry or government agency, as well as a high-level POC and working-level POC.
 - **The lead ministry or government agency** will assume the responsibility for coordinating the government's OGP process and activities and serve as the official contact point for the Partnership. This ministry or agency ideally has oversight of matters related to good governance and public administration reform within the government and takes the lead on coordinating across ministries or government agencies in open government matters. Each government designates both the high-level and working-level POCs.
 - **A high-level POC** is normally a ministerial-level official who represents the government formally and officially within the Partnership.
 - The working-level POC is a (senior) civil servant with the ability to coordinate across government and serve as the day-to-day contact for the Support Unit. The POC coordinates with civil society, manages the Multi-Stakeholder Forum or its equivalent, aligns government agencies, and liaises with the OGP Support Unit. POCs also engage with the IRM for monitoring and evaluation purposes, facilitate participation in OGP events, and join and lead peer exchanges. More detailed guidance on the key responsibilities of POCs is available <u>here</u>.
- Civil society organizations (CSOs) and other non-governmental stakeholders (e.g. academia, private sector, etc.) are major partners in the OGP process, contributing technical expertise, human resources, and convening capacity for co-creation and participation. These stakeholders help raise awareness of the OGP process, advocate for specific commitments, monitor and support implementation, and convene dialogue between national and local-level actors, including different branches of government.
- Local governments can contribute to and participate in national OGP processes by participating in the co-creation process, implementing national policies at the local level, raising awareness of open government principles, and showcasing innovative local initiatives. Separate guidance for local government engagement in the national OGP process is available in Local Governments.

- **Parliaments** are encouraged to participate in national OGP dialogues and processes, develop a standalone Open Parliament Plan where appropriate, or submit commitments through the Open Gov Challenge. They can champion open government values by introducing, debating, and ratifying legislation relevant to open government, approving budgets for these reforms, and playing an accountability role in their implementation. They can also promote open government by enhancing parliamentary transparency, creating opportunities for public participation, and being accountable to citizens, including through mechanisms to gather input on how to better represent their interests. More information is available in <u>Parliaments</u>.
- Judiciary Branch Institutions (JBI) are encouraged to participate in national OGP dialogues and processes, develop a standalone plan where appropriate, or submit commitments through the Open Gov Challenge. They can contribute to open government by providing guidance on legal issues related to proposed commitments, engaging in measures related to strengthening judicial openness, access to justice, and the integrity of judicial bodies, and enforcing open government practices through redress or complaint mechanisms. More information is available in Judiciary Branch Institutions.
- Autonomous Institutions (e.g. a Supreme Audit Institution or ombudsman) are encouraged to participate in national OGP dialogues and processes, develop a standalone plan where appropriate, or submit commitments through the Open Gov Challenge. They can contribute to open government by providing independent oversight, fostering transparency and accountability within their mandates, and supporting commitments that align with their institutional responsibilities. More information is available in <u>National Autonomous</u> Institutions.
- **Other actors** (such as international organizations and donors) support open government by providing technical assistance, expertise, and financial resources.

A range of actors support OGP processes and stakeholders in different ways. Organizationally, relevant stakeholders include the following.

- The Steering Committee is OGP's executive decision-making body. It develops, promotes, and safeguards OGP's values, principles, and interests; establishes OGP's core ideas, policies, and rules; and oversees the functioning of the Partnership. The SC has 22 elected members (11 from national governments and 11 from civil society), with parity maintained between the two constituencies. The SC has three standing subcommittees to support its work, the Governance and Leadership Subcommittee, the Criteria and Standards Subcommittee and the Thematic Leadership Subcommittee. Read more here.
- The **Support Unit** is a permanent group of staff that work closely with the Steering Committee and the IRM. The Support Unit provides regular guidance to both government and civil society in understanding and implementing OGP processes and facilitates exchange and learning across the Partnership. It also undertakes core functions for the Partnership such as communications, research, and learning.

- The Independent Reporting Mechanism (IRM) is OGP's accountability arm and the primary
 means of tracking progress in participating countries. It conducts independent, evidencebased, and objective reporting to hold OGP members accountable and support their open
 government efforts through reports and timely recommendations during key moments in the
 action plan cycle. The IRM is a valuable resource to OGP members. It contributes to building
 the credibility of the partnership and enables learning across members of the open
 government community. The International Experts Panel (IEP) oversees the IRM to safeguard
 its independence and its consistent application of the IRM methodology. Read more here.
- The OGP Board of Directors provides the fiduciary and legal oversight of the OGP Support Unit and the IRM, including budget approval that supports the operations of both bodies. Read more <u>here</u>.
- The **OGP Champions Network** is composed of the Ambassadors and Envoys, a group of senior figures and former Steering Committee members working to raise OGP's global profile, position the Partnership as an implementation platform for commitments, and share expertise on open government thematic areas and values. Read more <u>here</u>.

2.3 The OGP Action Framework

The OGP Action Framework is structured yet flexible, enabling OGP members and key actors to achieve their open government objectives. It offers different ways of engagement, including the development of action plans and standalone commitments, and provides formal avenues for key country actors—including different levels and branches of government—to participate. While each engagement pathway has its own operational structure and review mechanisms, they are guided by core design principles of dialogue, action and accountability and learning.

The main avenue for engagement is through action plans, which all national members must develop and are central to a government's participation in OGP. Developed through co-creation with civil society, these plans advance open government reforms by focusing on key national priorities and aligning with OGP principles of transparency, public accountability, and citizen participation. Typically led by the executive branch, they can encompass all aspects of the framework, including engaging different levels and branches of government, addressing specific policy priorities through OGP's <u>Open Gov Challenge</u>, and developing open government strategies. For more information on action plans, refer to <u>Development of Action Plans and Commitments</u>.

Recognizing that action plans alone may not be sufficient to achieve an integrated and comprehensive approach in all contexts, OGP offers other avenues for engagement.

- OGP Local membership. A competitive entry process that allows local governments to participate in OGP in their own right and implement open government reforms at the subnational level. For more information on local membership, refer to <u>OGP Membership at</u> <u>the Local Level</u>.
- Standalone action plans from other branches of government. Designed for specific institutions such as parliaments, judiciaries, and autonomous bodies, these plans enable targeted open government initiatives within their respective domains. For more information on standalone action plans, refer to Engagement of Other Levels and Branches of Government.
- The Open Gov Challenge. An initiative to encourage innovation and ambitious commitments that address emerging open government challenges. Visit the <u>Open Gov Challenge</u> page for more information.

- Actions for scaling local open government. A framework to support country-led initiatives that aim to expand open government at the local level. It aims to enable local jurisdictions to adopt open government principles at scale, surface results and innovations, and contribute to national and local OGP processes. Guidance is forthcoming.
- **Open government strategies.** Countries interested in consolidating, scaling, and deepening their open government efforts may consider developing an open government strategy as a complementary instrument to their action plan. OGP seeks to capture, encourage, recognise, and share efforts aimed at advancing open government in broader ways and embed principles like co-creation, action, and accountability. Guidance is forthcoming.

As the Action Framework evolves with the Partnership, OGP will continue to develop new guidance and services to better support its members.