



DRAFT
FORMALISATION OF THE OGP SOUTH AFRICA INTERIM STEERING COMMITTEE
INTO THE
OGP SOUTH AFRICA MULTI-STAKEHOLDER FORUM (MSF)

June 2024

PURPOSE

1. This document seeks to propose the formalisation of the Open Government Partnership (OGP) South Africa (SA) Interim Steering Committee into the OGP South Africa Multi-Stakeholder Forum (MSF), to align with the OGP Participation and Co-creation Standards as encapsulated in the OGP Handbook 2024 [See draft MSF Terms of Reference at **Annexe A**].

INTRODUCTION AND BACKGROUND

2. South Africa is a founding member of the OGP, a multilateral initiative between governments at the national and local levels and civil society organisations, established in 2011. South Africa has successfully delivered five (5) National Action Plans (NAPs) since then and is now embarking on a process to formalise the MSF.
3. Since 2020, the Department of the Public Service and Administration, working with the OGP South Africa Interim Steering Committee, has embarked on an ongoing co-creation process to revive the OGP programme in South Africa. This process has resulted in the successful co-creation and submission of the country's OGP 5th NAP in March 2024.
4. The OGP South Africa Interim Steering Committee further adopted a National Roadmap, a strategic instrument to set the agenda for the revival of the OGP programme in South Africa.¹ The revival process has been undertaken through an ongoing co-creation

¹ Open Government Partnership (OGP) South Africa "Draft milestones/ National Roadmap towards the development of the South African National Action Plan (NAP) by 31 December 2023 09 October 2023 <http://www.ogp.gov.za/>

methodology process, infused in a manner that ensures the implementation of the African Peer Review Mechanism (APRM) - OGP complementarity.

5. The National Roadmap seeks to support the process of formalising the establishment of a OGP South Africa MSF. Through the MSF establishment thereof, South Africa's participation in the OGP process will be in line with the OGP Participation and Co-creation Standards, specifically Standard 1 as referenced below:

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

6. The current OGP South Africa Interim Steering Committee has, since 2020, served to assist the South African OGP revival process in an interim capacity. To this end, the formalisation of the OGP South Africa Interim Steering Committee into the MSF seeks to consolidate progress made in the revival of the OGP programme.

7. Such a formalisation is consequently meant to take the open government process forward as the members of the OGP Interim Steering Committee are familiar with the current country processes and protocols and have invaluable institutional memory to support the revival process. Their formalised role will enable them to also serve as a standing consultative body, provide continuity for the current NAP cycle and assist the OGP South Africa in the execution of the following functions namely:

- 7.1. Developing and submitting of the draft OGP South Africa NAPs.
- 7.2. Facilitating the implementation and monitoring of the NAPs.

² OGP Participation and Co-creation Standards (2021) https://www.opengovpartnership.org/wp-content/uploads/2024/04/OGP-National-Handbook_2024.pdf

National Action Plans, through a multistakeholder process, with the active engagement of citizens and civil society.

12. PROPOSAL

- 12.1** Arising from the presentation of this proposal at the OGP South Africa Interim Steering Committee on 09 May 2024, it was agreed that the OGP South Africa Interim Steering Committee members be given time to further peruse the proposal and provide input by 30 June 2024.
- 12.2** As the proposal reflects the generic principles contained in the OGP Participation and Co-creation Standards, there was no further material input received from the OGP Interim Steering Committee members.
- 12.3** Following the due process outlined above, it is proposed that the Minister, as the OGP Focal Point:
 - 12.3.1** Consider and endorse the proposal on the formalization of the role of the OGP Interim Steering Committee into the OGP South Africa Multi-Stakeholder Forum (MSF), as per the draft Terms of Reference [**Annexe A**].

**DRAFT TERMS OF REFERENCE FOR THE OGP SOUTH AFRICA
MULTI-STAKEHOLDER FORUM (MSF) ⁴**

1. RESPONSIBILITIES OF THE MULTI-STAKEHOLDER FORUM (MSF)

- 1.1. Strategic and tactical planning.
- 1.2. Engagement.
- 1.3. Communication.
- 1.4. Oversight.

2. OBJECTIVES OF THE MSF

- 2.1. To support and coordinate the implementation of the general Open Government policy in the country.
- 2.2. To participate in the development of the National Action Plans (NAP)
- 2.3. To manage the ongoing operations of the MSF.
- 2.4. To coordinate the OGP programme activities to ensure open governance, implementation, and monitoring of the NAPs.

