



Draft Meeting Outcomes

OGP South Africa Interim Steering Committee Meeting Revival of the OGP In South Africa In Line with the APRM-OGP Complementarity

Date: 22 November 2024

Time: 10h30 - 13h00

Venue: MS Teams

INTRODUCTION

1. A statutory meeting of the Open Government Partnership (OGP) South Africa Interim Steering Committee (Interim Steering Committee) was convened via Microsoft Teams (MS Teams) on 22 November 2024. In attendance were members of the Interim Steering Committee, made up of state and non-state actors, coordinated by the Department of Public Service and Administration (DPSA) as the OGP Point of Contact in South Africa. New members of the Interim Steering Committee from the University of the Western Cape (UWC) Law Clinic were introduced. This meeting was convened per the adopted National Roadmap of the Revival of the OGP in South Africa, in line with the African Peer Review Mechanism (APRM) and OGP complementarity.

ATTENDANCE AND APOLOGIES

2. Attendance

- 2.1 Ms Sheena Adams, Accountability Lab
- 2.2 Ms Sadia Khan, Accountability Lab
- 2.3 Ms Nicki Van 't Riet, Corruption Watch
- 2.4 Ms Motlatsi Komote, Corruption Watch
- 2.5 Ms Gabriella Razzano, Open Up
- 2.6 Dr Paul Plantinga, Human Sciences Research Council (HSRC)
- 2.7 Adv Gary Pienaar, HSRC
- 2.8 Mr Navin Singh,
- 2.9 Mr Bheki Mbonani, Department of Justice and Constitutional Development (DoJ& CD)
- 2.5 Ms Tshenolo Tshoaedi-Buthelezi, Community Advice Offices South Africa (CAOSA)
- 2.10 Ms Zukiswa Kota, Public Service Accountability Monitor (PSAM)
- 2.11 Mr Zaid du Toit, Centre for the Fourth Industrial Revolution South Africa (C4IR) at the Council for Scientific and Industrial Research (CSIR)
- 2.12 Mr Sephiri Tlhomeli, National Treasury
- 2.13 Ms Xolile Mdluli, National Treasury
- 2.14 Mr Mogammad Jassiem, University of the Western Cape (UWC)
- 2.15 Ms Demi Johannisen, UWC

- 2.16 Ms Sharmila Jasim, UWC
- 2.17 Dr Conrad Potberg, UWC
- 2.18 Dr Patrick Sokhela, DPSA
- 2.19 Ms Nonkululeko Msibi, DPSA

3. *Apologies*

- 3.1 Ms Una Rautenbach, National Treasury
- 3.2 Ms Sheila Thipe, National Treasury
- 3.3 Ms Kgomoatso Matlala, National Treasury
- 3.4 Ms Rakgadi Motseto, National Treasury
- 3.5 Adv Lloyd Lotz, DoJ & CD
- 3.6 Ms Danaline Franzman, DoJ & CD
- 3.7 Ms Kgothatso Semela, OGP Country Support Office – Africa & Middle East
- 3.8 DDG Willie Vukela, Branch: Government Services Access and Improvement (GSAI)

ADOPTION OF AGENDA

4. The meeting agenda was adopted with an amendment:

- 4.1 Update on the draft Terms of Reference (ToR) to support the establishment of the OGP South Africa Multi-Stakeholder Forum (MSF) by Ms Kota, Co-Chair: OGP South Africa Interim Steering Committee and Lead on the enhancement of the draft OGP South Africa MSF ToR.

ADOPTION OF MINUTES – 28 August 2024

5. The OGP South Africa Interim Steering Committee meeting minutes on 28 August 2024 were adopted with no amendments.

MATTERS ARISING FROM THE MINUTES OF 28 August 2024

6. **Open Data Principles Adoption Workshop- 27 March 2024**

- 6.1 Mr du Toit provided a brief overview of the progress on the OGP South Africa Commitment Number Two: Open Data Transparency across the three spheres of government:

- 6.1.1 Reported an Open Data Principles Workshop was convened on 27 March 2024 where four (4) metropolitans namely the Cities of Johannesburg, Tshwane, Ekurhuleni, and eThekweni adopted the following six (6) Open Data Principles for adoption and implementation standardisation across the three (3) spheres of government:

- 6.1.1.1 Open by Default
- 6.1.1.2 Timely and Comprehensive
- 6.1.1.3 Accessible and Usable
- 6.1.1.4 Comparable and Interoperable
- 6.1.1.5 For Improved Governance & Citizen Engagement
- 6.1.1.6 For Inclusive Development and Innovation

- 6.1.2 Advised of the continued collaboration between the CSIR C4IR and the above-mentioned Metropolitan Municipalities on Open Data. The meeting further noted all the Metros have Open Data Policies in place, titled differently, but

encompassing the adopted Open Data Principles as adopted on 27 March 2024.

