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Global Council meeting 9 May 2018 / MINUTES

Participants

Global Council

Aida Gamboa, Latin America (replacing Aroa de la Fuente) (AG)

Maryati Abdullah, Asia Pacific (MA)

Suneeta Kaimal (Chair), Global Reach (SK)

Dupleix Kuenzop, Africa Steering Committee (DK)

Tur-Od Lkhagvajav, Eurasia (TL)

Camilo Nhancale, Anglophone Africa (CN)

Simon Taylor, Global Reach (ST)

Sihem Bouazza, Middle East and North Africa

Ibrahima Sory Diallo, Francophone Africa (ID)

Secretariat

Elisa Peter, Executive Director (EP)

Stephanie Rochford, Director of Member Engagement (SR)

Duncan Edwards, Director of Global Initiatives and Impact (DE)

Caroline Macleod, Director of Finance and Operations (CJM)

Apologies

Miles Litvinoff (Europe and North America)

Invitees

Jethro Pettit (JP)

DECISIONS

- For the PWYP board to proceed with the recruitment of a UK-based trustee with specific skills (knowledge of UK charity law and governance)
- For the PWYP Secretariat to draft a resolution to revise PWYP's Articles of Association and to circulate the resolution to the GC for approval
- Subcommittees on climate change and on civic space were dissolved, with the expectation that these issues will be discussed in the context of the ongoing strategic planning process

ACTIONS



Action	By who	By when
Feedback on best practice for using the civic space contingency fund that has been established.	All	Next meeting
Draft a resolution to revise PWYP's Articles of Association and circulate the proposed revision to the Global Council for approval	CJM	July 2018
Review GC assessment process and findings to inform next assessment round	CJM + SR	December 2018
Circulate new, simplified Global Council election process to all PWYP members	SR	October 2018
Draft and circulate the GC communique	EP	End of May 2018
Pilot indicator framework for the PWYP coalition operating principles and report back at the meeting in November	SR	November 2018

Welcome

The Chair, SK, welcomed the Global Council and invited any comments on the agenda. No comments were made and the agenda was adopted.

SK reviewed the actions from the last Global Council meeting, highlighting actions that are ongoing. These include the development of a PWYP statement on climate change as well as reviewing the membership of the PWYP sub-committees on Climate Change and Civic Space. SK noted that these discussions will be taken forward in the context of the 2020-2025 strategy development.

EP noted that the contingency fund set aside for civic space issues is being used to support members of the PWYP Niger coalition who have been detained recently.

Power & Accountability reflection session

SK introduced the session on power and accountability. This session was included in the agenda as part of the intention to introduce a new dynamic into Global Council meetings, in particular to facilitate reflection among the GC about "big picture" issues relating to PWYP's mission. DE introduced the facilitator, Jethro Pettit, who invited the GC to reflect on their own personal experience of power dynamics in their work on extractives transparency and accountability. Examples included the asymmetry of power (powerful and powerless); negotiated displays of power; the fluidity of power; and collective power (and the potential for manipulation of a group). JP situated these examples within a typology of power which includes three



“faces” of power: visible (formal rules and structures), hidden (control and exclusion of some voices or issues) and invisible (ideology, norms, values). In addition, the GC reflected on the concept of shadow power (including collusion). JP encouraged the GC to use this typology of power to reflect on what strategies or tactics PWYP could develop (including in the global 2020-2025 strategy) to counteract these different types of power. JP presented how power needs not be just about negative forms of domination, but is also an essential positive force for social justice and change: power of solidarity, of dignity, of action, of imagination, of shared knowledge and common understanding (“transformative power”). For instance, PWYP builds narratives around shared beliefs and values and solidarity among PWYP coalitions to promote collective action for change. We will reflect further on how to build collective action in the context of the new draft strategy for 2020-2025.

Participants then analysed the multidimensional powers at play in two current PWYP-related case studies: the recent imprisonment of PWYP activists, including Ali Idrissa, in Niger; and the beneficial ownership disclosure campaign in Indonesia. Strategies for shifting power were discussed for each case. Participants reflected on the normalisation of government control and the risk of complacency (even on the part of civil society itself) on the issue of closing civic space. New norms get established without people even realising it (invisible power).