3. FUNCTIONS OF THE MSF

- 3.1. Develop and submit the draft OGP South Africa NAPs.
- 3.2. Monitor and facilitate the implementation of the NAPs.
- 3.3. Establish rules for governance and membership for the MSF.
- 3.4. Provide space for ongoing dialogue and collaboration between government and civil society.
- 3.5. Lead the open government process of the country.
- 3.6. Provide a structured environment that is designed to maximise participation and cooperation between the government and civil society, by bringing relevant partners into the discussions and ensuring that all voices are heard.
- 3.7. Serve as a cornerstone of a country's successful participation in the OGP that is crucial to delivering collaborative open government reform.
- 3.8. Support the work of the Independent Reporting Mechanism (IRM).

⁴ OGP Canada "Multi-stakeholder Forum Terms of Reference"
<https://opencanada.blob.core.windows.net/opengovprod/resources/cbbf2b58-d580-47be-8555-3076d5642bdf/msf-terms-of-reference.pdf?sr=b&sp=r&sig=uwqBdLKnQNvRqHPu7pi5BAtxSuHdumpyZ9MCHSqdyWE%3D&sv=2019-07-07&se=2024-04-23T13%3A34%3A42Z>

4. SCOPE OF MANDATE

- 4.1. Request information from state institutions and agencies of South Africa necessary to perform its functions.
- 4.2. Develop proposals and recommendations to elaborate and implement the NAP.
- 4.3. Coordinate the OGP processes at the national level.

5. MEETINGS

5.1. Frequency

- 5.1.1. Every three (3) months (quarterly) i.e., four meetings in a year. Depending on participants' needs, special meetings can be convened.

5.2. Participation

- 5.2.1. For better communication, understanding, trust, and collaboration, in-person participation is encouraged at least once a year.
- 5.2.2. Participation can also be in the form of remote participation i.e., online meetings.

5.3. Location

- 5.3.1. The location of meetings to alternate between in-person and online meetings.

5.4. Language

- 5.4.1. Meetings will be conducted in English and the agenda and associated material will be made available in English.

5.5. Non-members' attendance

- 5.5.1. The MSF may agree to extend meeting invitations to non-members when deemed necessary.

6. FUNCTIONS OF THE SECRETARIAT OF THE MSF LOCATED IN THE OFFICE OF THE NATIONAL POINT OF CONTACT (DPSA)

- 6.1. Coordination of the National Action Plan (NAP) development process.
- 6.2. Preparation of progress reports on the NAP implementation.
- 6.3. Monitoring of the fulfillment of the activities agreed upon by the MSF.
- 6.4. Prepare the calendar for the MSF meeting and publish it on the OGP South Africa website.
- 6.5. Arrange scheduled and ad hoc meetings.

- 6.6. Organise MSF meetings, prepare meeting agenda and identify issues of discussion. and prepare the list of invitees.
- 6.7. Prepare the minutes of the MSF meetings.
- 6.8. In agreement with the MSF, develop schedules for public consultations on Open Governance issues
- 6.9. Coordinate awareness raising activities for stakeholders on the OGP South Africa process.

7. MEMBERS

7.1. Composition

- 7.1.1. The MSF will be composed of both Government and Civil Society Organisations members.
- 7.1.2. The MSF will be coordinated and chaired by the Department of Public Service and Administration (DPSA) in South Africa.
- 7.1.3. Members of the non-governmental sector will choose an alternate chair to ensure the OGP spirit of collaboration and partnership.

7.2. Term of the MSF

- 7.2.1. Membership to the MSF is for the duration of the OGP 5th NAP 2023-2026, whereafter the MSF will make a recommendation to the Focal Point.

8. EVALUATION

- 8.1. The MSF should evaluate progress regularly as part of its functions to ensure that the implementation of the National Action Plan is on track.

8.2. MSF transitions

- 8.2.1. The MSF should prepare and share appropriate information and training with new members of the MSF to ensure a mutual understanding and expectations of the MSF and OGP process in South Africa.⁵

9. EFFECTIVE DATE OF THE MSF TERMS OF REFERENCE

9.1 Effective date

⁵ OGP Georgia Governance https://ogp.gov.ge/upload/pages/38/FileManager/Eng_OGP-Council_Statute.pdf

9.1.1 The terms of reference for the MSF will come into effect upon endorsement by the OGP Focal Point.

9.1.2 Any improvements in the MSF Terms of Reference will be discussed and finalised by the MSF and forwarded to the OGP Focal Point for endorsement.