Publish What You Pay

A LA CARTE
STRATEGIC OPTIONS
PWYP’S STRATEGIC OPTIONS MENU

Ten years ago, PWYP was launched as a specific campaign, calling for extractive companies to publish what they paid to governments. After a decade of activism we have seen our coalitions and members expand their work along the value chain as the importance of other extractive transparency issues emerged. We need to reflect this expansion as a coalition, which is why we have created this strategic menu called PWYP a la carte.

Overall we have four strategic pillars:

1. PUBLISH WHY YOU PAY AND HOW YOU EXTRACT
2. PUBLISH WHAT YOU PAY
3. PUBLISH WHAT YOU EARN AND HOW YOU SPEND
4. PRACTICE WHAT WE PREACH

Under the first three strategic pillars PWYP offers several options and/or asks from which the coalitions can pick and choose. The last strategic pillar describes the principle on which PWYP’s internal governance structure is based – this is described separately in the PWYP passport.

PWYP’s achievement of each strategic pillar and the options presented depend on strong coalitions and a strong Secretariat – and even more importantly on partnerships. PWYP cannot, and should not try to, do it alone. More detailed analysis of each proposed strategic pillar and the options is required during the alignment phase once each coalition starts to contextualise the strategy into local needs and opportunities, including discussion of our capacity and resource needs at all levels and identification of potential partnerships with strategic allies.
Here we include all options under each pillar that have emerged from interviews and workshops, but this does not mean that every regional and/or national coalition and/or the Secretariat should try to tackle every pillar and all options during the next strategic cycle. Rather, we should see these options as a strategic menu from which PWYP coalitions and the Secretariat can prioritise areas of work according to context, opportunities, levels of need and capacity.

In addition to analysing and prioritising strategic options, regional and national workshops will need to develop clear and participatory approaches and indicators for monitoring and evaluation, including (we suggest here) peer review mechanisms and twinning. These approaches and indicators will feed into PWYP’s overall Monitoring and Evaluation Framework, which we will develop after our 10th Anniversary meeting.

1. PUBLISH WHY YOU PAY AND PUBLISH HOW YOU EXTRACT

“Chain for Change” questions:
What are our natural resources?
What is the natural resource legal framework?
To extract or not to extract? How to ensure the best possible deal?
How to monitor the project?

PWYP will broaden its campaign by advocating for transparency and accountability along more steps of the “Chain for Change” in order to determine whether women, men and youth are getting a fair deal for their resources. This will enable citizens in resource-rich countries to influence decision-making around the decision to extract, extraction rights, and to influence as well as monitor the terms and conditions of deals and contracts signed between governments and EI companies.
STRATEGIC OPTIONS

a. Campaign for transparency and accountability around countries’ natural resources estimates and audits.

b. Assess the quality and suitability of the national legal frameworks managing countries’ natural resources and campaign for improvements.

c. Work for natural resource decision-making based on balanced and transparent cost-benefit analysis, with a seat at the decision-making table for civil society and communities.

d. Promote transparency and accountability in the implementation of Free, Prior and Informed Consent, especially (but not only) for indigenous peoples.

e. Campaign for contracting and licensing processes that are transparent and competitive, from tendering to award; this includes transparency regarding “beneficial ownership” of all companies bidding.

f. Advocate for contract transparency in a format that is accessible/open and comparable.

g. Advocate for an EITI standard that includes contract transparency.

h. Challenge licence or contract terms that disadvantage host countries and/or local communities or facilitate corruption.

i. Advocate for beneficial community development agreements and monitor such agreements.

j. Monitor the impacts of extraction, including on the environment, livelihoods and human rights, and advocate for effective remedies for abuses and harms.

k. Use existing and forthcoming data from licences, contracts, EITI reports and other sources strategically to demand accountability from companies, including a fair deal for host countries and their citizens.
2. PUBLISH WHAT YOU PAY

“Chain for Change” question:
What payments are companies making?

PWYP will continue to campaign for full financial transparency from companies, to ensure the availability of quality data that is regular, credible, comprehensive, comparable and accessible/open. This will provide women, men and youth in resource-rich countries with the information to demand accountability from both industry and government. The EITI will continue to remain a key mechanism through which to demand payment and revenue transparency, but it is not the only one. As they come into force, the US Dodd-Frank Act and the EU Accounting and Transparency Directives will require all US- and EU-listed EI companies to report their payments to governments.
STRATEGIC OPTIONS

a. Advocate for mandatory payment disclosure worldwide through listings regulations in capital markets (globalising Dodd-Frank and EU Directives).

b. Campaign for mandatory payment disclosure through international accounting standards, regional and national level regulations, and embedding EITI in national legal frameworks.

c. Campaign for mandatory extended country-by-country reporting at national and/or regional level, focusing on profits, sales, production volumes, employee numbers etc., to help reveal tax avoidance and capital flight (including transfer mispricing, use of tax secrecy jurisdictions/ tax havens and “mailbox companies”).

d. Campaign for EITI reports disaggregated by project, company and commodity, and for inclusion in EITI reports of data on profits, sales, costs, production volumes etc. as standard practice.

e. Monitor and analyse the implementation of Dodd-Frank 1504 and EU Accounting and Transparency Directives and integrate the use of the emerging data in our campaigning efforts.
3. PUBLISH WHAT YOU EARN AND HOW YOU SPEND

“Chain for Change” questions:
Did the money reach state coffers?
Where should the money go?
Did the money get there?

PWYP sees transparency as a means to demand accountability from both companies and governments. This pillar is key to translating transparency into accountability and ensuring that the revenues generated by natural resources are used to benefit all citizens. PWYP coalitions and members can campaign and monitor to ensure that natural resource revenues reach the state, get involved in how these should be spent and ensure that this was successfully carried out. There will be a strong focus on project-level payments especially for communities living close to extractive sites.
STRATEGIC OPTIONS

a. Campaign for an EITI that is embedded in broader budget and accountability processes.

b. Advocate linking EITI data and reports to broader budget monitoring processes in country at national and subnational levels.

c. Work on budget prioritisation allocation and monitoring at national and subnational levels (particularly near EI sites), to ensure that budgetary resources are managed and spent efficiently and in the public interest.

d. Focus on whether revenue allocations from central to subnational government bodies reach their intended destination and are spent at subnational level efficiently and in the public interest.

e. Make governments more accountable for matching spending to rights-based development priorities, including Poverty Reduction Strategy Plans, and outcomes that balance the needs of the majority population and those of local communities.

f. Encourage, promote and support the involvement of civil society in budget setting and monitoring at subnational level in resource-rich sites.
4. PRACTISE WHAT WE PREACH

As indicated above, PWYP’s own governance and accountability are an essential and cross-cutting area of strategic development. Good governance principles of transparency and accountability apply not only to multinational companies, governments and intergovernmental organisations but also to civil society coalitions such as ours. We have an important task ahead to ensure that our governance principles, membership standards, governance structure and financial reporting mechanisms are fully consistent with the “practise what we preach” principle. PWYP’s brand and logo must continue to be associated with integrity, quality and excellence. For this strategic pillar we have developed the PWYP passport.