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RE: Submission of the Open Government Coalition, Government Ethics Coalition, and Money in Politics Coalition (all coordinated by Democracy Watch) to the Government of Canada's consultation on open government issues, and for its Action Plan as part of its application for membership in the international Open Government Partnership (OGP)

January 16, 2012

To Treasury Board Minister Tony Clement and the Cabinet of the Government of Canada:

In the Government of Canada's March 2011 Backgrounder on Open Government -- <http://www.open.gc.ca/media/ogbg-digo-eng.asp> -- the clear attempt is made to limit the definition of "open government" to, essentially, "open data" and to, therefore, limit the government's agenda to a few open data changes. The Government's Open Government website -- <http://www.open.gc.ca> -- is similarly limited.

However, publishing more federal government datasets in open formats online, publishing summaries of completed requests under the *Access to Information Act*, and maintaining the Consulting with Canadians website that was established in 2004 and lists public consultations, are actions that do nothing to solve the following ongoing federal government secrecy and ethics problems (all of which the government is required to commit to solving in order to be a member of the international Open Government Partnership):

- excessive secrecy is legal because of loopholes in the federal *Access to Information Act*, and lack of powers of the Information Commissioner;
- Cabinet ministers, their staff, senior government appointees and officials, MPs and senators, and their staff, are all allowed to take part in decisions that affect their secret personal, financial, interests because of loopholes in the *Conflict of Interest Act*, and in the House of Commons and Senate ethics codes, and weak enforcement of the *Act* and codes by the Conflict of Interest and Ethics Commissioner, and Senate Ethics Officer;
- Cabinet ministers and parliamentary secretaries are allowed to hire each others' family members as staff or advisers and are allowed to intervene in the handing out of contracts to their family members by government institutions, because of loopholes in the *Conflict of Interest Act*;

- secret, unethical lobbying is legal (including by Cabinet ministers and senior government officials the day after they leave office) because of loopholes in the federal *Lobbying Act* and weak enforcement of the *Act* by the Commissioner of Lobbying, RCMP and Crown prosecutors, and weak enforcement of the *Lobbyists' Code of Conduct* by the Commissioner of Lobbying;
- Secret, unlimited donations and loans to nomination race and party leadership race candidates are legal because of loopholes in the *Conflict of Interest Act*, the *Canada Elections Act*, and the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*.
- sole source contracts are legal under the *Financial Administration Act*, and enforcement of that *Act* and Treasury Board policies is weak because the frontline enforcers are senior public servants who are in a conflict of interest as they are enforcing rules that apply to themselves and people they supervise;
- dishonesty in government budgets and spending statements is legal because of weaknesses in the independence, mandate and powers of the Parliamentary Budget Officer;
- protection of public servants who disclose wrongdoing (whistleblowers) is very weak because of loopholes in the *Public Servants Disclosure Protection Act* and weak enforcement by the Treasury Board and the Public Sector Integrity Commissioner, and;
- government institutions regularly violate the Treasury Board policies entitled the *Voluntary Sector Code of Good Practice on Policy Dialogue*, and the *Voluntary Sector Code of Good Practice in Funding* (Set out at: <http://www.tbs-sct.gc.ca/pol/index-eng.aspx?l=V>).

The federal government's current very limited open data agenda is completely inadequate to meet the requirements of being a member in the Open Government Partnership (OGP), which the government committed to joining in a September 19, 2011 letter from Minister John Baird to Hillary Clinton.

In order to fulfill the OGP membership requirements, and in order to be an actual open government agenda (instead of just a limited open data agenda), the Government of Canada's current agenda must be expanded to close the loopholes and correct the flaws in, and strengthen the enforcement of, the laws and policies listed above.

It should also be noted that the Government of Canada failed to keep its OGP commitments (set out at: <http://www.opengovpartnership.org/consultation>) to give advance notice to the public of a broad public consultation on the OGP process; to undertake OGP awareness-raising activities to increase participation in the consultation; to initiate public consultation using a variety of methods (online, in-person meetings) soon after signing on to OGP in September, and; to use the results of that consultation to prepare and make public a draft action plan for the December 7-8, 2011 OGP meeting in Brasilia, Brazil.

Instead, the government finally initiated an online public consultation without any advance notice or advance awareness-raising activities on December 6, with submissions due by today, January 16. Given how busy many people are during the holiday season, and how many organizations of all types close their offices for a holiday period, the government chose one of

the worst times of the year to consult with Canadians. As well, there is no evidence that the federal government has held any in-person meetings with civil society and private sector groups as part of the public consultation, which is also required by the OGP

Beyond consulting broadly before drafting an action plan, the Open Government Partnership (OGP) requires participating governments to go much further than a few open data changes, and to sign on to the Open Government Declaration (set out at: <http://www.opengovpartnership.org/open-government-declaration>) that commits them to uphold the value of openness in their engagement with citizens to improve services, manage public resources, promote innovation, and to create safer communities, and to embrace principles of transparency and open government with a view toward achieving greater prosperity, well-being, and human dignity.

OGP member governments are required to meet OGP commitments set out in the Declaration by including in their final OGP Action Plan (which is due April 9, 2012 for the April 16-18, 2012 first annual OGP meeting in Brasilia) clear, significant, measurable changes that will be made, benchmarks of change, and timelines for implementing the changes over a following two-year period, in the following areas A to D set out below.

The OGP Declaration requires member governments
A. To increase the availability of information about governmental activities:

- to strengthen their commitment to promote transparency, fight corruption, empower citizens, and harness the power of new technologies to make government more effective and accountable;
- to systematically collect and publish data on government spending and performance for essential public services and activities;
- to pro-actively provide high-value information, including raw data, in a timely manner, in formats that the public can easily locate, understand and use, and in formats that facilitate reuse;
- to provide access to effective remedies when information or the corresponding records are improperly withheld, including through effective oversight of the recourse process;
- to establish open standards to promote civil society access to public data, as well as to facilitate the interoperability of government information systems;
- to seek feedback from the public to identify the information of greatest value to them, and to take such feedback into account to the maximum extent possible;

CHANGE #1 needed to fulfill OGP open data requirements – Disclose how many datasets will be published by specific date(s) through the two-year period

While the federal Canadian government's current open data plan set outs changes in the areas of publishing data, including raw data, it does not set out required benchmarks and timelines. The only commitment made in the March 2011 Backgrounder on Open Government is that: "All departments and agencies are expected to help advance our commitment to open data and will work diligently to publish more Government datasets online."

