

10 February 2012

Simon Draper
Director United Nations, Human Rights, and Commonwealth Division
Ministry of Foreign Affairs and Trade

Invitation to join the Open Government Partnership

Summary

New Zealand has been invited to join the Open Government Partnership (OGP), a new multilateral initiative, co-chaired by the US and Brazil, that aims to promote transparency in government.

In December 2011 the New Zealand Embassy in Brazil attended the first working level meeting of OGP as an observer. The interagency Open Government, Information and Data Re-use Working Group is now evaluating whether the government's current work on improving openness in government can incorporate obligations we would take on in participating in OGP. A decision will need to be made on whether to pursue OGP membership as a priority for New Zealand, with potential impact on prioritisation of MFAT resources. 6(a)

Report

The Open Government Partnership (OGP) was launched on 20 September 2011 in New York, in the wings of the 66th United Nations General Assembly. OGP was founded with eight initial members (Brazil, Indonesia, Mexico, Norway, Philippines, South Africa, United Kingdom, and United States) who now form the OGP Steering Committee. At the launch, an additional 38 states committed to join the Partnership. New Zealand, like Australia, was unable to attend the launch due to our being informed of the meeting at a late stage.

2 OGP is co-chaired by the US and Brazil, and aims to "secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen government." Membership of OGP allows states access to the OGP Networking Mechanism, which facilitates the sharing of transparency and open government best practices, approaches, and technology.

3 Forty two countries have signaled their intention to join OGP since its establishment, including Canada, Netherlands, Korea, and Kenya. The US has put considerable effort into encouraging increased international participation in the Partnership, and considers it a mechanism to advance the current administration's "goals of strengthening democracy and human rights, fighting corruption, and harnessing technology and innovation to transform governance in the 21st century.

4 The goals and principles of OGP are in line with the commitment of the New Zealand Government to transparency and openness, as reiterated by the government's Declaration on Open and Transparent Government of 11 August 2011, and set out in the New Zealand Data and Information Management Principles adopted by Cabinet on 8 August 2011.

5 On 7 December post in Brasilia attended the first working level meeting of the OGP as an observer. Reporting from post (attached) noted that attendance was high from developing countries, who have prominent leadership roles in OGP. Post concluded there were benefits for New Zealand from joining OGP, but also possible significant resources implications, with impacts on the prioritization of Ministry effort.

6 Eligibility to join OGP is determined by comparing a country's openness and transparency against a range of criteria; New Zealand has been rated the highest possible score against the criteria, and has consequently been invited to join. Joining OGP is a multistage process, requiring the following steps:

1. Signal New Zealand's intent to participate in OGP by sending a letter to the OGP Steering Committee indicating our commitment to join
2. Prepare a national action plan on transparency and open government, with broad public consultation
3. Participate in peer consultation on an action plan with other OGP members
4. Publicly endorse the OGP Declaration of Principles (a copy of which is attached)
5. Publish a self-assessment report on progress twelve months after joining OGP, and cooperate with an independent reporting mechanism

7 The Open Government Cabinet Paper agreed in August 2011 (CAB Min(11) 29/12) established the Data and Information Re-use Chief Executives Steering Group as leading a work programme of guidance and advice to facilitate the implementation of the Declaration on Open and Transparent Government. This includes some collaboration with external stakeholders, building on their participation in designing the New Zealand Data and Information Management Principles. The Steering Group is made up of the Chief Executives of Land Information New Zealand, Ministry of Science and Innovation, Statistics New Zealand, Standards New Zealand, Department of Internal Affairs, and Ministry for the Environment.

8 It is possible the current New Zealand government initiatives on transparency and open government could include the initial steps required for OGP membership, and that planned work on the next stages of the wider New Zealand Open Government programme could be presented as New Zealand's future commitments to OGP. Work to compile and prepare the required action plan would be led by the Data and Information Re-use Chief Executives Steering Group, with the support of the officials level Open Government Information and Data Re-use Working Group.

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The ongoing resource implications of New Zealand joining OGP are currently being considered by officials on the Open Government Information and Data Re-use Working Group. As outlined in para 12 of Brasilia's report of the December meeting, there is a high level of expectations around members making strong new commitments for increasing openness in government; this would require a whole of government commitment. MFAT will need to consider the implication on its own prioritization and resources: OGP membership will require an initial commitment as the membership process is undertaken; and ongoing engagement by UNHC, and by posts in Washington and Brasilia.

9 OGP is funded by voluntary contributions; as such membership would not necessarily require a financial contribution from New Zealand, however there may be expectations placed upon New Zealand as a developed country member. Participation in future OGP meetings could, if required, be managed by posts Washington and Brasilia, where the meetings are expected to be held. There may be an opportunity for high-level participation at future OGP meeting, including the next meeting to be held in April 2012 in Brasilia.

10 There is some public interest in the OGP. Following the September launch Minister McCully received three ministerial letters inquiring as to why New Zealand was not a founding member. Transparency International New Zealand is in regular contact with UNHC, providing update on their perspective on the OGP, and seeking updates on New Zealand's consideration of membership.

11 There are risks that New Zealand's absence from OGP may become increasingly glaring as membership expands, especially given our existing reputation for transparency and openness in government.

12 The next meeting of the OGP in April presents a good opportunity for New Zealand to confirm its membership intentions. It is equally possible to seek to attend the meeting as an observer in order to gage the progress and value of OGP membership.

Recommendations

12 The question of New Zealand's membership of OGP is one of weighing the costs of engagement against risks of domestic and international criticism should New Zealand's absence become glaring. Membership appears likely to place considerable demands on agencies other than MFAT, and as such a final decision on membership will need to be made with inter-agency consultation. I recommend that UNHC:

- Maintain OGP as an overall low priority issue for UNHC, given existing priorities.
- Engage with the Open Government Information and Data Re-use Working Group and Data and Information Re-use Chief Executives Steering Group regarding the viability of New Zealand participating in OGP.

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- Prepare a ministerial submission on the question of OGP membership once the scope, costs, and risks of membership are understood.
- Seek post's participation in the April OGP meeting as an observer, if no decision has been made on membership by this time.

Finnian Cheshire
United Nations, Human Rights, and Commonwealth Division
10 February 2012

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OGP Membership

OGP Founding Members

Brazil
Indonesia
Mexico
Norway

Philippines
South Africa
United Kingdom
United States

Countries that have committed to join OGP

Albania
Armenia
Azerbaijan
Bulgaria
Canada
Chile
Colombia
Costa Rica
Croatia
Czech Republic
Denmark
Dominican Republic
El Salvador
Estonia
Georgia
Ghana
Greece
Guatemala
Honduras
Israel
Italy
Jordan

Kenya
Korea
Latvia
Liberia
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