



OGP SOUTH AFRICA INTERIM STEERING COMMITTEE MEETING REVIVAL OF THE OGP IN SOUTH AFRICA IN LINE WITH THE APRM- OGP COMPLEMENTARITY

DATE: 28 AUGUST 2024

TIME: 10H30 - 13H00

VENUE: MS TEAMS

INTRODUCTION

1. A meeting of the Open Government Partnership (OGP) South Africa Interim Steering Committee (Interim Steering Committee) took place on 28 August 2024 via Microsoft (MS) Teams. In attendance were members of the Interim Steering Committee, comprised of state and non-state actors, coordinated by the Department of Public Service and Administration (DPSA) as the OGP Point of Contact(POC) in South Africa. 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 Motlatsi Komote, Corruption Watch
- 2.4 Ms Gabriella Razzano, OpenUp
- 2.5 Dr Paul Plantinga, Human Sciences Research Council (HSRC)
- 2.5 Ms Kgothatso Semela, OGP Country Support Office - Middle East & Africa
- 2.6 Ms Tshenolo Tshoamedi-Buthelezi, Community Advice Offices South Africa (CAOSA)
- 2.7 Mr Sidima Ntsangani, State Information Technology Agency (SITA)
- 2.8 Mr Ntutule Tshenye, SITA
- 2.9 Ms Zukiswa Kota, Public Service Accountability Monitor (PSAM)
- 2.10 Ms Nomfezeko Mayambela, National Treasury
- 2.11 Ms Rakgadi Motseto, National Treasury
- 2.12 Mr Sephiri Tihomeli, National Treasury
- 2.13 Ms Xolile Mdluli, National Treasury
- 2.14 Dr Patrick Sokhela, DPSA
- 2.15 Ms Nonkululeko Msibi, DPSA

3. Apologies

- 3.1 Ms Una Rautenbach, National Treasury
- 3.2 Mr Zaaid du Toit, Centre for the Fourth Industrial Revolution South Africa

- (C4IR) at the Council for Scientific and Industrial Research (CSIR)
3.3 Ms Nicki Van 't Riet, Corruption Watch
3.4 DDG Willie Vukela, Branch: Government Services Access and Improvement (GSAI)

4. *No apology received*

- 4.1 Ms Prudence Cele, National Treasury.

ADOPTION OF AGENDA

5. The meeting agenda was adopted as proposed with no amendments.

ADOPTION OF MINUTES – 09 MAY 2024

6. The Interim Steering Committee meeting minutes of 09 May 2024 were adopted with the following amendment:

- 6.1 Para 2.18, Ms Tshenolo Tshoaedi-Buthelezi was erroneously captured as present in the meeting but had tendered an apology.

MATTERS ARISING FROM THE MINUTES OF 09 MAY 2024

7. **The proposed co-chairing of the OGP Interim Steering Committee.**

- 7.1 The importance of the Civil Society Actors within the Interim Steering Committee to nominate a chairperson to co-chair the structure as it evolves into the envisaged Multi-Stakeholder Forum (MSF) was reiterated. To this end, a nomination was put forward for Ms Zukiswa Kota to occupy an interim leadership role in the Interim Steering Committee, represent Civil Society Actors, and lead a specific process on the expansion of the OGP South Africa stakeholders.

8. **Status of the Interim OGP Steering Committee workshop in July 2024.**

- 8.1 The meeting noted the delay in convening the planned two-day physical session of the Interim Steering Committee in July 2024 as per the outcomes of the meeting of 09 May 2024, was a result of the political transition following the 2024 South African General Elections and subsequent change in the ministerial-level POC. A new date for the workshop will be confirmed in due course.

9. **Proposed inauguration of the OGP South Africa Multi-Stakeholder Forum and onboarding of new members as they come along.**

- 9.1 The proposals for the Minister of Public Service and Administration as the ministerial-level OGP South Africa POC to inaugurate the OGP South Africa MSF and adopt an incremental approach to onboard new stakeholders were noted.

A RECAP OF DEVELOPMENTS SINCE 09 MAY 2024

10. **Update on OGP developments**

- 10.1 **OGP Africa Regional Meeting.** The tentative postponement of the OGP Africa Regional Meeting, which was to take place in October 2024 in Kenya, to a date in the first quarter of 2025 due to the domestic challenges experienced by Kenya was noted.