The March 2011 Backgrounder on the Open Data Portal (<http://www.open.gc.ca/media/dbg-dfi-eng.asp>) states that over a "12-month period" (ie. until March 2012), the Government will "increase the number of datasets available to users and the

number of participating departments." The OGP Action Plan is required to begin in April 2012 and continue for two years, so none of the open data initiatives that have been undertaken to date can be included in the Plan's commitments.

In order to be a member of OGP, and in order to have a credible plan that is more than just spin, the federal government must first disclose publicly in its OGP Action Plan exactly how many datasets it will publish online, and by what dates, through the two-year Action Plan period that begins in April 2012.

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The Government of Canada's current open information activities (Set out at: <http://www.open.gc.ca/open-ouvert/information-eng.asp>) are made up mainly of undertakings that have been ongoing for several years (namely the Government-Wide Reporting initiative (begun in 2004) to disclose travel and hospitality expenses, contracts, grants and contributions, and reclassifications of employee positions (Set out at: <http://www.tbs-sct.gc.ca/pd-dp/gr-rg/index-eng.asp>), and Access to Information Act Bulletins (begun in 1997 – set out at: <http://www.infosource.gc.ca/bulletin/bulletin-eng.asp>).

Even the Government of Canada's supposedly new open information initiatives are old – a requirement that federal government institutions disclose online summaries of completed access to information requests (Set out at: <http://www.open.gc.ca/open-ouvert/ati-aai-eng.asp>) replicates and re-launches a database of already-released public information that used to exist and that the federal Conservatives discontinued a few years ago. And a requirement that federal government institutions disclose online their financial and non-financial planning and performance reports (Set out at: <http://www.tbs-sct.gc.ca/tbs-sct/audience-auditoire/parliamentarian-parlementaire-eng.asp>) only puts online reports that have been made public via tabling in Parliament for decades.

As well, these activities are ongoing and were launched in 2011 or past years, and as a result cannot be included as commitments in the federal government's OGP Action Plan which begins April 2012 and runs for two years.

CHANGE #2 needed to fulfill OGP open government requirements – Strengthen *Access to Information Act* and information management and access enforcement system in key ways

To fulfill OGP requirements, the Government of Canada must make commitments in its OGP Action Plan that set out measurable changes, benchmarks and timelines (as required in the OGP Declaration) to strengthen the "commitment to promote transparency", and "to provide access to effective remedies when information or the corresponding records are improperly withheld" and to "facilitate the interoperability of government information systems."

These requirements must be fulfilled by the Canadian federal government by committing in its two-year OGP Action Plan in April 2012 to introduce a government bill, and to enact the bill into law during the following two years, that contains the measures promised in the Conservatives' 2006 election platform to strengthen the *Access to Information Act* and enforcement system.

As the Conservatives promised in 2006, the bill must make the necessary changes to require all government and government-funded institutions to create records detailing all their actions and decisions (as in the UK, U.S., Australia and New Zealand), and to give the Information Commissioner the power to order the disclosure of any record (as in the UK, B.C., Ontario and Quebec), especially if it is in the public interest and would not cause any actual harm to anyone or any organization (as in B.C. and Alberta). In addition, the bill must also give the

Information Commissioner the powers to limit extensions and to issue orders that would resolve disputes over search fees and delays, and to fine violators of the *Act*, as well as to require systemic changes by government institutions to improve access (as in the UK).

B. The OGP Declaration also requires member governments:
To implement the highest standards of professional integrity throughout their administration

- to have robust anti-corruption policies, mechanisms and practices, ensuring transparency in the management of public finances and government purchasing, and strengthening the rule of law;
- to maintain or establish a legal framework to make public information on the income and assets of national, high ranking public officials;
- to enact and implement rules that protect whistleblowers;
- to make information regarding the activities and effectiveness of anticorruption prevention and enforcement bodies, as well as the procedures for recourse to such bodies, available to the public, respecting the confidentiality of specific law enforcement information;
- to increase deterrents against bribery and other forms of corruption in the public and private sectors, as well as to share information and expertise.

The federal government's current open government plans do not address any of these requirements.

To fulfill the OGP requirements of implementing the highest standards of professional integrity, and have robust anti-corruption policies, mechanisms and practices, and to increase deterrents against various forms of corruption, the federal government must make the following changes (NOTE: To see a summary list of the loopholes and flaws in ethics and lobbying laws that the following recommendations are aimed at closing, please view the Democracy Watch news release at: <http://www.dwatch.ca/camp/RelsMay3110.html> and for another summary, as well as more details, see Democracy Watch's submissions to the Oliphant Inquiry at: < http://www.dwatch.ca/camp/RelsJul3109.html>):

CHANGE #3 needed to fulfill OGP integrity requirements – Establish independent Public Appointment Commission to ensure Cabinet appointments are merit based

The Government of Canada must commit in its two-year OGP Action Plan to, finally, keep the Conservatives' 2006 election promise to establish an independent Public Appointments Commission (as set out in section 1.1 of the *Salaries Act*) to help end patronage and cronyism by ensuring Cabinet appointments are publicly advertised and merit-based.

CHANGE #4 needed to fulfill OGP integrity requirements – Add requirements for Cabinet ministers and senior government officials to be honest, avoid apparent conflicts of interest, and act ethically, to the *Conflict of Interest Act*

The Government of Canada must commit in its two-year OGP Action Plan to take the specific rules (not the overly general rules) in Section IV.1 and Annex A: Ethical and Political Activity Guidelines and Annex B: Fundraising and Dealing with Lobbyists set out in the *Accountable Government: Guide for Ministers and Ministers of State-2011* and add them to the

Conflict of Interest Act through a government bill that must be passed during the two-year period.

These specific rules, which were in the *Conflict of Interest and Post-Employment Code for Public Office Holders* (which was replaced in 2007 by the *Act*) are currently ignored by Prime Minister Harper (who enforces the rules in the *Guide*) whenever a Cabinet minister violates them. Prime Minister Harper ignores the rules even though, in his Message at the beginning of the *Guide*, he states that Cabinet ministers must act "with complete integrity" and even though members of Cabinet are required to certify that they will comply with these rules, and even though Section IV of the Guide states "The Prime Minister holds Ministers, Ministers of State and Parliamentary Secretaries to the highest standards of conduct for all their actions, including those that are not directly related to their official functions."

