

PWYP Joint Global Council and Board Meeting – 14-15 September 2016, Barcelona/ MINUTES

Board

Aroa de la Fuente, FUNDAR, Global Council Liaison (AF)

Ali Idrissa, ROTAB-PWYP Niger (AI)

Alan Detheridge, Treasurer (AD)

Carlo Merla, Chair (CM)

Claire Spoons, Oxfam GB (CS)

Julie McCarthy, Open Society Foundations (JM)

Global Council

Aroa de la Fuente, FUNDAR, Mexico - Global Council Liaison (representing Latin America) (AF)

Camilo Nhancale, KUWUKA JDA, Mozambique (representing Anglophone Africa) (CN)

Jana Morgan, PWYP US, US (representing Europe & North America) (JM)

Sihem Bouazza, Tunisian Association of Development & Law, Tunisia (representing MENA) (SB)

Simon Taylor, Global Witness, UK (representing organisations with global reach) (ST)

Suneeta Kaimal, Natural Resource Governance Institute, US (representing organisations with global reach) (SK)

Tur-Od Lkhagvajav, Transparency International Mongolia, Mongolia (representing Eurasia) (TL)

Taran Diallo, Guinean Association for Transparency, Guinea (representing Africa as a whole) (TD)

PWYP Secretariat

Elisa Peter, Executive Director (EP)

Stephanie Rochford, Programme Manager (SR)

Alison Smith, Interim Finance Director (AS)

Sandrine Levy, Executive Assistant (SL)

Alexandra Malmqvist, Communications Coordinator (AM)

Invitees

Adam Brown, Communications consultant (AB)

Jacqueline Williams, Company Secretary (JW)

Apologies

Starjoan Villanueva, Alternate Forum for Research in Mindanao, Philippines (representing Asia Pacific)

Ibrahima Sory Diallo, La Lumiere, Senegal (representing Francophone Africa)

1 Summary of Key Actions

| Action | Responsibility | Timeline |
|---|---------------------|--|
| 1. Circulate minutes of the meeting | Secretariat | 30 September |
| 2. Review support for visa applications | Secretariat | Next meeting |
| 3. Circulate supporting documents for the Tanzania and South Africa applications to the GC and Board for final approval on a no objections basis | Secretariat | End September |
| 4. Draft Terms of Reference and facilitate/support the work of the Board/GC sub-committees (GC methods of work; governance; civic space; post Vision 20/20) | Secretariat | ToRs by end September; support ongoing |
| 5. Hold conference call to revise draft grant making/joint fundraising policy | Secretariat, SK, JM | End October |
| 6. Create an OGP-PWYP action plan in the lead up to the Summit and beyond | Secretariat, SK | Ongoing |
| 7. Incorporate recommendations of GC into Secretariat's 2017 work plan | Secretariat | End October |
| 8. Explore how PWYP can position itself on the question of climate change | Secretariat, ST | Ongoing |
| 9. Provide support to the reviews of the Governance Manual and Africa Charter | Secretariat | Ongoing |
| 10. Recruit a Communications support role | Secretariat | Early 2017 |

2 Day 1: Welcome and review of actions

The Executive Director and the outgoing Chair of the Global Council (TD) welcomed the new Global Council members. EP highlighted the objectives and sessions on the agenda to which there were no changes. After a roundtable of introductions, the Global Council reviewed the actions from the last meeting. All actions were complete, or otherwise on the agenda for discussion at this meeting. EP noted with regret that two members of the GC, Ibrahima Diallo and Starjoan Villanueva, had not been able to secure their visas. The GC requested that the Secretariat review the support it is able to provide on visa processes to ensure that all GC members can participate in the next meeting.