7. The Civic Tech Innovation Forum (CTIF) 2024:#UnderTheHood, 28- 31 October 2024 at the Tshimologong Digital Innovation Precinct, Johannesburg

7.1 Ms Kota gave a brief overview of the CTIF 2024, advising that the meeting is an annual conference hosted by the Civic Tech Innovation Network. It is intended to enable the civic tech community and ecosystem actors to engage face-to-face, learn about innovations, tools, and techniques, share experiences, and meet potential collaborators.

7.2 Invitations had been extended to the Interim Steering Committee and the OGP South Office of the Point of Contact (POC) to attend sessions hosted by the Public Sector Accountability Monitor (PSAM) and the French Embassy in South Africa. The OGP South Africa Office of the POC, HSRC, Corruption Watch, Open Up, and Accountability Lab honoured these invitations.

FEEDBACK ON DEVELOPMENTS 28 AUGUST

8. Draft Terms of Reference- Formalisation of the Interim Steering Committee

8.1 Ms Kota provided an update on the enhancement of the draft MSF ToR as Lead. Advised there was good progress and that the delay in finalisation has been occasioned by the need to ensure adherence to the OGP standards and principles of Co-creation and Participation by consulting all relevant stakeholders to ensure broad collaboration. Emphasis was placed on ensuring the document supports the implementation of the OGP South Africa National Action Plans and revival process of the structure in the country.

8.2 The meeting noted the update on work done and that the draft would not be tabled formally to the structure until concurrence has been received from the OGP Office of the POC and Interim Steering Committee, respectively.

DRAFT OPEN GOVERNMENT CHALLENGE

9. The meeting received a presentation on the Draft Open Government Challenge on Improving Access to Justice to Marginalised and Vulnerable Groups. The Commitment Lead, to formally confirm with an acceptance letter, is the UWC Law Clinic. The Law Clinic will be supported by the Civil Society actors that form part of the OGP South Africa Interim Steering Committee.

UPDATE ON SOUTH AFRICA'S COMMITMENT ONE: TRANSFORMATIVE FISCAL TRANSPARENCY

10. Municipal Money

10.1 The meeting received an update via presentation on the National Treasury's intention to host a Municipal Money Public Section 71 Webinar in late September 2024 or early October 2024. The webinar intends to focus on sharing the financial performance of municipalities as of the end of Quarter 4 of the fiscal year and discuss how they generate and spend their budgets. The webinar had been penned at a high-level, with the National Treasury Director-General due to attend. Due to departmental

challenges related to the logistics and marketing thereof, a decision was taken to postpone it to the last week of January or the first two weeks of February 2025.

- 10.2 The meeting was advised the contract for the Municipal Money Portal was nearing expiration. This presented a challenge for the National Treasury as they were unable to update the information on the page and by extension, would not be able to host the webinar. To find a workable solution, the meeting noted the National Treasury is engaging the service provider, Open Up, to discuss the way forward with, as it hosts, manages and developed the Municipal Money Portal.
- 10.3 The National Treasury advised it wanted to ensure due diligence and justice in hosting the inaugural Section 71 Webinar was done. To this end, was convening weekly internal meetings ensure the planning process goes smoothly.
- 10.4 The National Treasury made the following requests for:
 - 10.4.1 The OGP Office of the POC, at official level, Dr Sokhela to speak on the OGP and the role of the OGP South Africa, putting in context the work of the National Treasury in the OGP South Africa on Fiscal Transparency.
 - 10.4.2 One or two government departments to present on Commitment One to give it more impetus and provide another perspective other than that of the National Treasury.
 - 10.4.3 Corruption Watch to prepare and present an anti-corruption presentation , with the main objective to educate citizens on how to address it, using the data provided and how to hold government officials accountable in the provision of public services using government funds.
 - 10.4.4 The wider participation of the Interim Steering Committee and other state and non-state actors i.e. governmental departments, and civil society.

11. Vuleka Mali

- 11.1 No official report was received from the National Treasury on this aspect of Commitment One.