Past prime ministers also ignored the rules.

Currently, under the *Act*, Cabinet ministers, their staff, Cabinet appointees and senior government officials are allowed to be dishonest; to take part in decision-making processes in which they, their family members or friends have a personal interest (financial or otherwise – because of the huge "general application" loophole in the *Act*'s section 2 definition of "private interest"); to use government property for personal purposes, and; to take part in political activities and relations with lobbyists that taint their decisions. These clearly unethical activities are allowed in part because of loopholes in the *Act*, and also because of negligently weak enforcement by the Conflict of Interest and Ethics Commissioner.

As a result of Prime Minister Harper's and past prime ministers' failure to enforce these key good government rules, and to close loopholes in the *Conflict of Interest Act*, the *Accountable Government Guide* rules must be added to the *Act* so that Cabinet ministers, their staff, and Cabinet appointees (including senior government officials) are effectively prohibited:

- from being dishonest;
- from taking part in decision-making processes in which they have an apparent or potential conflict of interest because of their personal interests (financial or otherwise), or the personal interests of their family members, friends or close associates (NOTE: The Oliphant Commission recommended a prohibition on being in an apparent conflict of interest));
- from using government property of any kind, including offices, directly or indirectly for other than officially approved activities, especially not for political purposes;
- from participating in political activities (including fundraising) that might reasonably be seen to be incompatible with the public office holder's duties, to impair his or her ability to discharge his or her public duties in a politically impartial fashion, or that would cast doubt on the integrity or impartiality of the office;
- from violating the spirit and/or intent (not just the technical requirements) of any law, regulation, code, policy or guideline that applies to them, and;
- from even appearing to give preferential treatment to anyone, or any organization, because of their financial support (through donations or otherwise) of any politician or political party.

CHANGE #5 needed to fulfill OGP integrity requirements – Apply *Conflict of Interest Act* to judges, military judges and heads of missions

The Government of Canada must commit in its two-year OGP Action Plan to change the definition of "public office holder" in the *Conflict of Interest Act* to include judges, military

judges, and heads of missions (ambassadors etc.). There is no good reason to exclude these public office holders from the requirements of the *Act*. At the very least, the laws that govern these public office holders must be changed to add the key measures from the *Act* to ensure that they are required to avoid conflicts of interest.

CHANGE #6 needed to fulfill OGP open government and integrity requirements – Apply *Conflict of Interest Act*'s asset/liability reporting requirements to part-time ministerial staff and all Cabinet appointees

The Government of Canada must commit in its two-year OGP Action Plan to close the loophole in the *Conflict of Interest Act* (in the section 2 definition of "reporting public office holder") that means a person hire to work part-time (less than 15 hours per week) for a Cabinet minister is not required to disclose their assets and liabilities to the Conflict of Interest and Ethics Commissioner, and the public.

In addition, in her usual negligently weak enforcement of the *Act*, Ethics Commissioner Mary Dawson in one of her first decisions decided that only appointees of the full Cabinet were covered by the "reporting" definition in section 2 of the *Act*, not appointees of one or a few Cabinet ministers. As a result, the definition must be expanded to clearly include all Cabinet appointees, whether they work part-time or full-time, no matter how they are appointed.

All Cabinet staff and appointees must be required to comply with all of the measures in the *Act*.

CHANGE #7 needed to fulfill OGP integrity requirements – Prohibit blind trusts, and require divestment, by public office holders of all assets that conflict with their duties

The Government of Canada must commit in its two-year OGP Action Plan to delete the measures in sections 20 and 27 of the *Conflict of Interest Act* that allow Cabinet ministers, their staff, Cabinet appointees and senior government officials to put any of their controlled assets (stocks, bonds and related products) in a so-called "blind trust" instead of divesting them, and that allow them to hold those, and other investment products, in secret.

There is no such thing as an effective blind trust because public office holders are allowed to choose their trustee; it is highly unlikely that the trustee will make any changes to the holdings in a trust, and; as a result the public office holder always knows what assets they hold in the trust and, therefore, is always in a conflict of interest when making decisions that affect their assets. In addition, it is impossible to monitor whether a public office holder communicates with the trustee. Finally, controlled assets are not required to be disclosed publicly.

In addition, "exempt assets" that do not have to be disclosed or divested under the *Act* include the vaguely defined "20(g) registered retirement savings plans and registered education savings plans that are not self-administered or self-directed; (h) investments in open-ended mutual funds . . . (*k*) annuities and life insurance policies; (*l*) pension rights; (*m*) money owed by a previous employer, client or partner; . . . (*p*) self-administered or self-directed registered retirement savings plans, registered education savings plans and registered retirement income funds composed exclusively of assets that would be considered exempt if held outside the plan or fund; and (*q*) investments in limited partnerships that are not traded publicly and whose assets are exempt assets."

If any of these investments include business stocks or bonds (or other similar business investment products), they can easily create conflicts of interest for a public office holder.

To ensure public office holders' private interests do not taint their decision-making processes, the *Act* must be changed to prohibit blind trusts, and to require public office holders to divest (sell) all assets that cause conflicts of interest for them. If the federal government refuses

to make this change, it must, at the very least, require public disclosure of all controlled assets at the time they are placed in a blind trust, and public disclosure of exempt assets that are business investments of any kind, so that the public can monitor and ensure that public office holders are not taking part in decision-making processes in which they or their family members have financial interests.

CHANGE #8 needed to fulfill OGP integrity requirements – Require public disclosure under the *Conflict of Interest Act* of loans (assets) and liabilities worth more than $1,000

The Government of Canada must commit in its two-year OGP Action Plan to decrease in the Conflict of Interest Act the disclosure threshold for loans owed to a public office holder, or the office holders' liabilities, from the current level of $10,000 down to $1,000 (under subsections 20(n) and (o) and section 25(3). Under the *Canada Elections Act*, donations are limited to $1,100 annually, and that limit establishes the principle that amounts above that can have undue influence on politicians.

As a result, public disclosure should be required of any assets (other than personal exempt assets) or liabilities worth more than $1,000, so that the public can monitor and ensure that public office holders' assets and liabilities do not have undue influence on their decisions.

