THE 3RD SOUTH AFRICAN OPEN GOVERNMENT PARTNERSHIP COUNTRY ACTION PLAN, 2015-2017

1. INTRODUCTION

The development of South Africa's Open Government Partnership (OGP) occurs at a very unique phase in the country's post-apartheid democratic transition. At a national level, the political and electoral mandate of the fifth democratic administration focuses on the implementation of the National Development Plan (NDP) as a major driver for transformation and consolidation of democracy. The NDP was adopted in September 2012 as a vision for South Africa by 2030. Internationally, the process of developing a post-2015 Development Agenda resulted in the production of the Global Sustainable Development Goals (SDGs).

The 2030 Agenda for Sustainable Development establishes a set of global priorities to help eradicate extreme poverty and shift all countries toward inclusive, sustainable development. During the 70th Regular Session of the United Nations General Assembly that took place in September 2015, seventeen goals and a hundred and sixty-nine targets were formally adopted as a set of global priorities to help eradicate extreme poverty and shift all countries toward inclusive, sustainable development.

In support of the implementation of the 2030 Agenda, the OGP Steering Committee adopted a Declaration called *"The Open Government for the Implementation of the 2030 Agenda for Sustainable Development".* The Declaration outlines the importance of OGP's core values of transparency, accountability and citizen participation, as a foundation for the success of the 2030 Agenda. This Declaration, is further linked to Goal 16 of the SDGs, which aims to, "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels".

The principles and objectives of the OGP emphasise that successful Country Action Plans should focus on ambitious national open government priorities that are relevant to the values of transparency, accountability and public participation. These must also contain specific, time-bound and measureable commitments.

The OGP aims to promote ambitious open government reforms that stretch the government beyond its current state of practice, significantly improving the status quo by strengthening transparency, accountability and public participation in government. Countries may choose to initiate new open government initiatives in their action plans, or improve on existing, ongoing reforms. Countries are encouraged to show clear improvement from action plan to action plan. The focus of the OGP Country Action Plans should reflect:

- **Relevance:** Countries should ensure that each commitment included in the action plan is clearly advancing one or more of the following open government principles:
- **Transparency:** This includes publication of all government-held information (as opposed to only information on government activities); proactive or reactive releases of information;

mechanisms to strengthen the right to information; and open access to government information.

- **Accountability:** There are rules, regulations and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments. Commitments on accountability should typically include an answerability element, i.e. that they are not purely internal systems of accountability but involve the public.
- **Participation:** Governments seek to mobilize citizens to engage in a dialogue on government policies or programs, provide input or feedback, and make contributions that lead to more responsive, innovative and effective governance.
- **Technology and Innovation:** Governments embrace the importance of providing citizens with open access to technology, the role of new technologies in driving innovation, and the importance of increasing the capacity of citizens to use technology. E-government initiatives are welcome, but in order to be relevant to OGP, action plans should explain how these initiatives advance government transparency, accountability and/or public participation

The OGP principles, objectives, and focus, are in line with the 1995 White Paper on the Transformation of the Public Service and the South African Constitution. The White Paper emphasises that government:

- Provides quality public goods and services to all.
- Is geared towards development and eradicating poverty.
- Facilitates inclusive economic development and growth; and
- Is people-centred and people driven.

Section 195 sub-section (1) of Chapter 10 of the 1996 Constitution of the Republic of South Africa describes the principles under which the government should engage with citizens and provide services. These are:

- A high standard of professional ethics.
- Public administration must be development oriented.
- People's needs must be responded to and the public must be encouraged to participate in policy making.
- Public administration must be accountable; and
- Transparency must be fostered by providing the public with timely, accessible and accurate information.

During the past four years since South Africa joined the OGP there has always been a constant linkage between the priorities and objectives of the programme and governments programme.

The priorities of the current fifth administration are to accelerate growth, create decent work and promote investment in a competitive economy. This is a continuation of government's commitment towards the consolidation and sustenance of the post-apartheid democratic dispensation characterised by non-racialism, non-sexism, unity and prosperity.

As part of South Africa's attempts at reflection as a means of consolidation of democracy and development, the 2009-2014 administration published a Twenty Year Review that outlined progress that has been made since 1994.This review also identified challenges faced by the country's as it journeys towards realizing the constitutionally guaranteed right to an improved quality of life for all its citizens. Despite highlighting numerous achievements and progress South Africa has made since 1994, the Twenty Year Review also identified the persistent and stubborn challenges of poverty, inequality and unemployment that the government needed to address.