3 Role of the Global Council

SK presented an overview of the roles and responsibilities of the Global Council, reflecting on some of the challenges faced in the past in acting on the mandate outlined in the

Governance Manual. These include practical challenges, such as language barriers; as well as the need for the GC members to speak both for their own constituencies and also for the movement as a whole. The GC agreed to identify specific methods of working together, with a view to addressing these challenges. These include formalising members' commitments in order to leverage individual strengths and to enable regular GC performance assessments; agreeing questions of continuity/rotation; consultation and reporting back to constituencies; and developing temporary vacancies and seconds policies.

4 Presentation of PWYP Business Plan 2016-2018

EP presented an overview of the PWYP Business Plan which is the roadmap for the PWYP Secretariat to 2018. The Business Plan had previously been presented at the Global Assembly in Lima and has subsequently been revised to include specific targets, which measure progress towards the implementation of Vision 20/20. Following the presentation, a short discussion highlighted the PWYP Secretariat's role in leveraging its comparative advantage in the field, including grassroots mobilisation and the ability to coordinate global advocacy efforts.

Participants were invited to discuss in groups, and feedback in plenary, the four programmatic pillars of the plan - the Extractive Industries Transparency Initiative (EITI); Mandatory Disclosures; Laws and Policies; and Using the Data. The group discussions focussed on implementation of the plan in 2017, including identification of advocacy priorities and key opportunities in the coming year.

In the context of EITI, the discussions highlighted the Secretariat's unique potential to coordinate, mobilise support for and link advocacy asks at the global, regional and national levels. Priorities include advancing contract transparency, beneficial ownership, social and environmental data, and linking EITI to reform priorities at the national level. The group identified a role for the Secretariat in pushing for EITI governance reforms and ensuring that the validation system remains robust. It also highlighted the Secretariat's role in advancing and protecting civic space, including through implementation and awareness raising of the EITI civil society protocol and through forming strategic partnerships with the Open Government Partnership (OGP) and the UN Special Rapporteur on Freedom of Assembly/Association, including to follow up with any suggestions for the next Special Rapporteur.

Within the Laws and Policies work, key advocacy priorities include the domestication of the African Mining vision; signing on to and/or monitoring relevant international charters and initiatives; supporting campaigns at the subnational level, for example in relation to revenue sharing and local content; and supporting coalitions to codify EITI requirements into national law. The group briefly discussed the extent to which the Secretariat is expected and able to provide technical support on these issues, in addition to facilitating peer exchange and experience sharing. The specific role of the Secretariat in advancing this pillar requires further thought and discussion.

In relation to Mandatory Disclosures, the GC highlighted the Secretariat's role in building on the existing body of knowledge and facilitating information sharing around advocacy strategies and lessons learned. In 2017, the Secretariat should map gaps in coverage and support coalition building in key jurisdictions: Australia is a priority. The Secretariat can also play a monitoring role to signal risks and opportunities in jurisdictions where gains have already been made (e.g. the EU, US and Canada) and need to be consolidated.

The discussion on Using the Data identified capacity building and knowledge sharing as key priorities in 2017. Continuing the PWYP Data Extractors programme and providing case studies on the use of extractive revenue data in advocacy could potentially address both priorities in part. Analysis of the reporting from EU listed companies is critical, to ensure it is compliant with the law and that the data is credible and user-friendly. Another priority will be to push for a streamlined interactive data disclosure format across both mandatory and voluntary disclosure processes. Further discussion is needed on how to ensure strategic use of different types of data that are disclosed along with revenue data through various sources (e.g. contract-related data and beneficial ownership data).

5 Climate change & extractives

Following the review of the Business Plan, the GC reflected on the issue of climate change and the implications for PWYP members and the global campaign. ST presented an overview of how climate change ties in to PWYP's agenda for the sustainable use of natural resources for the benefit of all citizens now and in the future. While some PWYP members are actively considering climate risk and climate justice, some GC members questioned the extent to which climate change would be an issue that would engage the entire movement. Possible avenues for engagement include the question of fossil fuel subsidies and the issue of climate risk disclosure by extractive companies. The GC discussed whether PWYP should produce a policy paper on this topic.

