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Global Council Meeting

Tuesday, 6 November 2018

MINUTES

Attendees

Global Council

Camilo Nhandale, Anglophone Africa (CN)
Maryati Abdullah, Asia Pacific (MA)
Miles Litvinoff, Europe & North America (ML)
Suneeta Kaimal (Chair), Global Reach (SK)
Tur-Od Lkhagvajav, Eurasia (TL)
Simon Taylor, Global Reach (ST)
Sihem Bouazza, Middle East and North Africa (SB)

Secretariat

Elisa Peter, Executive Director (EP)
Caroline Macleod, Director of Finance and Operations (CJM)
Stephanie Rochford, Director of Member Engagement (SR)
Duncan Edwards, Director of Global Initiatives & Impact (DE)
Demba Seydi, Francophone West Africa Regional Coordinator (DS)
Tatyana Sedova, Global Initiative and Impact coordinator, EITI (TS)

Apologies

Dupleix Kuenzop, Africa Steering Committee representative to the GC
Aroa de la Fuente, Latin America
Ibrahima Sory Diallo, Francophone Africa

Invitees/Observers

Elisabeth Caesens, Resource Matters (EC)
Brice Mackosso, Africa Steering Committee
Tiemoko Sangare, Africa Steering Committee
Faith Nwadishi, Africa Steering Committee
Moses Kubala, Africa Steering Committee

ACTIONS



Action	By who	By when
Create a shared document with list of insights and lessons learned for the incoming GC	SK and all GC members	31 December 2018
Commission a learning evaluation of the implementation of the 2016-2018 business plan	Secretariat	Q1 2019
Draft a paper on PWYP's approach to gender mainstreaming / PWYP gender policy and implications for institutional shifts	Secretariat and new Global Council	Q2 2019
Send a response to Asia Pacific members in regards to GC nomination process	GC Chair - with support from the Secretariat	11 November 2018
Update the PWYP governing manual according to decisions taken, including adding a reference to source of funding for the Secretariat	Secretariat	30 November 2018
Sign the resolution to amend PWYP Articles of Association to allow changes to PWYP Board composition	Global Council	11 November 2018
Finalise and distribute the draft Global Council communique	Global Council Chair, with support from the Secretariat	11 November 2018

Decisions

- The nominations process for new Global Council members will be based on the proposed approach adopted by the GC at its meeting in May 2018 (alternate gender for each of the 10 seats)
- A recommendation will be made to the 2019 Global Council to develop a PWYP gender mainstreaming policy to inform the coalition's approach to promoting gender equity, including in PWYP governing processes
- The number of PWYP Board seats will be increased from seven to up to nine seats, including a minimum of three seats for PWYP members
- The PWYP Secretariat will commission the Consensus Building Institute (CBI) to run the EITI board selection process in 2019

Introduction



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SK opened the meeting, noting that this is the final meeting of this Global Council before the Global Assembly in Dakar. SK invited participants to introduce themselves and to share a memory of their time or their contribution as a GC member over the past three years. EP noted that three GC members (Aroa, Ibrahima and Dupleix) had unfortunately not been able to travel to Brussels including for reasons related to visas.

Review and adoption of agenda

SK invited comments and additions to the agenda. None were proposed. EP provided an update on progress relating to the decisions and actions from the last GC meeting. EP noted that while a decision had been taken at the last meeting to dissolve two of the joint GC/Board sub-committees on climate change and on civic space, this is the first GC meeting since the release from prison of Board member and National Coordinator of PWYP Niger-ROTAB, Ali Idrissa. The Secretariat is in the process of developing new strategies and resources to address threats to civic space of PWYP activists, including by recruiting a part time staff person to provide dedicated support. EP noted that issues of civic space continue to be of high importance, not least following the recent attack on Alfredo Okenve in Equatorial Guinea.

SK drew attention to the background paper which has been circulated in advance of this meeting for information, and will be used to inform the handover to the next Global Council in Dakar. SK invited GC members to share comments or input to that paper with the Secretariat before the end of the year.

Data, accountability and natural resource governance (session led by Elisabeth Caesens)

EC was invited to lead a strategic reflection on some of the challenges relating to transparency and accountability in the extractive sector, with specific reference to her experience of working in the Democratic Republic of Congo, including observing the contract revision process to assess whether it resulted in greater gains for the country, while working at the Carter Centre. The presentation revealed how contract transparency enabled more scrutiny of the gaps in EITI reports relating to revenues being received by the state owned company (SOE) - the virtuous cycle of using information to ask for more and better information. EC's research partners in DRC included ASADHO, whose President, Jean Claude Katende, is the National Coordinator of PWYP DRC. EC's presentation drew parallels between the governance risks in hydroelectric infrastructure developments (dams) and extractive developments - including issues relating to beneficial ownership; and whether hydropower could be included in EITI disclosures.