The fifth administration has unveiled a *Nine Point Plan* to ignite growth and create jobs. These include: increasing the energy pool and reserves; revitalizing agriculture and the agro-processing value chain; beneficiation of the minerals products; more effective implementation of a higher Impact Industrial Policy Action Plan; intensification of private sector investment; moderating work place conflict, unlocking the potential of SMMEs, cooperatives, township and rural enterprises; state reform, boosting the role of state owned companies, develop ICT infrastructure and roll out of broadband; reform, boost and diversify the economy by developing water, sanitation and transport infrastructure; and Operation Phakisa aimed at growing the ocean economy.

In implementing these priorities, government has developed a Medium Term Strategic Framework (MTSF) as a plan that set out targets for the implementation of the 2014-2019 electoral term mandate and commitments expressed in the nine point plan. This includes the commitment to implement the priorities of the National Development Plan. The MTSF also set out a framework for all the three spheres of government from national, provincial and local governments in order to improve delivery.

The MTSF focuses on building capacity for a competitive economy, creation of decent work opportunities and the encouragement of investment. This strategic framework forms part of the first five year building block towards the achievement of the 20 year NDP Vision 2030. The focus of the NDP is achieving radical socio-economic change through a capable and developmental state, a thriving business sector and strong civil society institutions with shared and complementary

responsibilities. It identifies decent work, education and the capacity of the as important priorities.

The 2014-2019 electoral mandate of the fifth administration focuses on the following priorities:

- Radical economic transformation, rapid economic growth and job creation
- Rural development, land and agrarian reform and food security
- Ensuring access to adequate human settlements and quality basic services
- Improving the quality of and expanding access to education and training
- Ensuring quality health care and social security for all citizens
- Fighting corruption and crime
- Contributing to a better Africa and a better world
- Social cohesion and nation-building.

The Mid-Year State of the Nation Address presented on 11 August 2015 by the President of the Republic, His Excellency Jacob Zuma, reflected on both programmes and challenges in the implementation of the mandate of the fifth administration.

2. OPEN GOVERNMENT EFFORTS TO DATE

Since September 2011, South Africa has been a member of the Open Government Partnership (OGP) initiative. National Action Plans are at the core of a country's participation in OGP. They are the product of a co-creation process in which government and civil society define ambitious commitments to foster transparency, accountability and public participation.

South Africa as the first cohort of the OGP countries developed and submitted its 1st Country Action Plan in September 2011. The South African government submitted a Self-Assessment report in April 2013 which looked at the progress of implementation of the OGP domestically. In July 2003 South Africa's progress on the implementation of the action plan was reviewed by the Independent Review Mechanism (IRM).

In developing the 2nd Country Action Plan comments made by the IRM on the 1st country action plan were taken into consideration. Mechanisms used to develop the 1st country action plan were further explored and built upon. The second country action plan was developed and implemented through hosting joint government and civil society forums. These were held in the various provinces namely Free State, Western Cape and Northern Cape. There were consultation with the Congress of Traditional Leaders of South Africa (CONTRALESA), South African National Civic Organization (SANCO), African Peer Review Mechanism National Governing Council (APRM NGC), and the South African National NGO Coalition (SANGOCO) were held to draft the 2nd Country Action Plan.

Furthermore, the advertisements on the inputs to the 2nd Country Action Plan were placed in various newspapers calling for citizen's submissions, whereby inputs were received from citizens as a result. In addition, the OGP programme formed a partnership with A Thousand Voices movement. This partnership with the NGO sector resulted in the shared hosting of a workshop on 18 November 2013 to consult on the draft plan, raise awareness about the OGP as well as to set the stage for popularising the plan. The Community Development Workers assisted with a citizen satisfaction survey was conducted and it contributed to the formulation of the draft action plan. It also created a more objective assessment of citizen satisfaction with government's performance under the OGP principles.

2.1. PROGRESS ON OGP 2nd NAP 7 COMMITMENTS

South Africa's 2nd Country Action Plan had the following commitments:

- Development and Implementation of an Accountability/Consequences Management Framework for Public Servants;
- Service Delivery Improvement Forums (SDIFs);
- Know Your Service Rights and Responsibilities Campaign;

- Develop a comprehensive and publicly accessible portal of environmental management information;
- Mainstream citizen participation in the Public Service;
- Development of an online crowd sourcing tool; and
- Schools connectivity.