UPDATE ON SOUTH AFRICA'S COMMITMENT TWO: *OPEN DATA TRANSPARENCY ACROSS THE THREE SPHERES OF GOVERNMENT*

12. Mr Zaaid du Toit provided an update on the progress of the Open Data Commitment. The meeting noted:
 - 12.1 The adopted Open Data Principles by four (4) Metropolitan Municipalities which were co-created by the municipalities, the C4IR and other key stakeholders in an adoption workshop at the CSIR Convention Centre on 27 March 2024. The reports and adopted principles were attached as part of the meeting documentation.
 - 12.2 The emphasis on the importance of replicating the Open Data Project gains at the District and Local Municipality level.
 - 12.3 The update on increased progress and interest in the Open Data Project since the August 2024 Interim Steering Committee meeting. Nationally, there has been

increased activity on Open Data in the Eastern Cape Province, Cape Winelands, the City of Johannesburg. Globally, the C4IR has had engagements with Columbia and Non-Governmental Organisations (NGOs) such as GIZ and the British High Commission. These interactions have resulted in funding opportunities for the expansion of Open Data project in the country.

- 12.4 The ambition for the Open Data Project to be expanded to at least 80% of the 257 (metropolitan, district and local) municipalities in South Africa by the end of 2025.
- 12.5 An appeal and encouragement to the Interim Steering Committee to direct urban and rural municipalities with Open Data leads to the C4IR so they can be added to the rollout as the project is gaining momentum with stakeholders and funders. The C4IR will follow the structured way to apply for Open Data for them.
- 12.6 The growing momentum on the Open Data project and the mounting need to convene quarterly meetings with municipalities (metros, district and local) and other stakeholders to update on progress and opportunities, was identified. The envisaged OGP South Africa MSF was identified as key herein and could serve to synergise the efforts on the Open Data across the three spheres of government as intended.

DISCUSSIONS

13. The meeting noted the update on the draft OGP South Africa MSF ToR. Key discussions were:
 - 13.1 Confirmation and timeline towards the effective date of the OGP South Africa MSF.
 - 13.2 The point from when the established structure would open participation to the wider community.
 - 13.3 If the established MSF as a structure, could be utilised and leveraged to catapult the Open Data Commitment through piggybacking on the existing structure? This would be beneficial on two (2) fronts:
 - 13.3.1 It would negate the establishment of duplicate MSF to only deal with Open Data and would ensure an umbrella hosting of actors to deliberate on a range of issues as per the OGP etc.
 - 13.3.2 The piggybacking on the OGP South Africa MSF would provide more impetus to the work on Open Data in the country as it is positioned at an elevated level with wider recognition.
 - 13.4 A proposal to organise the specialised work on Open Data, Fiscal Policy Transparency, etc. into Sub-Committees of the MSF per the respective thematic areas.
14. On the Open Government Challenge, the meeting noted:
 - 14.1 That consideration should be given to how the proposal could integrate participation with Public Centres / Institutions of Higher.
 - 14.2 A proposal for linkages to be made with processes and programmes on GBVF and the Challenge i.e., Chapter 9 institutions and Government departments. The Public

Protector report on investigations into administrative deficiencies as released in June 2024 was a reference.

- 14.3 An edit was suggested in paragraph 2.3- the word “*victims*” to be changed to “*survivors*” in alignment with the correct language and wording.
 - 14.4 The inclusion of Civil Society and Community Based Community Networks as stakeholders, i.e., Community Advice Offices through which survivors access justice, was proposed. Their inclusion would ensure that OGP South Africa can leverage on their existing networks as they have a footprint that Law Clinics might not have access to. Their inclusion would further ensure a wide network to advise on the correct use of language, wording, and process verification.
 - 14.5 Ms Tshoaedi-Buthelezi sought clarity on the UWC as Lead in the Open Government Challenge instead of the University of the Free State (UFS) as previously communicated. She expressed concern about the lack of visibility of the CAOSA and Community Advice Offices as leads in the draft Open Government Challenge on Access to Justice. Citing that the document is silent on the role played by CAOSA in bringing the Commitment to the table and the Community Advice Offices, as they play a key central access points role as a bridging mechanism for government.
 - 14.6 The meeting was reminded that the presentation was solely for the OGP South Africa’s participation in the OGP Open Government Challenge and not the process of developing the OGP South Africa 6th National Action Plan Commitment (NAP) process.
 - 14.7 The meeting noted South Africa’s assumption to the G20 presidency from 01 December 2024 to November 2025. The OGP South Africa Office of the POC identified an opportunity for Civil Society actors within the Interim Steering Committee to lead an initiative within the C20 and highlighted the OGP South Africa Open Government Challenge would find expression in the G20.
15. Regarding the Section 71 Municipal Money Webinar by the National Treasury, the meeting:
- 15.1 Put forward a proposal that the National Treasury should extend an invitation to private businesses to participate and gauge their views on how private businesses can interlink with the Municipal Money Portal.
 - 15.2 Questioned how the National Treasury foresees its role in contributing to Digital Public Infrastructure in relation to the OGP and how it would ensure the information filters down to the community. In response, the National Treasury advised it would, in the next fiscal year, 205/26, commence a process to introduce and ensure all municipal infrastructure projects have GPS coordinates. This will ensure there are specific coordinates and exact locations of municipal capital projects. This would ensure the ability to manage budgets, accountability, transparency and track developments .