6 Establishment of sub-committees

The GC identified a number of areas where sub-committees could focus specific efforts over the coming year, including on the four programmatic areas of the business plan and practical working methods of the GC. Members agreed on the need to prioritise among these areas and to keep the sub-committees small, in order to increase accountability and effectiveness. Given the need for the GC to work closely with the board, the GC agreed to review the make-up of the sub-committees the following day during the joint board and GC meeting.

7 Selection of the Chair

The final agenda item of the GC meeting was the selection of the Chair. The terms of reference were circulated in advance, and volunteers were invited to put their name forward for the role. EP highlighted that this is a neutral mediator and facilitator role, and would be one of the first points of contact for the Secretariat with the GC on issues of strategy and governance. A suggestion was made to provide for a rotation after 18 months (the Chair's term is currently three years) and for the GC/board liaison to be a designated support to the Chair. SK volunteered to take on the responsibility and was endorsed with no objections. EP thanked the previous chair (TD) and SK was confirmed as the new Chair.

8 Day 2: Welcome and introductions

CM, Chair of the board, welcomed participants to the joint Global Council and board meeting. The new GC Chair, SK, gave an overview of the discussions and outcomes from the previous day.

9 Review of Governance Manual

The first agenda item was to undertake an initial review of the Governance Manual in advance of the formal review anticipated in 2018. The first year of implementation (2015/16) has revealed some issues which require clarification and/or modification. These include operational issues such as ensuring continuity over time as well as more complex questions about the roles of, and relationships between, the GC, board, regional governance bodies and Secretariat. It was noted that a separate governing document for the PWYP Africa coalitions, the Africa Charter, is currently under review and that this review should happen in close conjunction with the review of the Governance Manual to ensure consistency between the two. The GC noted that there is a risk of overburdening the Secretariat with servicing the various governance bodies. It was proposed that a sub-committee could take forward the detailed work of revising the Governance Manual over the coming year.

One specific issue discussed in more length was the GC election process, as implemented for the first time at the PWYP Global Assembly in Lima. SR briefly summarised the challenges experienced in Lima: one was the requirement in the governance manual for gender balance, which meant that where only one male or female had been nominated for a particular region, that person automatically went forward by default to the pool of candidates. The second issue was a decision taken by a majority of the African coalitions to postpone voting for their GC representatives, due to concerns that the role of the Africa Steering Committee in the campaign was not sufficiently recognised. As a result, the PWYP Secretariat supported the African coalitions to hold a separate meeting in Senegal in July 2016, where the African representatives to the GC were elected.

10 Cooperation with other key players including OGP

SK presented the vision of the Open Government Partnership (OGP): for more governments to become more transparent, more accountable, and more responsive to their own citizens, leading to improved quality of public policies and services, as well as the level and scope of public participation. The presentation included an overview of the OGP's evolution from launching in 2011 to now including 70 countries around the world and covering a variety of sectors including extractives. SK also outlined how OGP works at the national level. The purpose of the subsequent discussion was to explore the ways in which PWYP and OGP could work more effectively together. Ideas discussed included PWYP's engagement in the working group on extractives; developing a PWYP-OGP strategy with the Secretariat to raise awareness among coalitions of how to use OGP to advance advocacy asks; leveraging regional and global events such as the OGP summit in Paris in December; and sharing lessons learned from EITI implementation, including in relation to protecting civic space, to inform the strategic review. These suggestions will be pursued in the coming months.

11 Civic space

The GC reflected on the major challenges in their regions relating to the closing of civic space and what can be done to address those challenges. It was noted that, since 2012, over 90 laws and policies restricting freedom of assembly and association have been proposed or enacted around the world. There are some mechanisms in place such as PWYP's protection strategy, the EITI Civil Society protocol and OGP's rapid response mechanism. The GC agreed to set up a sub-committee to consider in more detail how PWYP can work more proactively and strategically to leverage different tools and opportunities to protect activists and expand civic space.