The Country Self-Assessment Report revealed remarkable progress on the country's OGP commitments as well as challenges. These include, among others, challenges in fostering citizen participation due to a diversity of voices representing civil society, and time constraints in developing the NAP2 as stipulated in the OGP Articles of Governance.

On the other hand, the Independent Reporting Mechanism (IRM) highlighted lack of adequate civil society engagement in the OGP programme.

It is important to note that the process of the development of the 3rd NAP took cognisance of the recommendations made by the IRM report on the NAP2.

3. METHODOLOGY

During the production of the 3rd Country Action Plan, South Africa utilized a number complimentary methods to collect inputs. These included requesting inputs from government departments on commitments, undertaking community based consultations in various Provinces, conducting stakeholder workshops with civil society and using surveys in order to assess the level of citizen's satisfaction with the provision and delivery of services in accordance with the principles of the OGP that include Partnership, Accountability, Transparency, Anti-Corruption and Use of technology.

The survey and its results was further used to assess government's efforts in implementing OGP commitments. The survey was conducted during the month of September 2015 and covered the three Provinces of South Africa, namely, Mpumalanga, North West and Limpopo. In an effort to increase the reach and coverage, the survey was also published online. A total of 2 239 members of the public participation in the survey.

The survey was administered by the Community Development Workers (CDWs) based in the three Provinces. This was preceded by training on the instrument used for data collection. The CDWs were also briefly trained on basic research techniques to ensure effective engagement with the citizens and to improve data quality. The survey was household based and was administered on paper to 1 qualifying member of the household. The criteria for inclusion was that a citizen had to be over the age of 18 and will to participate in the survey.

A mixed methodology of both quantitative data collection methods was used as the main tool and focused groups served as a complimentary qualitative tool. The questionnaire was used to measure the level of importance citizens attached to the various OGP principles and the consequent level of satisfaction regarding government performance against the same principles. The total length of the questionnaire was 15 questions that were rated on Importance and Satisfaction on a 5 point Likert scale.

4. COMMITMENTS

COMMITMENT 1

Strengthening Citizen- Based Monitoring.

OVERVIEW

Supporting government departments in implanting Citizen- Based Monitoring: Department of Planning, Monitoring and Evaluation.

CHALLENGES

Routine accountability mechanisms, particularly at the point of service delivery, which are weak, with insufficient feedback from the community and frontline staff in the mechanisms for allocating resources and setting targets and measuring performance.

COMMITMENT 2

Open Budgeting.

OVERVIEW

Improving the Open Budgeting process by making information publicly available in an accessible platform allowing citizens to track government spending on commitments: National Treasury.

CHALLENGES

Active involvement of civil society in budgeting process as part of fiscal accountability.

COMMITMENT 3

Back to Basics Programme.

OVERVIEW

Promoting public confidence in local government by developing a tool kit for citizen engagement for local government and conducting annual citizen satisfaction surveys: Department of Cooperative Governance and Traditional Affairs.

CHALLENGES

A collapse in core municipal infrastructure services has resulted to services either not been promoted at all or at unacceptable low standards. Low rate of collection of revenue of municipalities. Social distance by public representatives is reflected in inadequate public participation and poorly functioning ward councillors and ward committees.

COMMITMENT 4

Development an integrated and publicly accessible portal for environmental management information.

OVERVIEW

Develop an integrated and publicly accessible portal for environmental management information: Department of Environmental Affairs.

CHALLENGES

This commitment addresses OGP value relevance with regards to access to information.

COMMITMENT 5

Land Cover Product.

OVERVIEW

Provision of the National Land Cover data for decision-making processes and to educate the public on data available and the trends of environmental degradation.

CHALLENGES

This development of the Land Cover data addresses transformation in the environmental sector through more effective service delivery, being transparent and inclusive, providing access to data for decision-making processes and provides the public with data that educates the public on data available and the trend of environmental degradation.

COMMITMENT 6

Development of Pilot Open Data Portal for South Africa

OVERVIEW

Piloting of an Open Data Portal for South Africa to make data already published by government availed to the public in an accessible format: Department of Public Service and Administration.

CHALLENGES

This commitment addresses OGP value relevance with regards to access to information and furthermore on access to raw data on issues of service delivery. As well as technology and innovation for transparency and accountability.