CHANGE #9 needed to fulfill OGP integrity requirements – Prohibit members of Cabinet from hiring each others' family members, and from influencing the handing out of contracts

The Government of Canada must commit in its two-year OGP Action Plan to delete the measures in the *Conflict of Interest Act* that allow Cabinet ministers, ministers of state, and parliamentary secretaries to hire each others' family members as ministerial staff or advisers (subsection 14(5)) and that allow them to intervene in the handing out of contracts to their family members by government institutions as long as the contract is offered "on the same terms and conditions as to the general public" (subsection 14(6)).

CHANGE #10 needed to fulfill OGP open government and integrity requirements – Require disclosure under the *Conflict of Interest Act* of any gift(s) received annually with total value of $1,000 or more to the Ethics Commissioner, including gifts from relatives and friends

The Government of Canada must commit in its two-year OGP Action Plan to close the loophole in the *Conflict of Interest Act* (in clause 11(2)(b), section 23, and section 25(5)) that allows relatives and friends to give secret gifts to Cabinet ministers, their staff, Cabinet appointees and senior government officials. These people must be required to disclose publicly any gift(s) received during any year from anyone that total more than $1,000 in value.

CHANGE #11 needed to fulfill OGP open government and integrity requirements – Require members of Cabinet and senior government officials to disclose all types of offers of all types of work to the Ethics Commissioner

The Government of Canada must commit in its two-year OGP Action Plan to changing section 24(1) of the *Conflict of Interest Act* to define "offers of employment" to include all types of offers (from speculative to firm offers) of all types of work (jobs, contracts, appointments) to the Ethics Commissioner. This change was recommended by the Oliphant Commission.

CHANGE #12 needed to fulfill OGP open government and integrity requirements – Close all the loopholes and correct all the flaws in the post-employment rules for public office holders

The Government of Canada must commit in its two-year OGP Action Plan to, as recommended by the Oliphant Commission, make the following 10 changes to the *Conflict of Interest Act* (in Part # of that *Act*): require Cabinet ministers, their full-time senior staff, and Cabinet appointees (including deputy ministers), to report to the Ethics Commissioner about their work activities after they leave office; require the Ethics Commissioner to approve any such work activity; **r**equire the Ethics Commissioner to make approvals of work activity public; allow the Ethics Commissioner to make advice that accompanies the approval of work activity public; allow a re-consideration of the approval or disapproval of work activity if new developments in the situation occur; make it a punishable offence to fail to disclose such work activity; allow former public office holders to appeal a conviction for failing to disclose such work activity through a fair and transparent process; require MPs to disclose income received in their last two months in office to the Ethics Commissioner to ensure they are not in a conflict of interest; require current Cabinet ministers and senior government officials to confirm with the Ethics Commissioner that former public office holders they deal with are complying with ethics rules, and; make it a violation of a contract with the federal government if a former public office holder wins the contract while in violation of ethics rules.

CHANGE #13 needed to fulfill OGP integrity requirements – Extend cooling-off periods up to two to three years depending on level of minister, staff or government official

The Government of Canada must commit in its two-year OGP Action Plan to extend the prohibition set out in subsections 35(1) and (2) and 36(2) of the *Conflict of Interest Act* on working (for one to two years) with private actors, or making representations (for one to two years) to government institutions, with which a public official had dealings during their last year in office. The ban should apply to those private actors/government institutions with which the public official had dealings during their last four years in office for the most senior public officials, and during the last two years in office for intermediate public officials. And the ban on working with such private actors should be extended to three years for the most senior officials, and two years for intermediate public officials.

CHANGE #14 needed to fulfill OGP open government and integrity requirements – Require disclosure of assets and liabilities to Ethics Commissioner through cooling-off period

The Government of Canada must commit in its two-year OGP Action Plan to change the *Conflict of Interest Act* to require Cabinet ministers, their staff, Cabinet appointees and senior government officials to disclose their income, assets and liabilities to the Ethics Commissioner through their cooling-off time period.

CHANGE #15 needed to fulfill OGP open government and integrity requirements – Extend *MPs Code* and *Senators Code* to cover their staff

The Government of Canada must commit in its two-year OGP Action Plan to add new sections to the *Conflict of Interest Code for Members of the House of Commons* (*MPs Code*) and the *Conflict of Interest Code for Senators* (*Senators Code*) to cover the staff of MPs and senators (who are currently not subject to any ethics rules). The rules should apply to staff on a sliding scale based on the decision-making power of the MP or senator who employs them, and their responsibilities concerning policy-making (ie. opposition party leaders and their staff should face

the most strict and strong restrictions, followed by opposition critics, chairs of committees, members of committees and members who do not sit on any committee). The names of the codes should also be changed to reflect that staff of MPs and senators are covered by the codes' rules.

CHANGE #16 needed to fulfill OGP integrity requirements – Change *MPs Code* and *Senators Code* to clearly prohibit dishonesty and violations of spirit and intent of laws

The Government of Canada must commit in its two-year OGP Action Plan to delete sections 2 and 3.1 of the *MPs Code*, and section 2(1) of the *Senators Code*, and replace them with a new, clearly enforceable rule that states "All persons to whom this code applies shall, at all times, be honest and uphold the highest ethical standards, including but not limited to complying with the spirit and intent, not just with the technical requirements, of every law, regulation, code, policy, guideline or other rule that applies to them."

CHANGE #17 needed to fulfill OGP integrity requirements – Change *MPs Code* and *Senators Code* to prohibit being in any type of a conflict of interest

The Government of Canada must commit in its two-year OGP Action Plan to change the definitions of "private interest" in subsection 3(2) of the *MPs Code* and subsection 11(1) of the *Senators Code* so that any interest, not just a financial or business interest, that could influence an MP or Senator is included in the prohibition against MPs and Senators from being in a conflict of interest; and to remove the exemptions from the conflict of interest rules for matters of general application or that affect a broad class of persons.

These changes are needed because currently MPs and Senators are only prohibited from taking part in decision-making processes when they have a financial interest that is the only interest affected by the decision (which almost never occurs).

CHANGE #18 needed to fulfill OGP open government and integrity requirements – Require blind trust assets of MPs and Senators and their staff to be included in the list of their private interests

The Government of Canada must commit in its two-year OGP Action Plan to change the *MPs Code* and the *Senators Code* to prohibit communication with a blind trust trustee and to include, as an ongoing private interest, assets and liabilities in a blind trust that are not likely to be divested.

