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Global Council call

22 June 2020

Contract disclosure campaign

MINUTES

Attendees

Global Council Members

Adnan Bahiya, Iraq (MENA) AB
Athayde Motta, Brazil (Latin America) AM
Chadwick Llanos, Philippines (Asia Pacific) CL
Chenai Mukumba, Zambia (Anglophone Africa) (Chair) CM
Dupleix Kuenzob, Cameroon (ASC representative) DK
Isabel Munilla, USA (Global Reach) IM
Joe Williams, UK (Global Reach) JW
Mariatou Amadou, Niger (Francophone Africa) MA
Miles Litvinoff, UK (Europe and North America) ML
Olena Pavlenko, Ukraine (Eurasia) OP

Secretariat

Elisa Peter, Executive Director EP
Stephanie Rochford, Director of Member Engagement SR
Eric Bisil, Regional Coordinator, Central Francophone Africa

Guests

Diarmid O'Sullivan, consultant
Joe Bardwell, incoming PWYP Strategic Communications and Campaigns Manager

Actions

- Secretariat to update the campaign concept note to integrate the feedback from this meeting
- GC to discuss whether and how to make some GC meetings open to observers (PWYP members, Secretariat staff)
- Secretariat to circulate doodle poll for dates for GC calls in July (civic space framework) and September (energy transition)

Minutes



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CM welcomed GC members and two guests to this monthly Global Council call with focus on contract disclosure.

EP noted that this is an initial conversation to share the thinking on the contract disclosure campaign since it was identified as a priority in the Secretariat's operational plan at the end of 2019. EP introduced the two invited guests - Diarmid O'Sullivan (consultant who has prepared the draft campaign concept note) and Joe Bardwell (who will be joining the PWYP Secretariat as Strategic Communications and Campaigns Manager in September). EP noted that the creation of the Strategic Communications and Campaigns Manager was a direct result of the findings of the learning review of the implementation of the 2016-2018 business plan, and the Secretariat's shift from network health to network impact.

DOS presented an overview of the motivation for, and the proposed objectives of, the global PWYP contract transparency campaign, along with potential indicators of success, a proposed timeline and suggestions of the specific role that the PWYP Secretariat would play, including developing and sharing advocacy and communications materials, and potentially using the campaign to support joint fundraising approaches. The GC were invited to reflect on what their own role could be.

OP proposed a preparation phase before the launch, **to map where there is greater effort required** which could then inform how to allocate resources. OP noted that lawmakers in many countries welcome examples of best practice from other countries (including to show what's possible), given their limited capacity in many cases to spend significant time getting up to speed on a technical issue.

CL recommended that a careful analysis of the **trend of closing civic space** and lack of participation in the context of contract transparency, to ensure that this work takes place in a way which can be responsive to that environment. This will involve a political analysis around what is possible in different contexts. IM noted the importance of clarifying what we mean by "contract" and what kind of documents need to be disclosed, stressing that national coalitions would have different priorities in this regard.

JW emphasised the importance of **highlighting the relevance of contract transparency** and that emphasising implementation of EITI is not sufficient, but rather that the campaign needs to be situated within a broader, current narrative including relating to Covid-19. JW also highlighted the discussion at the recent EITI international board meeting on preparedness of implementing countries to meet the Standard requirements: the EITI Board has agreed to have a flexible stance on requirement of 4.2 (contract disclosure), so there is flexibility on implementation and validation of the requirement (in light of delays related to COVID-19 and general recognition that many EITI implementing countries won't be ready for the requirement).



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JW also proposed exploring how to link **national legislation** with implementation of the Standard, in order to maintain a focus on national-level policy and governance reform. He also suggested identifying some “**poster child**” **examples** showing how opacity of contracts have been detrimental to citizens of resource-rich countries. JW also noted the ambitious **timeline**, and pointed out that countries won’t be validated against the 2019 Standard for some years, which could allow us to develop a longer timeframe. NRGi is ready and willing to support the campaign implementation in its priority countries (DRC, Ghana, Guinea, Mexico, Mongolia, Myanmar, Nigeria, Tanzania and Uganda).