Members agreed that this session was helpful and had allowed them to think beyond the normal GC matters.

GC objectives and performance

SK recalled the objectives that the GC identified for 2018 as per the communique issued after the meeting in October 2017. It was agreed that the GC would continue to actively support the global strategy development process and the organisation of the 2019 Global Assembly. Updates were given by the Secretariat on the data extractors programme (external evaluation commissioned to inform next steps of the program) and on progress made towards mandatory disclosure legislation in Australia.

SK presented the overall findings of the GC self-assessment conducted in March-April 2018 and facilitated a conversation around the following three questions: 1) challenges faced by GC members, 2) good practices, 3) recommendations to the Secretariat to support GC members in their roles.

Challenges included a multitude of priorities for GC members; sourcing information/effective communication with members in the region, particularly when those members are also very busy and/or where there are no PWYP Secretariat Regional Coordinators; confidence among the GC members that they are in a position to rate peers who they only interact with in person twice a year; demonstrating to members the value of the Global Council representative; building strong and effective relations among



GC members to foster collective action (only 2 meetings a year); lack of institutional memory and continuity between former and current GC members.

Recommendations included identifying and leveraging the specific capabilities and skills of the respective GC members; thinking through the objectives of the self-assessment to ensure it yields insightful findings; encouraging GC members to pose open-ended questions to their constituents about what they deem to be the priorities for their GC representative; considering a role for alternates; support collective initiatives and projects at the sub-regional level to strengthen cohesion among coalitions.

EP thanked the GC for their reflections and recommendations, and emphasised that the role of the GC is both an important and a difficult one, bearing the intellectual and strategic leadership of the global coalition. EP noted the plan for the outgoing GC members to have a handover meeting with the new GC that will be elected in Dakar at the 2019 Global Assembly, to ensure a transfer of institutional memory.

EITI opportunities and challenges

EP recalled that the GC had discussed at its previous meeting in October 2017 the review of the EITI constituency guidelines; on behalf of the civil society constituency, which PWYP has historically coordinated, PWYP commissioned the Consensus Building Institute (CBI) to undertake a series of interviews with key stakeholders in the EITI process to inform how to revise the EITI civil society constituency guidelines, in order to meet the current needs and priorities of the civil society constituency. To this end, the review involves a complete review of the role of PWYP in the coordination of the election of the civil society international EITI board members, as PWYP has historically played a lead role in this process.

EP presented the timeline of the review, which will conclude in July/August 2018 with the adoption of the new guidelines by the EITI International civil society board members on behalf of the whole constituency.

While the guideline review encompasses four aspects, the GC focussed on the specific issue of the board nomination process. The GC welcomed the thinking that has been developed on how to revise the guidelines. They reflected on the importance of maintaining a significant role for PWYP in the process, given PWYP's expertise on the subject matter, while recognising the need to engage civil society organisations beyond those who are members of PWYP. However, they noted that the challenge for putting this engagement into practice needs to be further developed and well understood so that it can be communicated clearly and ensure that the civil society constituency does not become open to infiltration. One suggestion was for PWYP to bring on board in a formal capacity other recognised networks (such as Tax Justice), whose member organisations bring other expertise to bear which is relevant to EITI, to form an alliance of networks that would constitute a credible, defined civil society



constituency which includes but is not limited to members of PWYP; and would avoid “reinventing” the wheel by relying on the membership selection processes that those networks already have in place.

EP thanked the GC for their insights and noted that this technical review is an opportunity for civil society to ensure that the EITI international civil society board members elected in 2019 can be a truly effective force for change; and uphold and demonstrate best practice in terms of representativity and accountability.

Global Assembly 2019: updates and priorities

DE presented the draft plan for the Global Assembly in Dakar, Senegal in January 2019. He outlined the key objectives of the GA, inspiring and galvanising the PWYP movement, including to adopt the new PWYP strategy, elect a new Global Council and build the capacity of PWYP members on key topics. Day 1 would be about unpacking the new strategy, Day 2 would be about equipping ourselves to deliver the new strategy and Day 3 would be about setting up governance systems for the effective delivery of the new strategy.