- 10.2 **Standard process of submission of the National Action Plan (NAP).** The meeting was advised of the imminent commencement of the OGP Independent Review Mechanism (IRM) Review Process on South Africa's 5th NAP 2023-2026. The review would focus on the NAP adherence to the OGP Participation and Co-creation Standards and the qualitative aspects of the country's Commitments. The process would commence with an interview of the OGP South Africa working-level POC and Interim Steering Committee members. Once the review is completed, it would be shared by the IRM for comments on the findings with the interviewed parties before publication on the OGP website. The exact timelines of the review would be communicated.
- 10.3 **OGP Handbook update.** The recent update of the OGP Handbook, specifically the role of the POC to better support diverse contexts and relationships within government structures, was noted.
- 10.4 **The expansion of the OGP work.** The meeting was advised and noted that the strategic priority of the current five-year strategic period of the OGP is to expand open government work beyond governments and parliaments, to the judiciary and other independent institutions. To this end, a guidance was developed to ensure a practical process is followed in the pursuit of expansion.
- 10.5 **South Africa's G20 Presidency.** With South Africa's assumption of the G20 Presidency from December 2024 to November 2025, the OGP Support Unit encouraged the Interim Steering Committee to explore using the G20 to elevate the OGP South Africa Commitments and to deliberate on how the structure could influence the G20.

11. Update on Access to Justice Visit to Free State

- 11.1 As noted in the minutes of 09 May 2024, progress was made in concretising the collaboration between the DPSA, CAOSA, and the Department of Justice and Constitutional Development (DoJ&CD) on Access to Justice. Advances were made in infusing the processes and principles of the OGP and the APRM into existing DoJ&CD and COASA programmes. As part of celebrating OGP Week, the OGP South Africa, in conjunction with the CAOSA, identified and showcased the Free State Pilot on Access to Justice, the Probono Helpdesks Project, via a physical onsite visit. The Pilot project is a 36-month grant programme, funded by the DoJ&CD and the National Treasury. The partners in the project are CAOSA, the Legal Practice Council (LPC), the DoJ&CD Free State Regional Office, the Free State Division of the High Court, and the University of the Free State (UFS) Law Clinic.

The onsite visit took place on 03-04 July 2024 in the Mangaung Metropolitan specifically Botshabelo Magistrate Court and the Pro-Bono Advice Centres supported by CAOSA and the DoJ&CD. The visit offered great insight into the work done on Access to Justice in the Free State Province, with the community at the centre. The meeting further noted the diverse role played by the Advice Centres, as they not only provide services on legal matters but on a variety of issues such as HIV/AIDS, domestic issues, Gender Based Violence and Femicide (GBVF), etc. The need for additional resources -financial, equipment and human- was identified. The onsite visit highlighted the importance of the roles and resources of the UFS Law Clinic and LPC in support of the pilot project.

- 11.2 The meeting was advised on an upcoming meeting between the OGP South Africa, CAOSA, and the UFS Law Clinic to discuss collaboration on Access to Justice in pursuit of the OGP and APRM complementarity.

FORMALISATION OF THE OGP SOUTH AFRICA MULTI-STAKEHOLDER FORUM-WORKING DOCUMENT FOR CONSIDERATION BY DPSA

12. The working-level POC confirmed that no tangible inputs were received on the proposed MSF draft document by the proposed cutoff date of mid-to-end June 2024. To counter any delay, an approach to move forward with the document as a working document was put to the meeting for confirmation.

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

13. Municipal Money

- 13.1A presentation on the progress of the Municipal Money was received. The meeting noted:

13.1.1 The communication and marketing challenges experienced by the National Treasury in its quest to publicise the Municipal Money platform and activities.

13.1.2 The National Treasury would host a Municipal Money Public Webinar in late September 2024/ early October 2024. The focus thereof would be to share the financial performance of municipalities as of the end of quarter 4 of the 2023/24 fiscal year and discuss how municipalities generate and spend their money.

13.1.3 An appeal for assistance to partners within the Interim Steering Committee with a footprint on a public platform to assist with the logistics for the envisaged webinar as mentioned above.

- 13.2 CAOSA advised they would be hosting virtual Capacity Development Workshops from 06-11 October 2024. To this end, offered the National Treasury a platform and opportunity to present on the Municipal Money and publicise their upcoming Municipal Money Public Webinar in response to their appeal.

14. Vuleka Mali

- 14.1 No official report was received from the National Treasury on this aspect of Commitment One. The meeting noted insight as provided by the Civil Society Actors in the Interim Steering Committee as co-creators of the Vuleka Mali project team, that there have been some positive developments on the Vuleka Mali portal.

15. Procurement Bill

- 15.1 The National Treasury provided an update on the process of the implementation of the recently signed Procurement Bill and outlined plans for the drafting of the Bill's regulations and stakeholder consultations process.

15.2 Furthermore, the National Treasury acknowledged concerns regarding some chapters of the Procurement Bill. To alleviate and address the concerns raised, the meeting was advised there were ongoing briefing sessions with various stakeholders to address the matters.

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

16. An apology was received from Mr Zaid du Toit who undertook to share a written progress report via the OGP South Africa POC.