The GC then reviewed applications from coalitions in Tanzania, South Africa and Rwanda to affiliate to PWYP. The GC agreed to accept both Tanzania and South Africa provisionally, pending receipt of some supporting documents relating to membership criteria and fundraising plans. The application from Rwanda was not accepted but the GC will continue to support Rwanda in their progress towards affiliation. The Secretariat was asked to ensure that the supporting documents and complete applications are circulated to the GC and to provide a recommendation for the GC to consider, including a rationale for approving an application or not. In the case of applications from Africa, documents should also be sent to the ASC. CN confirmed that the summary of the three applications had been circulated to the ASC who had no objections. Due to exceptional circumstances, the Secretariat was not present during the discussion and it was noted that they should be present during future discussions on affiliation applications.

12 TOR for Liaison role

AF presented the terms of reference for the GC liaison role on the Board. The GC discussed the need for the TOR to be included in the Governance Manual, where the process for

electing the liaison also needs to be clarified. The role should also include reference to being a second or support to the Chair. The TOR was approved pending the comments above.

13 Communications strategy workshop

PWYP is in the process of developing a communications strategy with the support of a consultant (AB). AB and AM, PWYP's Communications Coordinator, presented a strategy development roadmap based on an analysis of PWYP's current communications activities, potential areas for improvement or expansion and analysis of priorities and possible tools. Detailed recommendations were made, along with an approximate budget, about how the PWYP Secretariat could begin to implement aspects of the proposed roadmap.

Following the presentation, participants split into groups to take part in a short workshop to develop a mini communications strategy around a specific piece of work (e.g. the Data Extractors programme or defending the EITI validation process).

The subsequent discussion reflected on the extent to which the challenges identified are true at both the national and global levels. It was noted that PWYP has a significant presence in a great number of countries and agreed that we need to capitalise more on this network, and in particular on the potential for story-telling to highlight the impact of our work. Suggestions around branding were met with different reactions, with no consensus on whether it is a priority for PWYP to focus on streamlining the use of the PWYP logo and templates. Questions were raised about the best way to manage the website and other communications materials in multiple languages, including reflection on the cost/benefit of this work which is time and resource intensive. Another focus of discussion was whether the Secretariat should develop better media relations, for which it currently does not have capacity; or whether it is principally the role of the national coalitions to foster such relationships.

There was broad support for a workshop planned for November, which will bring together fifteen coalition members with a communications role who will take part in training and elaborating further the PWYP communications strategy. There was also support for the proposal to add capacity to the Secretariat's communications team.

14 Draft grant making/ joint fundraising proposal

SR briefly presented the background to the draft grant making/joint fundraising policy, which was developed by the Secretariat to provide clarity on how and when PWYP re-grants funds. It was noted that the policy needs further development and reflection on how the PWYP Secretariat will manage this role, both practically and politically. A conference call will be organised in the coming weeks with the Secretariat, SK and JM who volunteered to form a small working group to advance the policy.

15 Post Vision 20/20

In advance of 2020, the board and GC initiated a discussion around the future priorities and strategic direction of the PWYP campaign. The following key issues were identified: youth engagement, working with communities, climate change, mandatory disclosures campaign and using the data. It was agreed to established a sub-committee to take this conversation forward and to have a standing agenda item to discuss the post Vision 20/20 strategy at each Global Council meeting in the coming years

EP who highlighted some of the key discussion points as well as the agreed actions closed the meeting.

These include the establishment of joint Board/GC sub-committees as follows:

- Governance/compliance: TOL, AD, CS, TD, AF
- Prevention/protection/civic space: AI, SK, SB, TOL
- Post vision 20/20: AF, JM, JM, CN, ST

The GC agreed to hold their next meeting in approximately six months, with the venue and exact date to be confirmed in the coming weeks.