ID presented the PWYP Senegal’s perspective on the Global Assembly, based on the coalition’s decentralised approach to supporting communities affected by mining operations in seven extractives regions. The Senegal coalition’s steering committee has established a GA organizing committee and a communications committee. There are monthly coordination meetings and efforts will be made to mobilise resources to enable the participation of local PWYP members.

What will inspire and galvanize members?

- Expand participation to non PWYP members, for instance those working on climate change, illicit financial flows, tax justice.
- Organise fair of workshops running in parallel to each other on a range of issues.
- Launch an important regional ask/campaign at the global level (e.g. social and environmental disclosures at Lima).
- Enable a dynamic and engaging conversation rather than a series of panels. An opening interviewing type of conversation could be followed by a plenary with key questions to unpack to promote sharing and collective problem solving. Making it very practical and dialogue oriented.

What will it take to adopt the new strategy in Dakar?

- Pre-adoption/validation of the strategy by members before Dakar so that they are ready to endorse at the GA. It would be great if each national coalition could organise a strategy pre-adoption meeting.
- The importance of pre- and post- engagement strategies was noted in order to get people excited before hand and to ensure effective implementation of the new strategy.



Update on Board rotation

CJM made a short presentation to update the GC on the recent re-appointment of the PWYP board, following the end of their first term in May 2018. CJM noted that PWYP is governed by the Articles of Association, which specify the process for the re-appointment of the board at the end of their term. The Articles do not currently allow for staggered board terms, and so the GC requested that the PWYP Secretariat work with legal counsel to revise the Articles in order to allow both for a staggered board rotation; and to ensure that PWYP is able to recruit board members with the requisite skills to govern PWYP effectively. A comment was made about the possibility of closer alignment between the Global Council and the Board, although it was noted that a Board-GC liaison role already exists to ensure coherence and alignment between the two bodies.

Supporting our coalitions to be effective:

1. Global council elections & Governance Manual review

SR presented a report from the governance sub-committee on the review of the governance manual including the election of the Global Council members. She reminded participants of the objectives and principles of the GC election process, including ensuring gender balance, selecting for the skills and leadership needed, and be clear and as simple as possible to implement.

The proposal of the governance sub-committee is that the gender of each GC representative alternates at each election. This would guarantee gender balance at every election, it would ensure all regions are motivated of culturally female leadership and no additional decisions are required beyond a majority vote at each GA. The cons would be that the institutional memory would not be maintained through the GC members and so other continuity methods will need to be developed.

A concern was expressed about the lack of continuity between GC and whether there could be a way to ensure staggering. Another comment noted that the option presented would imply that GC members would only be able to serve one term - so we would need to change our Governance manual. Members could serve two non-consecutive terms. Another comment related to whether there would be a man or woman with the required skills and qualifications. An idea was to add alternates as a way to ensure gender equality.

It was suggested that the decision be taken following a wide consultation with the membership. The Chair reminded that it was the GC members' responsibility to consult before GC meetings with their respective constituencies in order to take informed decisions at the GC. A question was also raised concerning the number of regional seats for Africa and specific dynamics to the African context.



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It was decided to go ahead and pilot the proposed gender-rotation of the Global Council in the next elections. This should be seen as a mechanism to implement the principle of gender-parity. The risks involved are the fact that there may be fewer woman in some regions who do have the historical engagement with PWYP and have had less opportunities to develop their leadership skills. We will address these risks through investments in woman and we will review and assess this pilot based on the experience of putting it in practice. There are two areas that still require further consideration: 1) how to ensure institutional memory between GC members (such as mentoring, elders council, etc.) 2) how to ensure internal dynamics between West Anglophone Africa and ESA are smothered ahead of the next GC election.

2. Operating Principles pilot

Because of time constraints, the GC members were requested to provides comments in writing to the draft operating principles pilot.

Climate risk disclosure

Because of time constraints, it was decided that this item would be accomodated in the combined GC and Board meeting on Thursday.