CHANGE #19 needed to fulfill OGP open government and integrity requirements – Require disclosure of the assets and liabilities of MPs and Senators and their staff worth more than $1,000

The Government of Canada must commit in its two-year OGP Action Plan to decrease the threshold for disclosure of assets and liabilities in subsection 21(1) of the *MPs Code* and clause 28(1)(g) of the *Senators Code* from $10,000 down to about $1,000, and the disclosure requirement should cover some of the staff of MPs and senators on a sliding scale based upon their participation in decision-making and decision-making power.

CHANGE #20 needed to fulfill OGP integrity requirements – Prohibit sponsored travel by MPs, Senators and their staff

The Government of Canada must commit in its two-year OGP Action Plan to delete the exemption from the general prohibition on gifts and benefits for "sponsored travel" contained in section 15 of the *MPs Code* and section 18 of the *Senators Code* must be deleted because it

contradicts the prohibition on gifts in those codes, and that general prohibition must be defined in the same way as the Ethics Commissioner defined the rules prohibiting gifts in the *Conflict of Interest Act* in her 2008 *Guideline on Gifts*.

CHANGE #21 needed to fulfill OGP integrity requirements – Add new cooling-off periods for former MPs, Senators and their staff

The Government of Canada must commit in its two-year OGP Action Plan to add new sections to the *MPs Code* and *Senators Code* to restrict the transition to, and post-employment, activities of, MPs, senators and their staff. Because of a hasty, blunt policy change by the federal Conservatives in summer 2010, MPs and the staff of the Leader of the Opposition are prohibited from registering as a lobbyist for five years (the same time period as Cabinet ministers, their staff and senior government officials).

The cooling-off time periods for MPs, Senators and their staff should instead be set on a sliding scale depending on the policy-making power and activities of the MP, senator or staff person (ie. opposition party leaders and their staff should face the most strict and strong restrictions, followed by opposition critics, chairs of committees, members of committees, and members who do not sit on any committee).

As recommended above for Cabinet ministers and senior government officials, MPs, Senators and their staff must be required to disclose their income, assets and liabilities to the Ethics Commissioner (and, to some extent, publicly) through their cooling-off time period.

CHANGE #22 needed to fulfill OGP open government and integrity requirements – Add the same measures in the *MPs Code* to the *Values and Ethics Code for the Public Sector*

The Government of Canada must commit in its two-year OGP Action Plan to strengthen the proposed new *Values and Ethics Code for the Public Sector* (Set out at: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25049>) by adding the same measures set out above under #s 16 to 21 to the *Code* (NOTE: the current version of the *Code* contains some of those measures).

CHANGE #23 needed to fulfill OGP integrity requirements – Make Integrity Commissioner or Ethics Commissioner the clear enforcer of Treasury Board policies, and the Ethics Commissioner the enforcer of the *Senators Code*

The Government of Canada must commit in its two-year OGP Action Plan to make the Public Sector Integrity Commissioner or Conflict of Interest and Ethics Commissioner the clear enforcer of Treasury Board policies (including the *Values and Ethics Code for the Public Sector*), and to make the Ethics Commissioner the enforcer of the *Senators Code*.

Currently, the *Public Sector Code* is enforced by senior public servants who are in a conflict of interest because they enforce rules that apply to themselves. Currently the Senate Ethics Officer is under the control of a committee of senators, and that committee is in a conflict of interest because it essentially enforces ethics rules for all other senators. Another alternative is to make the Senate Ethics Officer more independent.

CHANGE #24 needed to fulfill OGP open government and integrity requirements – Close loopholes that allow for unregistered lobbying

The Government of Canada must commit in its two-year OGP Action Plan either to require Cabinet ministers, their staff, appointees, senior government officials, MPs and Senators and their staff, and public servants with decision-making power to register in a searchable online database all of the details of the identity of anyone connected with any organized lobbying effort

who communicates (directly or indirectly) with them, and the details of the communication, or to close the loopholes in the *Lobbying Act* that exempt from registration: unpaid lobbyists; in-house corporate lobbyists who lobby less than 20% of their work time, and; exempt lobbyists who are lobbying about the enforcement or administration of laws, regulations etc. (clause 4(2)(b)).

CHANGE #25 needed to fulfill OGP open government and integrity requirements – Close loophole that exempts "exchange program" participants from lobbying cooling-off period

The Government of Canada must commit in its two-year OGP Action Plan to close the loophole in the *Lobbying Act* that exempts anyone participating in the federal government's "employment exchange program" (who are mainly people from large corporations) from the five-year ban on becoming a lobbyist after they leave government. Instead, the *Act* must be changed to empower the Commissioner of Lobbying to reduce the time period of the ban, or comprehensiveness of the ban, depending on the role the person has played in the government, and to require the Commissioner to publicly disclose any reductions applied to any person.

CHANGE #26 needed to fulfill OGP integrity requirements – Clearly prohibit lobbyists from working with political parties, riding associations and candidates

The Government of Canada must commit in its two-year OGP Action Plan to change the *Lobbying Act* to clearly prohibit lobbyists from working directly or indirectly, paid or volunteer, with government or opposition political parties, and in senior positions with political parties, riding associations or candidates, if they are lobbying or may lobby them in the future. This prohibition is needed to prevent conflicts of interest caused by lobbyists assisting people and parties they are lobbying.

Democracy Watch's position is that the general conflict-of-interest Rule 8 of the *Lobbyists' Code of Conduct* prohibits lobbyists from doing such work, paid or volunteer, but this rule is not specific. The Federal Court of Appeal's March 2009 ruling in *Democracy Watch v. Barry Campbell and the Attorney General of Canada (Registrar of Lobbyists)* 2009 FCA 79 has clarified the rule somewhat, but left it to the discretion of the Commissioner of Lobbying to determine what activities of lobbyists Rule 8 actually prohibits on a case-by-case basis.

CHANGE #27 needed to fulfill OGP integrity requirements – Prohibit lobbyists from becoming Cabinet ministers for a few years after they enter politics

The Government of Canada must commit in its two-year OGP Action Plan to change the *Conflict of Interest Act* to prohibit lobbyists from becoming members of Cabinet for at least a few years after they are elected as a federal politician, especially ministers who are responsible for areas in which the lobbyist lobbied during the previous five years.

CHANGE #28 needed to fulfill OGP open government and integrity requirements – Require lobbyists to disclose past work with any government or political entity

The Government of Canada must commit in its two-year OGP Action Plan to change the *Lobbying Act* to require lobbyists to disclose on the online, searchable Lobbyist Registry their past work with any government, political party, riding association or candidate (currently, lobbyists are only required to disclose only their past work with the federal government).