COMMITMENT 7

Roll-out Open Government Awareness Raising Campaign: Government Communications and Information Services.

OVERVIEW

Roll-out Open Government Awareness Raising Campaign: Government Communications and Information Services.

CHALLENGES

Low level of awareness in communities and the public regarding South Africa's obligations in the OGP. Need to communicate on the 3rd Country Action Plan commitments as well as provision of regular feedback to ensure citizen engagement in monitoring and delivery.

COMMITMENT 8

Implement South Africa's action plan on the G20 High Level Principles on Beneficial Ownership Transparency to improve the transparency of legal persons and arrangements in order to protect the integrity and transparency of the global financial system: Department of Public Service and Administration.

OVERVIEW

Establishment of an Inter-Departmental Committee responsible for developing, implementing and reporting on a Country Implementation/Action Plan. Development of the Country Implementation Plan in order to address challenge of transparency of legal persons and arrangements in the global financial system.

CHALLENGES

Attempt by G20 countries to prevent the misuse of and ensure transparency of legal persons and legal arrangements. Improve the transparency of legal persons and arrangements in order to protect the integrity and transparency of the global financial system.

5. CONCLUSION

The process followed in the preparation of South Africa's OGP 3rd Country Action Plan involved an extensive participatory and consultative process that ensured that all stakeholders involved in the programme were active drivers of the process and owners of its product.

The activities followed in the development of the NAP included public participation forums and engagements through Imbizo, stakeholder workshops and meetings with various government departments to solicit inputs and commitments.

South Africa's NAP illustrates a deep adherence to the OGP principles of ensuring new and innovative solutions to governance through its presentation of new commitments aimed at strengthening open government and improved service delivery. These commitments have a close link to most of the issues that were raised during public consultations, stakeholder engagements and Izimbizo across the Provinces. For example, the lack of education and health infrastructure in some Provincial districts was cited as a challenge in human settlements planning. This can be addressed with the development and utilization of Land Use Data in the planning and implementation phases. The same information will contribute to addressing some of the environmental challenges identified during consultations.

6. NATIONAL ACTION PLAN MATRIX

	COMMITMENT	INDICATOR	OGP PRINCIPLES	COORDINATING DEPARTMENTS/OFFICIALS
1.	Strengthening Citizen- Based Monitoring	CBM Reports	Civic Participation, Public Accountability, Technology, Innovation for Openness and Accountability	Department of Planning, Monitoring and Evaluation Mr. Jonathan Timm Director: Citizen-Based Monitoring
2.	Open Budgeting	Budget Data and Procurement Publications	Effectively Managing Public Resources through Access to information, public accountability, civic participation, and technology and innovation for openness and accountability	South African National Treasury Dr. Kay Brown Chief Director: Expenditure Planning
3.	Back to Basics Programme	B2B Programme Report	Access to information, public accountability, civic participation, and technology and innovation for openness and accountability	Department of Cooperative Governance and Traditional Affairs Ms. Gigi Gosnell Chief Director: Office of the Director-General
4.	Development an integrated and publicly accessible portal for environmental management information	Environmental Management Portal	Harness the power of technology to increase access to information and service delivery planning	Department of Environmental Affairs Mr. Deon Marais Chief GISc Professional National DEA
5.	National Land Cover	National Land Cover Product 2020	Harness the power of technology to increase access to information and service delivery planning	Department of Environmental Affairs Mr. Deon Marais Deputy Director
6.	Development of	National Open	Harness the	Department of Public Service and

	Pilot Open Data Portal for South Africa	Data Portal	power of technology to increase access to information and service delivery planning	Administration Mr Zaid Aboobaker Chief Director: E-Enablement, Office of the Government CIO
7.	Roll-out Open Government Awareness Raising Campaign: Government Communications and Information Services.	Awareness Raising Campaign Reports	Effectively Managing Public Resources through Access to information, public accountability, civic participation, and technology and innovation for openness and accountability	Government Communication Information System (GCIS) Mr. Donald Liphoko
8.	Implement South Africa's action plan on the G20 High Level Principles on Beneficial Ownership Transparency to improve the transparency of legal persons and arrangements in order to protect the integrity and transparency of the global financial system: Department of Public Service and Administration.	Country Implementation Plan	Effectively Managing Public Resources through Access to information, public accountability, civic participation, and technology and innovation for openness and accountability	Department of Public Service and Administration Mr Kenny Govender Deputy Director-General Governance