AM supported the feedback of OP and CL to ensure that we have a **strong baseline** to understand the current situation of contract disclosure and where we want to get to. The framing of the campaign needs to speak to the reality for people impacted by the sector. The approach also needs to factor in the starting point of different countries, some of which are starting from zero.

IM raised the opportunities for focussing on **corporate advocacy**, as well as government focused advocacy, especially because companies need to be responsive in the current situation created by the pandemic; and because much of the campaigning opportunities will be via online platforms. IM linked this opportunity to the wider campaign for climate justice, which is also part of PWYP’s emerging agenda. IM also highlighted the need for creativity in approaches, as legislation may not be necessary in some cases.

MA raised the role of the donors and international finance institutions (IFIs) and the need to factor them into our advocacy approach, including to ensure the implementation of policies that already exist but are being implemented piecemeal. IM noted the need to elaborate more clearly the theory of change behind the campaign, including demonstrating the link between the corporate and the political campaign, and highlighting **the political role that IFIs play in terms of influencing both corporate and government policy** (linked in particular to debt and resulting stimulus packages). OP reinforced the importance of their role, and of taking it into account in our campaign. MA also reinforced the points made about civic space.

EP clarified that although we have limited funds allocated to the campaign in 2020, although the investment in a full-time staff person is significant, and this person will be spearheading the campaign. The timeline was originally influenced by the date of the Q3 EITI international board meeting but is very flexible if the GC thinks that a different timeline would be more suitable, including potentially to allow for more time to fundraise.

AB noted the importance of engaging with media to reinforce the messaging, especially in regions where OPEC plays a significant role in production quantities and prices.

EP clarified that the Secretariat is committed to playing a central coordination role, developing messaging and communications products, supporting the preparation phase; but emphasised that the advocacy itself will be lead by the national coalitions, as well as others in the movement with



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specific opportunities for example the civil society EITI international board members. JW noted, however, that Secretariat staff are likely to have opportunities to do some of the advocacy as well, given the level of detail and information they will have through doing the coordination.

ML noted that while PWYP UK may not have the capacity this year to be a champion coalition, the UK could be an example of where contract transparency has been generally successful. He endorsed proposals for a baseline survey and to extend the campaign timeline.

CM noted that the ESA region was in support of such a campaign and that a few members had already expressed interest in being a part of the campaign. Another important issue was that there needs to be continuous disclosure of contracts and amendments as amendments happen all along the life of the contract. Further, it was great that the coalition was thinking broadly about what contracts mean and what other documents would be published, but later we may want to narrow this down as what may be relevant for grass roots communities could be different from the needs of other actors

IM noted that Oxfam can support the corporate mapping, particularly where EITI supporting companies operate in EITI and non-EITI supporting countries. This could be a particularly interesting strategy for countries where contract transparency is a newer issue to address.

IM summarised consensus on:

- Personal commitment by the Global Council members to this strategic priority and to the campaign
- Moving forward with the campaign
- Undertaking some more preparation work, including research on a baseline
- Taking time to attract some more financial resources
- Thinking through which objectives make sense for which countries/regions
- Further reflection on how we integrate learning into the plans, including the theory of change

CM invited participants to share any updates of relevance for the GC in relation to Covid-19.

JW noted the publication of country assessments (Tanzania, Ghana, Guyana, Mexico, Colombia, Lebanon, Uganda, Mongolia, Peru) which will be regularly updated.

SR noted that the Secretariat is reviewing its core 2020 funding and options to disperse funds that were allocated for regional meetings which can no longer take place directly to coalitions via mini-grants. This process is under discussion, with any grant making intended to happen by the end of August or earlier.



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The GC discussed whether to make GC calls more widely open to members who could join as observers (as is the case for EITI board meetings), especially as there are no costs related to this while meetings take place virtually.

END.