CHANGE #29 needed to fulfill OGP open government and integrity requirements – Require lobbyists to disclose amounts spent on lobbying efforts, and possibly limit spending

The Government of Canada must commit in its two-year OGP Action Plan to require lobbyists to disclose on the online, searchable Lobbyist Registry how much they spend on each

lobbying campaign (as required in more than 30 U.S. states). If this disclosure shows that corporate lobbyists have far more resources to spend on lobbying than citizen lobbyists, then the Government must set limits on spending on lobbying campaigns (similar to the limits that have been established for advertising spending by lobbyists during election campaign periods).

CHANGE #30 needed to fulfill OGP open government requirements – Make Lobbyist Registry fully searchable

The Government of Canada must commit in its two-year OGP Action Plan to change the search page of the online Lobbyist Registry to allow for searches by any data field in the registry (currently, the database can only be searched by the name and client(s) or organization of the lobbyist, the department being lobbied and the subject matter, and the lobbying time period).

CHANGE #31 needed to fulfill OGP open government and integrity requirements – Change *Canada Elections Act* to make secret donations, loans and trust funds illegal

The Government of Canada must commit in its two-year OGP Action Plan to change the *Canada Elections Act* to ban loans from corporations, unions and other organizations to federal political parties and candidates, and restrict the loans and donations total from individuals to $1,100 annually (the Government has only proposed to allow only financial institutions to make unlimited loans to parties and candidates); to ban secret, unlimited donations or loans of money, property to a nomination race or party leadership candidate who is not a sitting politician (currently such donations and loans are legal as long as the candidate doesn't use the donation/loan for their campaign); to require disclosure of the donation of volunteer services to a political campaign; to ban political parties and riding associations from having any secret trust funds (currently only trust funds that benefit sitting politicians are banned), and; to require (as political party leadership campaign candidates are required), all candidates, riding associations and parties to disclose publicly all donations, gifts, and the details and status of any loans, during the week before election day, so voters know who is bankrolling campaigns before they vote..

In addition, the federal government must fulfill its commitments under section 52 of the *United Nations Convention Against Corruption*, and the international Financial Action Task Force (FATF) standards, by amending the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act (PCMLTFA*) to require Canadian financial institutions to monitor the bank accounts of senior politicians and government officials and their families and associates in all levels of government, thereby adding them to the watch-list of the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC).

In December 2006, federal politicians quickly and quietly passed Bill C-25, which only added foreign politicians and key officials and their families to FINTRAC's watch-list.

CHANGE #32 needed to fulfill OGP open government and integrity requirements – Change *Public Servants Disclosure Protection Act* in ways needed to ensure whistleblowers are actually protected

The Government of Canada must commit in its two-year OGP Action Plan to change the *Public Servants Disclosure Protection Act* to: protect all whistleblowers from retaliation, including politicians, political staff, government suppliers and contractors and members of the public; to allow whistleblowers, in all cases, to file their complaint directly with the Public Sector Integrity Commissioner; to require everyone who witnesses or receives evidence of wrongdoing by anyone in federal politics to report it to the (anonymously if they want); to require employers to prove that no retaliation against a whistleblower has taken place (currently, the *Act* requires the whistleblower to prove that retaliation has occurred); to give whistleblowers

adequate funding for legal advice (currently the *Act* only compensates whistleblowers for up to $1,500 in legal services expenses); to give whistleblowers compensation from the government general revenue fund adequate to seek another job (at least 6 months salary) if they want.

CHANGE #33 needed to fulfill OGP open government and integrity requirements – Make appointment of Ethics Commissioner, Commissioner of Lobbying, Integrity Commissioner, Chief Electoral Officer and Commissioner of Elections open, fair and merit-based

The Government of Canada must commit in its two-year OGP Action Plan to change the appointment process for the these officers of Parliament by having the independent Public Appointments Commission established and mandated to conduct a public search for candidates, and by requiring the person appointed to be approved by all of the leaders of the recognized parties in the House of Commons and Senate, in addition to approved by a majority of MPs and Senators.

In addition, as with the Ethics Commissioner under the *Conflict of Interest Act*, these other officers of Parliament must be required to have legal expertise and experience given that their positions is quasi-judicial in nature.

If the Government does not make the change to replace the Senate Ethics Officer with the Ethics Commissioner, the Senate Ethics Officer must also be appointed through this same process.

CHANGE #34 needed to fulfill OGP integrity requirements – Require Ethics Commissioner, Commissioner of Lobbying, , Integrity Commissioner, Chief Electoral Officer and Commissioner of Elections to conduct regular, random audits and inspections

The Government of Canada must commit in its two-year OGP Action Plan to require these officers of Parliament to conduct regular, random audits and inspections of the activities of people covered by the rules they enforce.

Currently, these officers of Parliament sit back and wait for complaints.

If the Government does not make the change to replace the Senate Ethics Officer with the Ethics Commissioner, the Senate Ethics Officer must also be required to conduct regular, random audits and inspections.

CHANGE #35 needed to fulfill OGP open government and integrity requirements – Require Ethics Commissioner, Commissioner of Lobbying, Integrity Commissioner, Chief Electoral Officer, Commissioner of Elections and Director of Public Prosecutions to rule publicly on every situation that raises issues of violations, and to disclose the identity of all wrongdoers

The Government of Canada must commit in its two-year OGP Action Plan to change the *Conflict of Interest Act*, *MPs Code*, *Senators Code*, *Public Sector Code*, the *Lobbying Act*, the *Lobbyists' Code of Conduct*, *Public Servants Disclosure Protection Act* and *Canada Elections Act* to require the related officers of Parliament to investigate and rule publicly on every situation that raises an issue of a violation of the rules they enforce.

Currently, these officers of Parliament can give secret advice, and have discretion whether to investigate and/or rule publicly on situations that they become aware of that raise issues of violations, and often keep the status of investigations and rulings secret.

To end this secrecy that allows for negligently weak enforcement of key good government rules, these officers of Parliament (and all such officers) must be required, whether they receive a complaint, a request, or become aware of a situation on their own, to disclose

regularly and publicly a summary of the situation, the date they became aware of the situation, the date they began investigating, the date they concluded their investigation, and their ruling.

