**DRAFT OUTCOMES REPORT**

**OPEN GOVERNMENT PARTNERSHIP (OGP) SOUTH AFRICA STEERING COMMITTEE MEETING**
**REVIVAL OF THE OGP IN SOUTH AFRICA**

**DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION**
**PRETORIA**

**O6 OCTOBER 2023**

**INTRODUCTION**

1. A meeting to discuss the revival of the Open Government Partnership (OGP) in South Africa took place on 06 October 2023 at the Department of the Public Service and Administration (DPSA) in Pretoria. It was the second physical meeting of the interim OGP South Africa Steering Committee, the first held on 04 March 2022, to deliberate on the revival of the Partnership in South Africa. The meeting was held against the background of receipt of correspondence from the OGP, advising South Africa of imminent suspension from the Partnership if the requisite conditions i.e., the creation/ revival of an OGP Country website and the co-creation of the South African 5th National Action Plan, were not met by 31 December 2023.

2. Mr Willie Vukela, Deputy Director-General: Government Services Access and Improvement (GSAI) chaired the meeting. He highlighted the pioneering role South Africa, as one of the founding countries, had played in the conception of the OGP in 2011. The meeting took note that South Africa has since lost its global footing in the Partnership. This was because of a lull in the country's OGP activities, which led to non-compliance with the OGP terms to produce and submit the requisite county reports in the stipulated timeframes as required. As a result, South Africa's progress and ranking on an international scale in the Partnership has since been surpassed by other African countries.

3. In attendance were members of the interim OGP South Africa Steering Committee comprised of state and non-state stakeholders/ actors, coordinated by the Department of Public Service and Administration (DPSA) as OGP Point of Contact in South Africa.

**OBJECTIVE OF MEETING**

4. The aim of the meeting was to discuss the foundational steps to be taken towards the revival of the OGP in South Africa on an incremental basis through the utilisation of the Cabinet approved complementarity of the African Peer Review Mechanism (APRM) and OGP methodology and the co-creation of the 05th South Africa 's OGP 5th National Action

Plan by the 31 December 2023 deadline. The outcomes of the meeting deliberations would be reported to the Presidency as per the undertaking to provide feedback on the OGP South Africa revival process.

**ATTENDANCE AND APOLOGIES**

5. *Attendance*

   5.1. Mr Zaaid du Toit, Centre for the Fourth Industrial Revolution South Africa (C4IR) (CSIR)
   5.2. Dr Ntsibane Ntlatlapa, Centre for the Fourth Industrial Revolution South Africa (C4IR) (CSIR)
   5.3. Mr Sephiri Tlhomeli, National Treasury
   5.4. Ms Mpho Gaosime, National Treasury
   5.5. Ms Xolile Mdluli, National Treasury
   5.6. Ms Prudence Cele, National Treasury
   5.7. Ms Motlatsi Komote, Corruption Watch
   5.8. Mr Delani Majola, New South Institute (NSI)
   5.9. Ms Sheila Matsondota, Community Advice Offices South Africa (CAOSA)
   5.10.       Ms Matshidiso Kgothatso Semela: OGP Secretariat: OGP Country Support
   5.11.       Mr Wille Vuleka, DPSA
   5.12.       Dr Patrick Sokhela, DPSA
   5.13.       Dr Mataywa Busieka, DPSA
   5.14.       Ms Gcino Mlaba, DPSA
   5.15.       Ms Nonkululeko Msibi, DPSA
   5.16.       Ms Marothi Ramphele, DPSA
   5.17.       Mr Thabo Selomo, DPSA

6. *Apologies*

   6.1. Ms Gabriella Razzano, OpenUp
   6.2. Mr Ivov Chipkin, New South Institute (NSI)
   6.3. Ms Zukiswa Kota, Public Service Accountability Monitor (PSAM)
   6.4. Mr Nicki Van 't Riet, Corruption Watch

**TAKEAWAYS FROM THE 08th OGP GLOBAL SUMMIT HELD ON 06-07 SEPTEMBER 2023 IN TALLINN, ESTONIA**

7. The meeting took note of the following highlights as per the report and input by DDG Vukela and Ms Kgothatso Semela who attended the OGP Global Summit:

   7.1. The sideline bilateral meeting between the South African delegation led by Minister Noxolo Kiviet, Minister for the Public Service and Administration, comprising of DDG Vukela, Mr Mondli Gungubele, Minister of Communication and Digital Technologies and the OGP, led by the Deputy Chief Executive Officer of the OGP, Mr Joe Powell. Matters under discussion were:

      7.1.1.   South Africa's participation and progress in the OGP.

7.1.2. The co-creation process of the South Africa's OGP 5$^{th}$ NAP, mutual accountability, transparency, and the inclusion and participation of non-state actors.

7.1.3. The letter of advisement on South Africa's possible suspension from the OGP which also addressed the lack of visibility in the implementation of the commitments for the country e.g., a repository.

7.1.4. The acknowledgment of the challenges South Africa is facing regarding the OGP.

8. The main commitment from the above-mentioned bilateral meeting by Minister Kiviet, was that South Africa would deliver the OGP South Africa's OGP 5$^{th}$ NAP by 31 December 2023, compiled in compliance with the OGP Standards and Principles.

9. Ms Semela, in her input to the meeting deliberations, put forward a proposal that the OGP South Africa Interim Steering Committee members participants to the meeting of 06 October 2023 could constitute the requisite Multi-Stakeholder Forum (MSF) and advised she could share how it could be undertaken.

10. She further posed the pertinent question of how South Africa would, in a realistic manner, meet the 31 December 2023 commitment as made by the MPSA, as South Africa's OGP Focal Point. Emphasis was placed on the following:

10.1. Compliance with the NAP Standards and implications thereof.

10.2. The timelines to be undertaken to complete the process must be pragmatic and practical.

10.3. The credibility of the process must be always assured and in the event the NAP cannot submitted by 31 December 2023 as per the commitment, the documented process towards the finalisation thereof could be submitted and ably defended to demonstrate South Africa is moving towards a credible process.

11. The meeting was advised the OGP Support Office was willing to provide support to the South Africa process whilst corrective action took place.

12. A question for deliberation by the Interim Steering Committee was to think of what Plan B would entail in the instance the 31 December 2023 goal was unattainable.

**PROPOSED COMMITMENTS FOR THE OGP 5$^{th}$ NATIONAL ACTION PLAN**

13. The meeting took note of:

13.1. The presentation by the National Treasury on its draft Commitments under Fiscal Transparent and Open Contracting, namely Vuleka Mali and Municipality Money. The meeting was advised an additional commitment, Procurement, was still under discussion. A decision would be made and communicated to the OGP South Africa Point of Contact once finalised.

13.2. A report on the ongoing discussions between the OGP South Africa Point of Contact and the Department of Justice and Constitutional Development on a draft commitment under Access to Justice, which applies the principle of APRM - OGP

complementarity. Developments on the discussions would be shared with the interim OGP Steering Committee accordingly.

**DISCUSSIONS**

14. The meeting noted that there was not an equal level of interest in the OGP vis-à-vis the APRM in South Africa. As such, it would be important that the OGP Interim Steering Committee build confidence in the programme.

15. The lack of visible and available information on the OGP South Africa was highlighted as a course of concern.

16. The lack of appreciation and non-publication of OGP South Africa work that had taken place or was in progress was noted.

17. The need for stakeholder processes and feedback to be documented to input into the repository of information for South Africa on the relevant channels i.e., the OGP South Africa website was emphasised. This would outline the processes undertaken towards the consultation process for the draft commitments as they feed into the core principles of the OGP, to co-create with communities not just the government and could be utilised as low-hanging fruit for quick wins.

18. The question of how consultations on the draft commitments were documented was posed. What were the inputs, observations, and recommendations? It was noted that all the input received could be fed into the OGP South Africa repository for posterity.

19. There was a proposal that the consultation processes on the draft commitments should be made visible through the stakeholders i.e., the CSIR and National Treasury sharing their work with the DPSA as the Point of Contact.

20. The meeting noted that the C4IR was in discussions with the Department of Arts, Culture and Recreation on the usage of the Arts in a "demystify 4IR project" and further collaboration with the Gauteng government on the matter.

