



**DRAFT**

**PROPOSAL ON THE FORMALISATION OF THE OGP SOUTH AFRICA  
MULTI-STAKEHOLDER FORUM (MSF)**

**APRIL 2024**

**PURPOSE**

1. The purpose of this draft document is for the OGP South Africa Interim Steering Committee to:
  - 1.1 Consider the proposal on the formalization of the role of the OGP Interim Steering Committee to the formal OGP South Africa Multi-Stakeholder Forum (MSF), as per the draft Terms of Reference (**Appendix A**).

**INTRODUCTION AND BACKGROUND**

2. South Africa is a founding member of the Open Government Partnership (OGP), a multilateral initiative between governments at the national and local levels and civil society organisations, established in 2011. The country has successfully delivered four (4) National Action Plans (NAPs) since then and is now embarking on a process to formalise the MSF.
3. The OGP South Africa Interim Steering Committee and the OGP South Africa Point of Contact, the Minister of Public Service and Administration, have since 2020 to date, embarked on an ongoing co-creation process to revive the OGP programme in South Africa. This process has ensured the successful co-creation and submission of the country's OGP 5<sup>th</sup> 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.<sup>1</sup> The revival process has been undertaken through an ongoing co-creation methodology process, infused in a manner that ensures the African Peer Review Mechanism (APRM) - OGP complementarity.

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<sup>1</sup> 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/>

5. The National Roadmap seeks to support the process to formalise the establishment of a OGP South Africa MSF. Through the 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 per the below mentioned:
  - 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.<sup>2</sup>
  
6. There is an OGP South Africa Interim Steering Committee that has, since 2018 to date, served to assist the South African OGP process in an interim capacity. To this end, the formalisation thereof from the status of Interim Steering Committee into the MSF would be most beneficial for the open government process as they are familiar with the current country processes and have invaluable institutional memory to assist the revival process. They can also, in the new role, serve as a standing consultative body, provide continuity for the current NAP cycle, and assist the OGP South Africa in the execution of the below-mentioned functions, namely:
  - 6.1. Development and submission of the draft OGP South Africa NAPs.
  - 6.2. Implementation and monitoring of the NAPs.
  - 6.3. Establishment of rules for governance and membership for the MSF.
  - 6.4. Provision of a space for ongoing dialogue and collaboration between government and civil society.
  - 6.5. Leading the open government process of the country.
  - 6.6. Provision of 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.
  - 6.7. Serving as a cornerstone of a country's successful participation in the OGP and is crucial to delivering collaborative open government reform.
  
7. The key responsibilities of the OGP South Africa Interim Steering Committee were to:
  - 7.5 Support the development and submission of the draft OGP South Africa NAPs and
  - 7.6 Support the implementation and monitoring of the NAPs.

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<sup>2</sup> OGP Participation and Co-creation Standards (2021) [https://www.opengovpartnership.org/wp-content/uploads/2024/04/OGP-National-Handbook\\_2024.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/04/OGP-National-Handbook_2024.pdf)

- 8 In the formalisation of their role from the Interim Steering Committee into a MSF, the key responsibilities would, in addition to the above functions, include:
- 8.5 Strategic and tactical planning.
  - 8.6 Engagement.
  - 8.7 Communication.
  - 8.8 Oversight.<sup>3</sup>
- 9 The current Interim Steering Committee composition has the requisite representation from the government and civil society and is balanced, inclusive, and diverse. The formalization of the Interim OGP Steering Committee into a MSF, can ensure adherence to the OGP Participation and Co-creation Standards especially as the OGP programme enjoys executive support at the highest level of government.
- 10 At the core of the success of the OGP is the participation of both the government and civil society in the OGP programme. The formalised collaboration between these parties is important at the global and national levels, as it ensures participatory development of the National Action Plans, through a multistakeholder process, with the active engagement of citizens and civil society.

## 11 PROPOSAL

11.5 It is proposed that the Interim Steering Committee:

- 11.5.1 Consider 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 (**Appendix A**).

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<sup>3</sup> OGP National Handbook “Rules + Guidance for Participants”.  
[https://www.opengovpartnership.org/wp-content/uploads/2024/04/OGP-National-Handbook\\_2024.pdf](https://www.opengovpartnership.org/wp-content/uploads/2024/04/OGP-National-Handbook_2024.pdf)

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

**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 OGP and is crucial to delivering collaborative open government reform.
- 3.8. Support the work of the Independent Reporting Mechanism (IRM).

**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**

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<sup>4</sup> 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>

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. However, the MSF members will be free to express themselves in any official language of their choice. Capacity will be progressively built to cater for other official languages in the OGP programme activities.

**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. The MSF will be coordinated and chaired by the Department of Public Service and Administration (DPSA) in South Africa.

7.1.2. 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 5<sup>th</sup> 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.<sup>5</sup>

**9. EFFECTIVE DATE OF THE MSF TERMS OF REFERENCE**

**9.1 Effective date**

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.

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<sup>5</sup> OGP Georgia Governance [https://ogp.gov.ge/upload/pages/38/FileManager/Eng\\_OGP-Council\\_Statute.pdf](https://ogp.gov.ge/upload/pages/38/FileManager/Eng_OGP-Council_Statute.pdf)