If the Government does not make the change to replace the Senate Ethics Officer with the Ethics Commissioner, the Senate Ethics Officer must also be required to disclose this information regularly.

And all these officers of Parliament must, in every case, also be required to disclose the identity of any violator of any rule. Currently, the *Privacy Act* is invoked regularly to hide the identities of wrongdoers in federal politics, and this Act must be changed to clearly prohibit keeping the identity of a wrongdoer secret.

As well, the Director of Public Prosecutions must be required to issue a written, public explanation of the reasons why a Cabinet minister, staff, appointee or senior government official, MP, Senator, or their staff, or public servant or lobbyist is not prosecuted in every case in which allegations are made that one of these people has violated of the laws, regulations etc. that apply to them.

CHANGE #36 needed to fulfill OGP open government and integrity requirements – Require Ethics Commissioner, Commissioner of Lobbying and Integrity Commissioner to rule publicly within a reasonable time period, even if police investigation ongoing

The Government of Canada must commit in its two-year OGP Action Plan to change the relevant laws and codes to require the Ethics Commissioner, Commissioner of Lobbying and Integrity Commissioner to rule publicly on every situation that raises issues of violations within a reasonable time period, and within 90 days after they have referred a case to the RCMP for investigation, to ensure that timely rulings are made and that police investigations (which, for example, have never resulted in a prosecution under the *Lobbying Act*) do not delay justice.

CHANGE #37 needed to fulfill OGP integrity requirements – Give Ethics Commissioner the power and mandate to impose high penalties for violations of *Conflict of Interest Act*

The Government of Canada must commit in its two-year OGP Action Plan to change the *Conflict of Interest Act* to extend the penalties to cover violations of any provision in the *Act*, and to increase the penalties at least to the level of penalties faced by anyone who violates the *Lobbying Act* (ie.fine of up to $50,000 and a jail term of up to six months on summary conviction, and a fine of up to $200,000 and a jail term of up to two years if convicted by indictment).

The Government should consider making the penalties even higher given that those covered by the *Conflict of Interest Act* are Cabinet ministers, staff, appointees and senior government officials with decision-making and policymaking power over federal government spending and laws, officials who have taken an oath to uphold the public trust.

CHANGE #38 needed to fulfill OGP open government and integrity requirements – Give Ethics Commissioner, Commissioner of Lobbying, and Integrity Commissioner the power and mandate to impose penalties

The Government of Canada must commit in its two-year OGP Action Plan to change the vague power of the Ethics Commissioner to recommend sanctions to the House of Commons under subsection 28(6) of the *MPs Code*, and similar vague power of the Senate Ethics Officer under subsections 45(2) and (a) of the *Senators Code*, and instead to require the Commissioner and Officer to impose penalties (without the consent of the House or Senate required) on MPs or Senators or their staff who violate any rule in their codes.

The penalties should be on a sliding scale depending on the decision-making power of the MP or senator or staff person (ie. opposition party leaders and their staff should face the highest penalties, followed by opposition critics, chairs of committees, members of committees and members who do not sit on any committee).

Similarly, the power of the Commissioner of Lobbying under sections 14.01 and 14.02 of the *Lobbying Act* to penalize violators of that *Act* must be changed to require the Commissioner to impose penalties, and also to empower the Commissioner to penalize violators with fines, and also to empower the Commissioner to penalize violators of the *Lobbyists' Code of Conduct* with fines.

Similarly, the Integrity Commissioner should be given the power and mandate to penalize public servants who violate Treasury Board policies, and to penalize anyone who retaliates against a whistleblower who has disclosed wrongdoing.

CHANGE #39 needed to fulfill OGP open government and integrity requirements – Require Auditor General to audit all officers of Parliament at least every three years

The Government of Canada must commit in its two-year OGP Action Plan to change the Auditor General Act to require the Auditor General to audit all officers of Parliament at least every 3 years to ensure that they are doing their jobs properly.

CHANGE #40 needed to fulfill OGP open government and integrity requirements – Clearly allow judicial review of decisions of key officers of Parliament

The Government of Canada must commit in its two-year OGP Action Plan to change section 66 of the *Conflict of Interest Act*, and to change the *MPs Code*, the *Senators Code*, the *Lobbying Act*, and the *Public Servants Disclosure Protection Act* to clearly allow applications for judicial review by anyone of any decision of the Ethics Commissioner, Senate Ethics Officer, and Integrity Commissioner.

CHANGE #41 needed to fulfill OGP open government and integrity requirements – Clean up spending rules in the Financial Administration Act and other laws

The Government of Canada must commit in its two-year OGP Action Plan to prohibiting the inclusion of changes to other laws in the budget bill; to giving the Procurement Ombudsman must be given the power to order changes to procurement practices at any government institution and to report to Parliament on problems with practices; to closing the loopholes in the the *Financial Administration Act* and its regulations that essentially allow for sole-source contracts whenever the government; to giving the Auditor General the power to penalize violators of the *Financial Administration Act* and Treasury Board rules with high fines, suspensions and firings (and the penalties must apply even if a violator's wrongdoing is exposed after they retire or resign); to giving the Auditor General the power to review and prohibit government advertising if it mainly promotes the ruling party, especially during the period of 6 months before the date of any election; to reducing the pay, perks and pensions for federal politician's should be reduced significantly as they are at levels that put politicians at the top 5% income level in Canada, putting politicians out of touch with the day-to-day concerns of most voters; to requiring everyone in politics to submit the actual, detailed receipt (showing the number of people at the event, what was purchased, by whom, and at what price) for all expenses; to giving the Auditor General must have the power to audit the expense reports of everyone in the government (including all MPs and senators and their offices and staff) to help prevent dishonest expense claims; to requiring the Auditor General to submit public, bi-annual

reports to a parliamentary committee that include details about the wrongdoing alleged in each complaint; the date each complaint is received; when each investigation began and finished; when the AG received the investigation report; when the AG/courts ruled and ruling details; how many people were formally trained/informed by the AG's Office; number of information requests received by subject and other core operational information; to eliminating the power of Cabinet ministers to reward their staff people who leave with special "separation pay" (on top of severance pay) because it gives ministers a way of buying off former staff people in an attempt to keep them quiet about wrongdoing they may have witnessed, and; to require Crown corporations under the *Financial Administration Act* to apply to court to have the court void any contract signed with a director of the corporation or an entity in which a director has an interest if it is discovered that the director did not disclose their interest to the corporation's board of directors (NOTE: currently, section 118 of that *Act* only allows the corporation to apply to court, but does not require the corporation to apply to court).