21. Stakeholder management, especially between municipalities and national departments was identified as important in the bigger picture to attain the OGP ideals.

22. Connectivity to data was acknowledged as important to access information.

23. The meeting noted the data retained and released for public consumption is determined by the Protection of Personal Information Act (POPIA) and the Promotion of Access to Information Act (PAIA).

24. It was noted that Civil Society does not need all the information on a subject matter but is rather looking at specifically, the objective, timelines and what the information pertains to.

25. Budget literacy was identified as a contentious matter and it was a continuous work in progress to educate communities to ensure their much-needed meaningful contribution on the matter, is received. As such, the importance of adapting budget literacy to the citizens'

needs was an area identified to be addressed.  This could be done by tapping into existing platforms to avoid duplication where the work had already been undertaken.

26. The meeting took note of Ms Kota's, through a proxy, undertaking to contribute to a draft output document that would underline the understanding of the synergy between the OGP and APRM, the formalisation of the OGP South Africa Multi-Stakeholder Forum (MSF) as well as resources to support the OGP co-creation workshops.

27. The meeting noted that interaction and engagements with communities are key, but the outcome thereof is determined by the situational or spatial placement of the communities i.e., rural, or urban settings. As such, engagements are managed on a case-by-case basis.

28. Stakeholder management between the municipalities at the local government level and national departments was identified as important.

**RECOMMENDATIONS**

29. It was recommended that the OGP South Africa Interim Steering Committee could serve as the requisite MSF for the South African process leading up to 31 December 2023. This would serve to leverage on their roles as Co-Creators of the process.

30. The meeting took note of the reactivated OGP South Africa website. It was proposed that the website should serve as a repository for the country's contribution and have links to all the OGP-related data.

31. The OGP South Africa needs to be publicised extensively to ensure extensive reach and knowledge of the process in the country.

32. The repository deposits could take the form of the documentation of outcomes of consultations as undertaken by the CSIR and National Treasury on the draft commitments.

33. The OGP South Africa Interim Steering Committee was encouraged to explore a moment to make OGP visible. This could be in the form of convening an OGP week which would host a series of roundtable discussions etc. The moment need not be big but should be impactful to showcase the work done and must be popularised for public engagement. The moments' roundtables would also have the outcome that they would allow leverage on resources which could be technical or monetary.

34. The use of upcoming Government departments or Civil Society Organisations events to make the OGP visible was encouraged.

35. The CSIR C4IR to share identified key and common gaps in their consultation processes with the respective municipalities for their draft commitments.

36. The importance of engaging people and communities and advising them of the limitations to providing data as there are considerations to be considered such as the PAIA and POPIA was highlighted.

37. To counter the technical aspects of the OGP, consideration should be given to the usage of different platforms to reach out to communities. The use of media such as local radio

stations which use local languages, to popularise and make it understandable were encouraged.

38. The information on the National Treasury website on Vuleka Mali is to be regularly updated and made readily accessible to people.

39. The development of an OGP South Africa platform to share the work of the OGP reformers in the country.

40. The use of consistent, understandable, and non-technical terminology or language in OGP South Africa interactions and documents must be encouraged.

41. Accessibility to information to communities must be encouraged and assured with the use of local languages. The messaging used must be simple and understandable.

42. The documentation of processes undertaken in the co-creation process i.e., consultations, engagements, outcome documents, and inputs from the respective metropolitans and municipalities is important. The information gathered from there should be documented and stored in the repository of the OGP South Africa.

43. Lessons learned need to be documented according to the timelines in which they took place.

44. Inclusivity in the co-creation of the NAP must be ensured with the engagement of communities.

45. The OGP South Africa must build a system to ensure that the work done by the Partnership and Government is publicised. An example is the National Treasury, which has mastered its interactions and maintains confidence in the public regardless of leadership changes. It has remained consistent on the OGP projects and the way it runs them.

46. The format of how information is distributed to respective stakeholders must be determined as there is a need to understand the limitations that may face technocrats vis-à-vis communities' understanding of issues.

