Accountability Review Task Force Meeting

May 22, 2025

Attendees: Flavia (Brazil), Marten (Estonia), Doug, Katerina, Support Unit
Follow up call: Steph, Matt (UK), Ben (UK), Support Unit

Meeting Summary

During the first Task Force (TF) meeting, the Support Unit (SU) presented the proposed Terms of Reference (TORs), objectives, and timeline for the group. All members present expressed their support for the TORs, with no objections or concerns raised.

The TF then participated in a brief exercise to gauge members' initial positions on various considerations raised by the broader Steering Committee (SC) in recent discussions about the TF's work. Using a sliding scale (1 to 5),
Initial Response to the 6 Overarching Considerations (from Mentimeter results) were as follows:

- OGP's accountability mechanisms should serve as a way to signal OGP's values (protect the organization's reputation and demonstrate solidarity with civil society), rather than as a way to change a government's behavior **(3.9/5 on sliding scale)**
- Middle of the road re. narrow versus broad interpretation of OGP values **(3.2 /5 on sliding scale)**
- Strong leaning that decision-making for accountability issues should be procedural/technical rather than contextual/case-by-case **(4.3/ 5)**
- Skew towards treating governments that falter due to capacity rather than intent differently **(1.5 /5 on sliding scale, 1 being agreement to treat them differently**)
- Slight skew towards responding to issues 'behind the scenes' rather than publicly **(3.4 /5)**
- Skew towards responding to accountability issues solely in a country's domestic sphere **(1.3/ 5 on sliding scale, 1 being agreement to focus solely on domestic concerns)**

Discussion Questions:

- What challenges have you/the OGP community raised when seeking to use the accountability mechanisms? What challenges have you identified when implementing these mechanisms in your capacity as SC members?
- Keep all or streamline - could aim for integrated mechanism with different paths/flavors instead of different mechanisms
- What additional considerations should the TF keep in mind when conducting the review?
- Who are the key stakeholders we need to consult for this review?

Highlights of the Discussion:

- **Impact of Mechanisms-**

    - TF members asked about when and how the mechanisms have had the most impact historically.
        - The strongest impact has been on the ‘protecting OGP’s reputation’ side, rather than changing governments’ actions.
        - Governments’ willingness to participate in accountability processes has been a consistent barrier to meaningful impact. Willingness will change and fluctuate based on SC membership, so it’s not a constant given.
        - Bringing together civil society and government in dialogue may be a better metric for success of mechanisms, rather than “changing laws” (Mexico Response Policy Case as an example)
        - Pure statements don’t often make an impact, but they do allow the community of concern to feel heard (example, Paraguay case)
    - Three suggested outcomes of the mechanisms:
        - Serve as a way to identify where OGP needs to provide additional support
        - Protect the integrity of OGP’s governance (for example, making sure that the SC reflects the core values of the Partnership)
        - Remove countries in extreme cases (eg Afghanistan)
- **Simplification of Mechanisms-**
    - Members generally agreed that the number of accountability mechanisms within OGP has gradually increased over time, partly in response to emerging issues and challenges. However, this proliferation has led to confusion both within and outside the OGP community about what each mechanism is intended to achieve and how they should be used. There was broad initial support to explore the possibility of consolidating existing mechanisms into a single, streamlined mechanism. This unified mechanism could be triggered through one process but follow different pathways depending on the nature and severity of the issue and where OGP can provide the most value.
- **Allocation of Resources-**
    - Members raised the importance of effectively leveraging the SU’s time– accountability issues can be resource-heavy. It is more impactful to spend time on proactive activities to strengthen open government, rather than reactive/defensive activities like penalizing governments that behave poorly.
    - Some considered that other fora (like the UN) are better placed to handle complex geopolitical issues. Delving into geopolitical concerns would misuse OGP resources.
- **Risks for proliferation of statements-**
    - Some members raised concerns about the growing demand for OGP statements and the proliferation of different types (e.g. CEO statements, SC statements, Civil Society SC statements, statements from subsets of SC members, etc.). This prompted a discussion on the need to explore options to streamline the process and move toward a more systematic approach, potentially modeled on how SC governments vote in favor of UN resolutions. It was noted that any such approach should be developed carefully to avoid duplicating efforts outside OGP’s mandate and to remain aligned with OGP’s core role and purpose.
- **Eligibility & Values Check-**

    - TF members discussed the need to reassess its primary purpose in light of how the Partnership has evolved since these mechanisms were first established eight + years ago. Questions were raised about whether it should serve primarily as an early warning system, or whether it should function as a set of hard criteria both for joining OGP and for maintaining membership. There was interest in exploring how this could translate into a clearer set of conditions for continued participation in OGP. For example, should members be held to a higher standard—such as demonstrating implementation of access to information (ATI) legislation—rather than merely having laws or constitutional guarantees in place?
- **Additional suggestions/considerations from TF Members-**
    - Look at FATF as an example of how to approach mechanisms
    - Governments' political will to speak out on other countries' issues will likely not increase in the coming years (MFAs have complex considerations to weigh)
    - There is also a risk that accountability actions put target countries in "defense mode"-- doesn't build bridges
    - Think about long term implications of accountability cases, rather than just short term reactivity; it is preferable to keep more countries in the OGP tent. Administrations come and go, but the underlying open gov work often continues.