SK invited DE to reflect on some of the lessons learned from the review of PWYP's Data Extractors pilot project, in the context of EC's presentation, on how PWYP can more effectively use data (transparency) to bring about accountability in the natural resource sector. A key finding, which reflects some of the issues raised by EC, is to focus on a problem-driven approach to inform our transparency calls.



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The GC reflected on the implications for the movement of pushing for greater accountability by explicitly using revenue and other data disclosures, including the challenge of building the analysis in addition to the advocacy skills required; exploring PWYP's role in mobilising the citizen base to take action around the issues we are trying to expose and address; and reflecting on the timeline in which we might expect realistically to see greater accountability as a result of the disclosure - and use - of different types of information. SK prompted the GC to consider how this discussion can inform the implementation of our new global strategy over the coming five years.

Reflections on implementation of the International Secretariat business plan 2016-2018

EP presented some high level achievements and lessons learned from the implementation of the International Secretariat's 2016-2018 business plan, a three year road map for the Secretariat adopted in 2016 which also aimed to track progress towards Vision 2020 and to increase the accountability of the Secretariat to national coalitions. Achievements include progress on global norms on project by project reporting and contract transparency, the growth of the global PWYP coalition (four new coalitions joined in the period) as well as the addition of a new core donor for PWYP's work. Some challenges highlighted include the departure of three countries from the EITI, ongoing setbacks in implementing section 1504 of the Dodd Frank Act in the US, and the continued and increasing threats to civic space for transparency and accountability activists. EP ended the presentation with some questions for the GC, including what insights they would like to share with the incoming GC in 2019; how PWYP can more effectively mainstream gender and civic space in its institutional work; whether there is a need for a formal evaluation of Vision 2020 and/or the PWYP 2016-2018 business plan; and what are some of the things the Secretariat should stop doing in the period of the global strategy (2020-2025).

Some reflections included a suggestion that the international Secretariat could focus less on mandatory disclosure campaigns; encourage more leadership from national coalitions on issues like gender and civic space; and encourage more information sharing and accountability from the Regional Coordinators to national coalitions. In addition, it was noted that the next GC should hopefully be able to focus more on strategic interventions rather than governance based ones given the amount of work that has been done by the current GC to support more effective governance oversight mechanisms.

EP noted that there is a joint responsibility between the Secretariat and the governing bodies to ensure that coalition members have access to all the information that they need. EP also highlighted a fundamental shift in how the Secretariat will work in order to implement the global strategy, with a focus much more on transnational, collective opportunities rather than on discrete domestic, national level issues, because the latter is not where the Secretariat adds the most value but rather where the national coalition is best placed to make that difference.

Global Assembly: update and actions



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DS presented an overview of preparations for the Global Assembly, including development of the agenda, logistical preparations, fundraising and the organising team. He noted the funding gap of US\$ 150,000 and requested ideas from the GC on how to fill in that gap.

Questions from the GC were related to the composition of national delegations, secured donors and facilitators. Suggestions of donors to approach included the Dutch Ministry of Foreign Affairs and DFID. EP noted that a concerted fundraising effort would need to be organised to ensure meaningful PWYP representation at the 2019 EITI global conference (to take place in Paris in mid 2019).

Secretariat: 2019 Objectives and Outcomes

DE presented the three objectives and six outcomes of the PWYP Secretariat's 2019 Programme of Work. He noted that 2019 would be a transition year (Business Plan is over and new strategy has not started yet) - with a major focus on equipping the coalitions, the Secretariat and governing bodies with the tools and knowledge necessary to deliver the 2020-2025 strategy - including establishing new processes to understand, demonstrate and communicate impact to internal and external stakeholders.

The GC noted that each of the outcomes are very dense. It was recommended that the Secretariat and governing bodies use 2019 to 1) **consolidate existing and build new partnerships** (e.g. including tax justice, IBP, Open Contracting Partnership) to accelerate the delivery of the new strategy; 2) **clarify what the strategy will mean in practice** (e.g. on gender, energy transition, data use, civic space, etc.); 3) **augment capacities and strengthen governance** of national coalitions for effective delivery of the new strategy 4) **develop a MERL plan** to be able to track progress and capture lessons throughout 2020-2025. It will be important also to clarify what the new strategy mean in regards to the role of the Secretariat and the type of support it will provide to coalitions. The importance of facilitating effective and strategic **knowledge sharing/triage/management** throughout the global coalition was also identified as a crucial role to play for the Secretariat and governing bodies (micro-coalitions of the willing and/or Intranet). It was noted that for this meeting, only three GC members submitted regional reports for the Council.

