OGP Steering Committee Terms of Reference: Accountability Review Task Force

Background and objectives

The <u>OGP Strategy</u> mandates the OGP Steering Committee (SC) to better enforce existing accountability mechanisms and review whether they fulfill their intended purpose. At its <u>November 21, 2024 SC Meeting</u>, the SC decided to establish a task force to take this review forward to ensure the mechanisms are equipped to respond to geopolitical realities facing the partnership.

Since the partnership's founding, mechanisms to hold OGP members to account have evolved to respond to circumstances over time: 2011- Independent Reporting Mechanism & Eligibility Criteria; 2014- Response Policy; 2017- Values Check; 2020- Rapid Response Protocol; 2022- Informal protocol for addressing Political Crises Situations in OGP member countries. In light of international conflicts and other geopolitical crises involving members, the SC has faced challenging decisions as to how OGP can and should react— this task force will conduct a refreshed review of these mechanisms.

Mandate, roles, and responsibilities

- Carefully assess current OGP accountability mechanisms and, if necessary, recommend revisions to streamline and enhance their effectiveness, ensuring they remain fit for purpose and responsive to the geopolitical realities of OGP members.
- Engage OGP stakeholders from different sectors through consultations to understand the gaps, needs, and opportunities for improvement of OGP's accountability mechanisms.

In line with discussions at the <u>February 2025 SC Retreat</u>, the TF will:

- Balance political vs. technical approaches define when accountability and civic space issues should be addressed through political advocacy vs. technical mechanisms, ensuring strategic and effective responses.
- Distinguish between government capacity challenges versus malign/negligent noncompliance with OGP processes. Those that are unable to meet standards due to shear capacity issues should not necessarily be held accountable in the same way that others are.
- Determine to what extent OGP's accountability mechanisms should apply just to how countries engage domestically versus how they engage with other countries, e.g. through international conflict.

Roles and responsibilities

- The **Support Unit (SU)** will draft proposals for the SC task force's consideration, based on pros, cons, trade-offs, and feasibility. The SU will also document, collate and analyse findings from any consultations carried out as part of this process, and present them to the task force.
- The **Task Force (TF)** will oversee proposal development of agreed-upon revisions, providing strategic guidance based on their own experience as government/civil society actors and as "advanced users" of OGP. The task force will endorse draft proposals for SC consideration.
- The **Steering Committee (SC)** will review, discuss, and approve proposed changes before revised mechanisms go into effect.
- The **SU** will develop necessary procedures and guidance to ensure accurate implementation of SC-approved policies, consulting with the SC and the public as needed.

Scope

The Task Force will review the following accountability mechanisms/issues:

- Response Policy
- Rapid Response Protocol
- The informal crisis <u>protocols</u> adopted by Leadership Subcommittee in 2022 to address political crises in extraordinary circumstances (e.g. coups, takeover by non-state actors, and war)
- Consequences for falling below minimum eligibility thresholds, including on the Values Check
- SC accountability: how to address situations when SC members are subject of a Rapid Response/Response Policy case, or are otherwise acting contrary to OGP values and principles.

The following are not within the scope of the task force:

- Action Framework (a separate task force dedicated to these processes): Rules, guidance, and support services related to National Action Plans, including minimum requirements and consequences for non-compliance (e.g. Procedural Review, inactivity), and monitoring and assessment of action plans.
- OGP Local Action Plans and Membership: This is governed by a separate set of processes and rules. The soon-to-be-formed SC task force on Local will ensure that OGP Local processes are aligned with strategic objectives for the Process
- IRM products and methodology: The IRM is governed by the Independent Experts Panel. The Action Framework review will compile any recommendations for changes to IRM processes, methodology and communications for the IEP's consideration and approval. Similar to the action framework review, a progressive approach will be recommended for any changes to the IRM.



Proposed Membership and Meeting Structure

Steering Committee representatives:

Government

- Brazil, Flavia Schmidt
- Estonia, Marten Lauri
- UK, Matt Donnelly
- Chile, Claudia Montero Meza

Civil Society

- Blair Glencorse
- Steph Muchai
- Doug Rutzen
- Katerina Hadzi-Miceva Evans

Support Unit

- Jaime Mercado (Lead Governance and Champions Network)
- Rowan Sockwell (Program Officer, Global Programs and Partnerships)
- Alonso Cerdan (Director of Country Support)
- Paul Maassen (Chief of Global Programs)

External participation:

- Non-SC individuals with specialized knowledge or skills may be invited to contribute by the Task Force.
- Task Force members will conduct targeted consultations with diverse government and civil society representatives representing different geographies, size, maturity of the open government agenda, and system of government.

Meetings

- This task force will be time-bound– 1.5 years– with the possibility of extending as needed, as determined by the SC.
- The group will meet on a quarterly basis, primarily virtually, with additional ad hoc meetings as needed.

Expected Outputs & timeline

Phase 1: Assessment of existing mechanisms and proposal development to address areas of opportunity identified

- April—May: ToRs approved
- May–July: Assessment report of existing mechanisms to identify gaps, including consultations within and outside SC; develop recommendations



- July–August: Consultations and proposal development to address recommendations agreed by TF
- September–October: SC reviews and approves changes (virtually and at the OGP Summit)
- October–December: Develop guidance materials and update of Articles of Governance
- January–March 2026: Rollout and community understanding sessions

Phase 2: Development of SC Accountability protocols in line with revised mechanisms

- October 2025–February 2026: Consultations and proposal development
- February–March 2026: TF endorsement of recommendations and full SC approval
- April 2026: SC elections launched reflecting revised criteria
- October 2026: SC term begins with revised criteria in effect

The Task Force's mandate and membership will be reviewed and adjusted as needed in October 2025 in preparation for this phase.

Accountability & Review

• In accordance with the <u>2024 Governance Review</u>, the task force will be reviewed by the SC on a regular basis to ensure its purpose and objectives are fit for purpose.



Annex 1: Guidelines for Establishing Task Forces outlined in the Governance Review (approved by the SC in July 2024)

The SC defines the scope and objectives of each task force at the time of its formation:

- Task forces are accountable to the rest of the SC and are responsible for delivering specific outcomes within a specified timeframe as defined in their terms of reference.
- In carrying out its responsibilities, task forces make recommendations for the consideration and adoption by the SC, but do not have decision-making ability of their own.
- Task forces do not replace standing subcommittees, nor should their terms of reference overlap with the core mandates of standing subcommittees.
- Task forces should have an equal number of government and civil society representatives from within the SC.
- In addition to SC representation, task forces may be composed of non-SC individuals with specialized knowledge or skills relevant to the particular issue or project at hand.
- Decision to invite external participants to task forces meetings and who those participants should be is determined by the SC, in consultation with the SU, at the time of task force formation.
- Participation in task forces does not translate to membership in the SC. Non-SC participants may not vote in SC decisions.