Response by Dr Sokhela

16. Dr Sokhela advised the UFS was engaged to lead the Open Government Challenge but was non-committal even after a one-on-one engagement, following the initial virtual meetings as reported to the Interim Steering Committee. To ensure continuity, the UWC was engaged and displayed an eagerness to lead the Challenge on a formalised basis.

Assurance was provided that CAOSA would still be part of the driving of the Challenge, under the Civil Society Organisations. Other stakeholders, as earlier identified, were still part of the process. The role of Community Advice Offices, as key partners to Accessing Justice, was acknowledged.

17. The meeting was advised the Open Government Challenge would still take place next year in 2025 and an invitation would be extended to the UFS, and other University Law Clinics, to participate.
18. In reference to the work and programmes on GBVF, the meeting was advised the Open Government Challenge seeks to complement the work of the Government. Thus, the Challenge will be led by Civil Society actors and through a formalised relationship with the UWC. The OGP South Africa and Government Departments will provide the necessary support.
19. The meeting noted the OGP Challenge to be undertaken by the OGP South Africa is to complement the work being done by Government and will be led by Civil Society.
20. Noted the input on the correct use of terminology and undertook to ensure it is corrected going forward.
21. Encouraged and appealed to the National Treasury officials who oversee the implementation and reporting on Vuleka Mali, to honour the Interim Steering Committee meetings invitations and to provide the structure with progress reports.

SUMMARY AND WAY FORWARD

22. The meeting agreed that the envisaged OGP South Africa MSF, should be driving and supporting the strategy for the country's OGP Revival. As such, the proposal on the establishment of thematic Work-streams or Sub-Committees was accepted. This arrangement would allow the OGP South Africa MSF to drive the work of the Partnership and provide the opportunity and space to the Commitment Leads to drive their respective Commitments.
23. The draft OGP South Africa MSF ToR would be shared with the Minister of Public Service and Administration, as the OGP South Africa PoC at ministerial level, for noting. The submission will be accompanied by a proviso, that the ToR are a working document and will undergo further incremental refinement.
24. A physical adoption workshop would to be convened in the first quarter of the new year, March 2025, to adopt the draft MSF ToR as a baseline.
25. The continued refinement or enhancement of the adopted MSF ToR would be undertaken incrementally. As such, the adopted MSF ToR would be accepted as a Working Document.
26. The Interim Steering Committee to undertake a drive to ensure understanding of the OGP and the OGP South Africa through the Open Government Challenge.
27. All actors- state and non-state- within the Interim Steering Committee were encouraged to find a niche in the draft Commitment on Access to Justice as the structure looks towards the Co-creation of the OGP South Africa 6th NAP and OGP South Africa Open Government Challenge on the thematic area, on how best they can support the processes.

28. The UWC to confirm, via official and formal correspondence, their readiness to lead the OGP South Africa Open Government Challenge.
 29. The OGP South Africa Office of the POC, to hold a broader conversation with the National Treasury on the attendance of the official(s) who are assigned to report on Commitment One: Vuleka Mali. The conversation will be held at the government level, to assist mitigate challenges they might be experiencing and to ensure updates on the implementation of the Commitment.
 30. Ms Komote to formally confirm Corruption Watch's agreement to present on Anti-Corruption at the Section 71 Webinar as per the request by the National Treasury.
 31. The OGP South Africa Office of the POC, to engage with the UWC on the formalisation of the cooperation on the OGP Open Government Challenge.
 32. The OGP South Africa Office of the POC, to engage with the Department of International Relations and Cooperation (DIRCO) on the participation of Civil Society actors in the C20 and update the Interim Steering Committee accordingly.
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