

Rapid Response Protocol

Endorsed by the OGP Steering Committee
September 29, 2020

NOTE: The Rapid Response Protocol replaces the former Rapid Response Mechanism.

I. Preamble

The purpose of the Rapid Response Protocol (RRP) is to provide a framework for the Open Government Partnership (OGP) to respond swiftly to situations, within the scope of this policy, where OGP core values as stated in the Open Government Declaration and in the OGP's Articles of Governance are not being observed in OGP countries.

The RRP is intended to fill the gap between the ongoing support provided to all OGP stakeholders, and invoking the full [OGP Response Policy](#), in order to help restore substantive dialogue between in-country stakeholders that may have stalled due to violations of OGP core values.

Furthermore, the RRP is only intended for cases where a rapid intervention is needed, and applies in exceptional circumstances when an OGP participating country appears to be taking actions that undermine the values and principles of OGP in a way that demonstrates an egregious and blatant disregard for those values and principles.

The RRP is not intended to replace the Response Policy, nor supersede other existing mechanisms (see appendix for a list of these), or the terms or conditions set forth in the OGP [Articles of Governance](#). The RRP, and the actions derived from its implementation, are not intended to be punitive in nature. It prioritizes the facilitation of dialogue aimed at resolving issues of concern while upholding the values and principles of the OGP.

II. Submitting a Rapid Response Request

A. Criteria for submitting a Rapid Response Request

To trigger the Rapid Response Protocol, the situation must fulfill the following criteria:

1. There are allegations of serious violations¹ of OGP core values by an OGP participant (involving the exposure of the violation, the passage of a rule or regulation, or a specific action that has an immediate negative impact in the country or local jurisdiction in question), and

¹ As outlined in Section IV of the Response Policy "Types of Issues that May Form a Relevant Concern" are the kinds of issues that have the potential to be sufficiently damaging to OGP values and principles which include, but are not limited to, the introduction of new or revised policies, practices or actions that significantly reduce any of the following: (a) access to information for citizens and civil society; (b) the space for non-governmental organizations to work independently, voice critiques, and/or receive funding from domestic or international sources (e.g. new NGO laws); (c) enjoyment of fundamental freedoms, notably freedom of expression and peaceful assembly, and association; and/or (d) online or offline media freedom, or media ownership and independence.



2. A response required is urgent in nature, meaning that the concern cannot or will not be addressed in the near term (within three months) by the IRM, Procedural Review or the Response Policy, and
 - a. a swift response on behalf of OGP could have a material impact on the situation in question, or
 - b. the lack of a swift response on behalf of OGP could place the credibility of the Partnership at risk.

B. Who may submit a Rapid Response Request?

A Rapid Response Request may be submitted by:

1. A Government or Civil Society member of the OGP Steering Committee.
2. Any civil society organization, national or international, (other than an individual acting on their own behalf)
 - a. which is, or has been, involved in OGP at the national or international level, and
 - b. is operating in the country or local jurisdiction that is the subject of the concern.

C. Contents of a Rapid Response Request

All requests should include the following information:

1. A description of the persons or entities filing the request “filer(s)”;
2. Information regarding the filer’s activities or involvement in OGP at the local, national or international level;
3. A description, or explanation, of the practices, or conduct, giving rise to the request and how they violate OGP values, providing as much detail as possible, including the date or time period of the conduct, the location of the conduct, and the persons or entities involved;
4. The source(s) of all information submitted in support of the request, including copies of relevant documents, audio or video recordings.

All Rapid Response Requests should be sent to info@opengovpartnership.org.

III. Process for responding to a Rapid Response Request

A. Initial assessment by the Support Unit - within two working days after request is received

1. The Support Unit will acknowledge the receipt of the Rapid Response Request with the filer(s) and conduct an initial assessment to determine whether it represents a credible request and meets the eligibility criteria outlined in Section II above.



2. If the requirements are not met, the Support Unit will notify the filer(s) and the Steering Committee. The Rapid Response Request will then be considered closed.
3. If the requirements are met,
 - a. the Support Unit will notify the Steering Committee that a response is warranted. This information will also be made public via the OGP website in line with the guidelines outlined below, and
 - b. The Support Unit will notify the filer(s) of the request and invite the subject of the request to provide a formal response within five working days.
 - c. The subject of the request may or may not choose to provide a formal response. Responses received within five working days will be considered when developing the response strategy (section III.B below). Responses received after five working days, but within 15 working days will be welcomed, and considered in the development of the strategy where possible. If this response changes the situation in a way amenable to the requesting party, the Support Unit will inform the Steering Committee and the RRP will be closed.

B. Strategy development - within five working days after initial assessment (Section III.A)

1. The Support Unit will develop a response strategy to address the situation of concern. This strategy will be composed of:
 - a. a number of actions deemed necessary to address the complexity and specificity of the issues raised;
 - b. a limited period of time deemed sufficient to complete the actions (maximum of three months).
2. The strategy may involve the following actions, listed here in no particular order or hierarchy:
 - a. CEO statement (in line with provision set out in Article III.C.2 of the Articles of Governance)
 - b. Fact finding initiatives
 - c. External consultation and discussion to propose a way forward
 - d. Diplomatic outreach
 - e. Brokering dialogue between the parties involved
 - f. Recommendation for the appointment of envoys for outreach by the Steering Committee
 - g. Recommendation for a full Response Policy to be filed to adequately address the concerns

C. Strategy communication to the Steering Committee - within three working days after strategy development (Section III.B)

1. The Support Unit will share the strategy developed (Section III.B) with the Steering Committee for information and comment. The Steering Committee will have five working days to suggest new actions or improvements of the strategy and the



proposed timeline. The Support Unit will take due consideration of the Steering Committee suggestions.

2. In addition to the Support Unit actions carried out as part of the strategy referred to in Section III.B.2, (a subset of) the Steering Committee may choose to develop a complementary statement to support and/or reinforce the Support Unit strategy. The scope and contents of such a statement would fall within the purview of the signatories.

D. Closing of the Rapid Response Request

1. Once the strategy has been defined, the protocol for the Rapid Response Request will be closed, and the implementation of the strategy will begin.

IV. Implementing the Response Strategy

- A. The Support Unit and the relevant OGP partners will start the actions defined in the strategy within a reasonable time depending on the agreed upon work plan and timeline (if applicable) for addressing the particular situation (not to exceed three months).
- B. The Support Unit will regularly inform the Criteria & Standards Subcommittee and the filer(s) of the progress and will attempt to solicit feedback from the subject throughout the implementation of the strategy.
- C. After completing the strategy, the Support Unit will report to the Criteria & Standards Subcommittee about the situation. If the Support Unit concludes, with input from the filer(s) and the subject of the RRP case in question, that the issue has not been adequately addressed within the defined period of time (up to three months), the Support Unit will recommend to the filer(s) to apply other existing OGP response mechanisms (see the Appendix for a complete list), as such issues would require a longer-term response to be adequately addressed.

V. Disclosure Policy

- A. To the greatest extent possible, and consistent with the need to make adjustments to protect all parties involved as determined by the Rapid Response Request, the process will be carried out in accordance with OGP's Disclosure Policy. This means that requests, acknowledgements, and strategies will be available in a dedicated section of the OGP website.

VI. Review and learning

- A. After one year of implementation of this policy, the Support Unit will provide an assessment of, and propose revisions to, the Rapid Response Protocol as an additional means of OGP response and support for the Steering Committee's consideration.