DISCUSSIONS

17. The meeting reiterated the need for more information and updates, to the Interim Steering Committee, from the National Treasury on Procurement, considering the reforms underway in the Office of the Chief Procurement Officer.

18. The importance of a participatory process in the co-creation process of the Open Data Charter at the Municipal level was emphasised.

19. A question about the mechanics of opening the nomination process wider for the OGP MSF was posed. Additionally, clarity was sought on the plan for the proposed incremental approach for the MSF and how to target specific stakeholders to form part of the structure.

20. A proposal to the Interim Steering Committee to identify, through a small task team, an area out of the ten (10) OGP policy areas, the structure could drive for the OGP Challenge to showcase as South Africa Presides over the G20 from December 2024 to November 2025, was put forward. The proposal to also focus on building more inclusion around specific areas as identified.

21. Information was sought on how the integration of OGP activities into the planning instruments, i.e., Annual Performance Plans (APPs), etc. of government departments could be managed to ensure effective mainstreaming of the OGP in existent government plans and work.

22. Linked to the above, clarity was sought on whether the National Treasury's internal reporting reflects the department's involvement with the OGP. The query was posed related to the outcomes of the OGP Steering Committee meeting of 09 May 2024, paragraph 25.¹

23. The meeting noted an update that the State Information Technology Agency (SITA) is engaging with the Department of International Relations and Cooperation (DIRCO) to ensure a secure technological platform to host the G20 as South Africa takes on the Presidency thereof.

24. The National Treasury acknowledged the importance of the co-creation principle as it pursues Commitment One on Transformative Fiscal Transparency.

¹ *Para 25.* Government departments in the Interim Steering Committee, to identify areas in their respective Annual Performance Plans (APP) and Medium-Term Strategic Framework (MTSF) to showcase under the umbrella of the OGP. This will enable the OGP South Africa to have an incremental list of Commitments, which can be reported on without the burden of funding as they are already Departmental imperatives.

25. The National Treasury was encouraged to share its media statements, upcoming events webinars, etc. with the OGP South Africa POC for dissemination. To ensure heightened publicity on Commitment One issues, co-branding with the OGP South Africa was proposed. The National Treasury noted the proposal and advised it would put it forward for internal discussions.
26. A query was posed on the role of the DoJ&CD in the Free State Probono Helpdesk Project after the 36-month grant pilot programme ends concerning the sustainability of the efforts expended.

WAY FORWARD

27. Ms Kota accepted the nomination to co-chair the Interim Steering Committee as it evolves into the envisaged MSF. She will lead the process of expanding the pool of OGP South Africa stakeholders and develop a strategy for broadening ownership and the visibility of the OGP. The OGP POC is in place to support and put resources in place.
28. The draft OGP South Africa MSF document, to be identified as a working document, is to be enhanced in a process led by Ms Kota.
29. The National Treasury committed to work on a plan to draft the Procurement Bill regulations as newly implemented and conduct consultations to address concerns and bring stakeholders up to speed on the changes made.
30. The National Treasury to extend an invitation and share the details of the upcoming Municipal Money Public Webinar in September / October 2024.
31. The OGP South Africa POC to participate in the OGP IRM review process and provide input on the completed Action Plan Review Report for the OGP South Africa 5th NAP 2023-2026. The results of the completed IRM report on South Africa will be published on the official OGP website following the review and input by the South African OGP POC and the Interim Steering Committee.
32. The OGP Regional Support Unit to share the updated OGP Handbook on the role of the POC with the relevant stakeholders for their understanding and use.
33. Civil Society Actors within the Interim Steering Committee to identify and shortlist an issue that the OGP South Africa can showcase at the G20 as South Africa Presides over the structure from December 2024 to November 2025, as part of the OGP Challenge. The shortlist will be presented to the Minister of Public Service and Administration, as the ministerial-level POC for concurrence.
34. The working-level POC to convene a briefing meeting with the South Africa G20 coordinators in DIRCO to gather information on the G20 and highlight the OGP South Africa's intention to undertake the OGP Challenge as part of the G20 activities. The meeting will also gather information on the process to be followed concerning the C20's involvement in OGP activities.

35. The progress report from Mr du Toit on **South Africa's Commitment Two-Open Data Transparency Across the Three Spheres of Government**, to be shared with the Interim Steering Committee upon receipt.²
 36. An invitation to the meeting, between the working-level POC, CAOSA, and the UFS Law Clinic, on Access to Justice to be shared with the meeting for their attendance. The meeting is envisaged to take place in September 2024.
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² The written progress report is attached at **Annex A** of the draft meeting outcomes of 28 August 2024 and the Open Data Principles as adopted on 27 March 2024 are attached at **Annex B**.