Governance Manual updates

SR presented progress on the Governance Manual review and outlined the decisions that need to be made and next steps. The new Governance Manual will be translated in all five PWYP languages. Four specific issues were raised for the attention of the Global Council.

1. Board composition

In order to ensure the requisite skills and experience on the PWYP Board, which is responsible for overseeing the administrative and financial management of the PWYP International Secretariat, the GC agreed to endorse a written resolution to increase the maximum number of board members from seven to nine, a minimum of three being elected from the PWYP members, and up to six of which could be selected for specific skills (including from among the PWYP membership). The GC discussed the



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importance ensuring consistent and coherent communication between the Board and the GC, including via the GC/Board liaison role, while noting that the strategic leadership of the global movement sits with the Global Council.

2. PWYP Funding policy

The PWYP Funding Policy states: “PWYP Secretariat does not accept institutional funding from the extractive industry”. It was agreed that this policy should be included in the text of the Governance Manual, clarifying that “institutional” funding means any kind of grant or project funding.

3. GC Elections process

The GC discussed the letter from members in Asia Pacific which proposed not to limit the option for women and men to stand for the Global Council at alternate elections, as per the decision taken at the GC meeting in May which was that each GC seat should rotate between a male and a female representative in order to strive for gender balance. The GC welcomed the approach proposed by Asia Pacific to let women stand at each election, and recognised that it would imply a more gender transformative approach than the Governance Manual currently aspires to. The GC agreed to maintain the alternating approach for the 2019 election, noting that candidates of the relevant gender have been nominated in every other region, in line with the process agreed in May. The GC agreed to send a formal response to the member in Asia Pacific and to propose to the incoming GC that they develop a PWYP gender policy in order to further the institutional thinking around gender, in line with the ambition to focus on participation as part of the global strategy.

4. Operating principles pilot

SR provided an update on progress in piloting the PWYP Operating Principles framework. While an initial gap assessment has been conducted, more time is needed to address those gaps and to assess to what extent that will contribute to the effectiveness and capacity of the coalition. It was agreed to extend the pilot to summer 2019, and to expand the pilot to any other coalition that would like to engage on it. The self-assessment exercises undertaken by the pilot coalitions on an annual basis will be used as a baseline to assess the effectiveness and practicality of the framework, along with qualitative surveys. Reference to the framework will be made in the Governance Manual but the framework itself will not be included, in order to allow for further adaptation and updating based on the pilot results. The framework will be made available to all coalitions via the PWYP website.

Board update

CM presented the Board selection process, which took place between July and September 2018, to recruit a new PWYP Board member, following the resignation of Marcela Rozo. As a result, the Board appointed Susan Hazledine on 9th October. Susan is a qualified lawyer from the UK, Executive Director of the UK office of International Senior Lawyers Project - an international organisation providing pro-bono legal



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services and assistance to civil society organisations around the world. Her full bio is available on the PWYP website. She will be attending the upcoming December Board meeting.

EITI - update and way forward

DE presented an update on progress made to date by the EITI civil society board members on updating the EITI civil society constituency guidelines, including how the board members are elected and coordinated. The board members, with support from the Secretariat, have consulted with civil society constituents on the recommendations proposed by an independent organisation, the Consensus Building Institute (CBI), throughout the summer. Based on this feedback and further reflections, it is proposed that CBI be commissioned to conduct the board election process in 2019 as outlined in their recommendations. DE noted that the complete set of CBI's recommendations (presented to the GC at their previous meeting in Madrid in May) would involve significant additional resources to implement, and therefore require further reflection by the Global Council, the PWYP international Secretariat and our donors and partners. In the meantime, the EITI board members propose that the PWYP Secretariat continues to play a role in terms of coordination of board members themselves as well as providing support to develop policy positions, particularly in advance of and during board meetings. GC members discussed how to ensure that the new guidelines are developed in a way which is as transparent (including about funding streams) and inclusive as possible in order to be as robust as possible. DE acknowledged that there was a potential perception risk that commissioning CBI could be seen as a conflict of interest given CBI were commissioned to conduct the review and then develop recommendations, for them then to be commissioned to implement its own recommendations regarding the EITI CSO selection process. DE explained that it was the PWYP Secretariat's analysis which led to the proposal to commission CBI rather than a proposal from CBI – at no point had CBI suggested they should take on this role. Nevertheless, it was felt to be of greater risk for PWYP to undertake the board election process, in light of: the perceptions at the last election in 2016 that PWYP was not sufficiently distanced from the process; the amount of time that it would require from the Secretariat staff, which is time that cannot then be used more strategically; and that it was not clear what other organisation would be well positioned to undertake that work.

Global Council communique

The GC agreed key messages for their final communique.