CHANGE #42 needed to fulfill OGP open government and integrity requirements – Strengthen independence and powers of Parliamentary Budget Officer

The Government of Canada must commit in its two-year OGP Action Plan to change subsection 79.1(2) of the *Parliament of Canada Act* to allow dismissal of the PBO only for "cause" (to keep the Conservatives' 2006 election promise to establish an independent PBO)); to add a new subsection to section 79.2 of the *Act* (or enacting a regulation under sections 74.2 and 79.2) requiring the PBO to release his reports to the public at the same time he gives them to an MP, senator, parliamentary committee, the House of Commons or Senate (currently, the *Act* is not specific about when and how the PBO's reports should be made public); to add a new subsection to section 79.3 of the *Act* that gives the PBO the right to a quick injunction hearing in Federal Court if the head of any government institution refuses to comply with the PBO right under the *Act* "to free and timely access to any financial or economic data in the possession of the department that are required for the performance" of the PBO's mandate; to add a new subsection to section 79.3 of the *Act* that gives the Federal Court the power to penalize the head of any government institution that the court determines has unjustifiably refused to give the PBO requested data, and; to add a new section to the *Act* ensuring the PBO's funding must match the funding levels of similar agencies in other countries (proportional to the size of the Canadian economy and amount of federal government spending) -- essentially, this would increase the PBO's funding to somewhere between $5-10 million annually.

The OGP Declaration also requires member governments
C. To support civic participation:

- to make policy formulation and decision making more transparent, creating and using channels to solicit public feedback, and deepening public participation in developing, monitoring and evaluating government activities;
- to protect the ability of not-for-profit and civil society organizations to operate in ways consistent with freedom of expression, association, and opinion;
- to commit to creating mechanisms to enable greater collaboration between governments and civil society organizations and businesses.

The OGP Declaration also requires member governments
D. To increase access to new technologies for openness and accountability

- to harness these new technologies to make more information public in ways that enable people to both understand what their governments do and to influence decisions;
- to develop accessible and secure online spaces as platforms for delivering services, engaging the public, and sharing information and ideas;
- to seek increased online and mobile connectivity, while also identifying and promoting the use of alternative mechanisms for civic engagement;
- to engage civil society and the business community to identify effective practices and innovative approaches for leveraging new technologies to empower people and promote transparency in government;
- to support and develop the use of technological innovations by government employees and citizens alike.

The federal Canadian government's current open dialogue plan is to maintain the Consulting with Canadians website that was established in 2004 and that lists public consultations (See plan at: < http://www.open.gc.ca/open-ouvert/dialogue-eng.asp>). The Backgrounder on Open Government (<http://www.open.gc.ca/media/ogbg-digo-eng.asp>) only states that "All departments and agencies are expected to help advance our commitment to open dialogue and will work diligently to ensure Canadians are more aware of their opportunities to participate in consultation processes that are of interest to them and to use new technologies to obtain feedback." This statement is no different than the statement of expectations set out in 2004 when the website was established.

As a result, the government's current plan fails to fulfill the OGP requirements of supporting civic participation, as it does not set out required measurable changes for improving the site and creating new channels for public feedback, nor does it set out benchmarks and timelines. The government's current plan also fails to set out measurable changes, benchmarks and timelines (as required by the OGP Declaration) for "deepening public participation in developing, monitoring and evaluating government activities" and "creating mechanisms to enable greater collaboration between governments and civil society organizations".

The government's current plan also fails "to engage civil society and the business community to identify effective practices and innovative approaches for leveraging new technologies to empower people and promote transparency in government".

CHANGE #43 needed to fulfill OGP civic participation requirements – Effectively require comply with current public consultation *Code*, and penalize violators

To fulfill these OGP requirements, the Government of Canada's OGP Action Plan in April 2012 must commit that every government institution, in every public consultation, will be required to comply with the Treasury Board's current policy entitled *Voluntary Sector Code of Good Practice on Policy Dialogue* (<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=13744>) and that Cabinet ministers, their staff, and senior public servants will be penalized if they do not comply with this *Code*.

CHANGE #44 needed to fulfill OGP civic participation requirements – Enact a Meaningful Public Consultation Act using the current *Code* as a model, with penalties for violators

In addition, the OGP Action Plan must commit the federal government to use the *Code* as a model for a government bill that will be entitled the "Meaningful Public Consultation Act" that requires all federal government institutions to consult with the public, and with civil society organizations, in meaningful ways before any significant decisions are made or face significant penalties, and must commit the government to enacting this bill during the two-year OGP Action Plan period.

CHANGE #45 needed to fulfill OGP open government and civic participation requirements – Initiate a broad, meaningful public consultation on the issues of increasing government transparency and accountability, and increasing the power of Canadians in government decision-making processes

As part of its application for membership in OGP, in its two-year Action Plan due April 2012, the Government of Canada is required to establish a multi-stakeholder forum for ongoing consultation about the implementation of its OGP action plan, as well as to consult with the public on implementation, to report publicly on actions undertaken and to update commitments in light of new challenges and opportunities (including by issuing a public report in April 2013), and to espouse OGP principles in international engagement, and work to foster a global culture of open government that empowers and delivers for citizens, and advances the ideals of open and participatory 21st century government.

As a result, the publication of the federal government's OGP Action Plan in April 2012 must be followed immediately by the initiation of a broad, meaningful public consultation on further steps (beyond those set out in the Action Plan) that the Government of Canada will take to increase government transparency and accountability, and increasing the power of Canadians in government decision-making processes.

Conclusion

Democracy Watch's Open Government Coalition, Government Ethics Coalition and Money in Politics Coalition will continue to push the federal Conservative government to set out meaningful commitments in its two-year Open Government Partnership (OGP) Action Plan in April 2012, and if the government does not include meaningful commitments in its Plan we will appeal to the OGP Steering Committee to reject the Conservative government's membership in OGP.

As well, if the Government of Canada is accepted as a member of OGP, Democracy Watch and its coalitions will continue to push the Government to keep its commitments, and if it does not keep its commitments we will appeal to the OGP Steering Committee to remove the Government of Canada as a member of OGP.

Sincerely,
Duff Conacher, Founding Director
Democracy Watch