

**Proposal to amend the policy on who can become an OGP member
Endorsed by the Governance & Leadership Subcommittee on March 2, 2023**

For approval of the OGP Steering Committee by March 20, 2023

Goal 1.1 of the [Strategy](#) states that OGP will support and incentivize open government progress in non-member countries, and that the Steering Committee “will decide on specific options for participation for countries that are not universally recognized. At the local level, membership options for local jurisdictions from non-member countries will be developed.”

To this end, the GL Subcommittee has endorsed the following proposal to widen the umbrella of who can become an OGP member. **This is now being tabled for approval by the full Steering Committee on a no-objection basis by its next meeting on March 20, 2023.** Given the limited time available during the March 20 meeting, we kindly request that any questions or concerns be raised in advance of the meeting by contacting jaime.mercado@opengovpartnership.org and paul.maassen@opengovpartnership.org

Status Quo:

Non-universally recognized applicants (NURA) are currently not eligible to become members of the Open Government Partnership (OGP).

For purposes of OGP membership, “non-universally recognized states” refers to countries who are not [members of the United Nations](#). The definition of [UN membership](#), and the process for a Government or State to obtain such recognition, is governed by the Charter of the United Nations. OGP does not have the authority to recognize either a State or a Government.

Any changes to the current policy fall under the purview of the OGP Steering Committee (see additional background on NURA policy in the annex below).

Proposed amendments [endorsed by GL on March 2]:

Any State that is a member of the [United Nations](#) or any [Specialized Agency](#) of the United Nations, without prejudice to its international recognition status, shall be able to become an OGP member by adhering to the terms for participation outlined in the Articles of Governance. Jurisdictions that do not fall under these two categories, but that are members of a major intergovernmental organization or forum, may participate in OGP as affiliates. Local jurisdictions from OGP member countries, or from eligible non-member countries, may participate in OGP Local.

Membership in the United Nations and its Specialized Agencies are governed by the Charter of the United Nations and by the respective specialized agencies. OGP does not possess the authority to recognize either a State or a Government.



Affiliates and OGP members that are not universally recognized, as determined by UN membership, are not eligible to run for the OGP Steering Committee or vote in the selection of its members. Participation in OGP does not constitute support and/or recognition of a State's international status, nor shall it affect the individual position of any OGP participant in this regard.

ENDS

Other considerations:

- Any State that wishes to join OGP, regardless of international recognition, must adhere to the [eligibility criteria](#) and process to join outlined in the Articles of Governance, which includes:
 - Meeting the Core Eligibility criteria and pass the OGP Values Check (the onus is on the prospective member to provide evidence of meeting the eligibility criteria if it is not covered under the datasets used to measure OGP eligibility)
 - Submitting a letter of intent and committing to uphold the principles of open and transparent government by endorsing the Open Government Declaration.
 - Developing and implementing an Action Plan in line with to OGP standards
- NURA that join OGP, either as non-voting member or affiliate, would be listed as such on the OGP website.
- With the exception of being able to run and/or vote in Steering Committee elections, non-voting members and affiliates would be held accountable to the same participation requirements (e.g. paying country contributions, meeting standards, timelines, upholding OGP values, etc.) and receive the same benefits and services offered to all other national members.
- All members (voting, non-voting, and affiliates) may be subject to OGP response mechanisms, including the Procedural Review, Rapid Response Protocol, and the Response Policy.



Annex 1. Background on Non-Universally Recognized Applicants' participation in OGP

In January 2014, the Governance & Leadership Subcommittee drafted language to clarify OGP's policy in responding to letters of intent submitted by territories whose status is disputed (meeting [minutes](#)).

At its May 2014 meeting, the OGP Steering Committee considered a policy proposal to address interest in joining OGP by governments not formally recognized by the UN. The SC was unable to reach consensus on the proposed language by GL. The US government volunteered to bring together MFA representatives to finalize a proposal to be then circulated to the full SC for approval (meeting [minutes](#)).

At its September 2014 meeting, the US government provided an update on their efforts to develop a proposed action on non-universally recognized applicants. While a number of SC governments had endorsed the proposed language, not all government members had provided a response to the US proposal. A new deadline of October 24, 2014 was given to all SC governments to consult with their MFAs (meeting [minutes](#)).

In April 2015, due to lack of consensus, the SC mandated GL to identify appropriate next steps for OGP to respond to NURA (current and future). SC members noted there were other ways of engaging these applicants, including through peer exchange, civil society outreach and inclusion in OGP events (meeting [minutes](#)).

In July 2015/January 2016, GL responded to letters of interest to join OGP, upholding that NURA are not eligible to become OGP members without a full Steering Committee agreement on a change of policy.

The Support Unit has encouraged NURA to develop open government action plans and employ methodologies that mirror that of the Independent Reporting Mechanism (IRM) to assess progress on such reforms. The Support Unit has shared guidance and resources with government and civil society actors to aid in the co-creation process. However, non-members, regardless of international recognition status, are not permitted to use the OGP brand and name.

In addition, OGP peer learning activities are open to all, regardless of membership status. In the past years, government and civil society representatives from NURA States have participated in OGP events, including regional meetings and global summits. For participation in OGP events it is up to the host country to decide on the rules governing participation, including that of States with disputed status.