47. Clarity should be provided on the roles and responsibilities of local and national government on key issues such as data exchange where transparency is key.

48. It is important to identify the criteria to be used to determine whether data should be opened or protected.

49. Absolute minimum standards or uniform standards should be put in place for Municipalities providing information, capturing, and reporting to ensure adequate data is received regardless of the rural or urban spatial situation.

50. The documentation of processes and inputs received from the respective metropolitans and municipalities must be prioritised to ensure that the information feeds into the repository of OGP issues in the country. The three key issues in the documentation process that should be highlighted are:

50.1.     Lessons learned and the timelines.

50.2.      The implementation framework

50.3.      Inclusivity – how engagement and inclusion of communities was achieved.

51. The introduction of zero-rated access website(s) should be considered to increase the potential access to communities.

52. Reformers must tap into innovative ways and think beyond technology to ensure communities, at grassroots levels without technology, can access information. This can be achieved by engaging community radios, local traditional leaders, and the relevant government departments, i.e., the Department of Communications.

53. It was proposed that the DPSA, as the Point of Contact and coordinator of the OGP process in South Africa, also have a commitment in the OGP 5$^{th}$ NAP, which is to drive the OGP process in South Africa.

54. A review of the progress and regression of the OGP South Africa should be undertaken to ensure South Africa recovers lost ground at the international level.

**CHALLENGES**

55. Lack of visibility of the OGP South Africa and the work being done by reformers etc.

56. Documents written on the subject matter are too technical. This poses a challenge when engaging with members of the public as it hinders understanding of the subject.

57. Data transfer between departments is not always presented or submitted in the same format which poses a challenge with the capturing and reporting.

58. The government has created platforms for meaningful participation by communities, but the take-up has been minimal. How can this be improved with the intervention of the OGP and other government departments?

59. The government experiences challenges concerning jurisdiction within its different spheres. As such, Openness should be conducted within the parameters of the determined spheres as it cannot be achieved from one central Government sphere. This will enable the undertaking of interventions that are relevant to different situations.

60. Institutions e.g., parliament and not just communities and citizens, are also not aware of the work undertaken by the respective Government Departments in pursuit of Open Government. This highlighted the need for more visibility of the OGP in both Government and Communities.

61. The tracking of projects by the National Treasury to investigate whether budgets were spent as allocated is a challenge as municipalities do not comply with the requirement of sharing the project coordinates which then hinders the tracking process.  The National Treasury will release Circular 126 in December 2023 to direct compliance with the submission of project coordinates before the submission of projects for financing.

62. The limited understanding/lack of criteria directing which class of data may or may not be shared.

**WAY FORWARD**

63. The C4IR at the CSIR would, in its continuous engagement with the Department of Arts, Culture and Recreation, put forward a proposal for the use of different art platforms to reach out to communities using the Arts on the demystification of 4IR.

64. The DPSA would explore a working relationship or partnership with the CSIR and the Office of the Auditor-General.

65. Public comment and opinion to be sought on the two draft commitments by the CSIR and National Treasury led by the DPSA as Point of Contact for South Africa.

66. The State Information Technology Agency (SITA) and the Department of Communication and Digital Technologies (DCDT) would be invited to follow-up meetings of the OGP Steering Committee.

67. The meeting took note that there was no requirement for a Cabinet approval process to be undertaken towards the finalisation and submission of the OGP South Africa 5th NAP.

68. A roadmap towards the co-creation of the OGP 5th NAP, with timelines, would be developed to ensure South Africa develops a tangible National Action Plan as per the OGP Standards and would be posted on the revived OGP South Africa website.

69. Further consultations would be undertaken on the two (2) firm commitments presented by the National Treasury and the C4IR to ensure further refinement. They would be posted on the OGP South Africa website per the roadmap.

70. The OGP South Africa Point of Contact would follow up with the Department of Justice and Constitutional Development (DoJ&CD) and the Community Advice Offices South Africa (CAOSA) on the possible co-creation of the draft commitment on Access to Justice.

71. The formalisation of the MSF to form part of the roadmap. Ms Kota to sponsor a draft proposal on the formalisation thereof.

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