

Publish 
What You Pay
Extracting The Truth

BUSINESS PLAN

2016-2018

Updated version

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Publish What You Pay (PWYP) is a global membership-based coalition of civil society organisations (CSOs) in over forty countries across the world. PWYP works to reduce poverty, combat corruption, protect basic human rights and promote economically, socially and environmentally sustainable development through the transparent management of the oil, gas and mining (extractive) sector. PWYP engages at all stages of the extractive sector value chain to support research and promote training, learning and access to information by citizens.

1. Introduction

This business plan is intended to guide the work of the Secretariat of Publish What You Pay (PWYP) from 2016 to 2018. It is based on PWYP's long-term strategic framework (Vision 20/20) and includes metrics to deliver tangible results on each of Vision 20/20's strategic pillars. PWYP national coalitions' strategic priorities to advance transparency and accountability in the extractive sector around the world underpin the business plan. The plan has been developed within the framework of PWYP's charitable objects and our mission to promote sustainable and equitable economic development by ensuring that citizens in "resource-rich" countries benefit from oil, gas and mineral exploitation.

PWYP works to address what is commonly known as the "resource curse", a phenomenon by which countries rich in natural resources (such as oil, gas and minerals) - so called "resource-rich" countries - tend to have less economic growth, worse development outcomes, higher inequality and weaker institutions than countries with fewer natural resources. In many cases natural resources also lie at the heart of civil strife, violent conflicts and wars. In addition to sustaining conflict, resource exploitation has contributed to a range of human rights violations, famines, the spread of diseases, population displacement, organised crime, corruption and serious environmental damage. Abundant natural resources, which should be a blessing for a low income country, in most cases make poor people poorer. PWYP's overall purpose is to address this "resource curse" by promoting the transparent, accountable and sustainable management of oil, gas and minerals so that they contribute to prosperity for all. This business plan identifies key leverage points that will enable us to deliver on this purpose over the course of the coming three years.

The development of the business plan was first discussed with members of the PWYP Board and Global Council in the autumn of 2015. A draft was then presented to and discussed with PWYP members attending the Global Assembly in Lima in 2016 and further revised by the PWYP Secretariat in the first half of 2016 to incorporate feedback. The 2017 and 2018 budgets will be developed in accordance with the key programmatic areas identified in the business plan, with a view to costing each metric for optimum organisational transparency and to ensure that the Secretariat is accountable to PWYP members.

2. Context

The backdrop against which PWYP has been operating for the past 13 years is dramatically changing. One of the key factors underpinning this business plan is the on-going "data revolution", in which

financial information pertaining to the extractives sector is becoming increasingly available to the public. In the three years to come, we expect that the significance of “open data” will continue to increase and to provide greater scope for PWYP members to promote further financial transparency from extractives companies and governments. We will work to promote the availability of quality data that is regular, credible, comprehensive and comparable; and ensure that PWYP members and other citizens are able to access, use and analyse that data to enhance accountability in the extractive sector. PWYP will also build alliances with existing and new partners to address some of the technical challenges associated with analysing and using big data.

The Extractive Industries Transparency Initiative (EITI) will remain a key mechanism to foster transparency and accountability in the sector. PWYP members will continue to engage with the initiative both at the national and international levels to ensure that the EITI Standard is effectively implemented and that civil society participation in the EITI is meaningful and representative of the public interest. In parallel, the PWYP Secretariat will continue to play a coordination role relating to the implementation and/or review of existing legislation on mandatory disclosures (in the US, EU, Norway, Canada) as well as the rollout of new mandatory disclosures laws in some other jurisdictions.

In the aftermath of the “Panama Papers”¹ scandal, PWYP and its members will increasingly focus on tackling the global challenge of lost government revenues due to tax avoidance or evasion. This focus is reflected in our business plan under the pillar on laws and policies. We will also assist our members to engage with participatory budgeting processes in their respective countries to ensure that revenues derived from the exploitation of natural resources are reinvested in communities, social services, productive activities and economic diversification.

Economic diversification is particularly crucial in a day and age when most governments in the world are committed to keeping the global temperature increase below 3.5 degrees Celsius, and to curbing greenhouse gas emissions, to which the oil and gas sector is a major contributor. This is compounded by the fact that easily accessible reserves of oil and gas are dwindling and that the frontiers of extraction are moving to remote, previously inaccessible but highly environmentally sensitive areas such as the Arctic and the deep seas. PWYP will facilitate a strategic reflection among its members about the implications of the Paris Agreement on climate change on our positions related to the future of the extractive sector, and in the context of the Sustainable Development Goals adopted in 2015.

Many PWYP members operate in difficult, restrictive legal and political environments, and often experience intimidation, harassment or worse when challenging corrupt practices in the extractive sector. Increasing threats to civil liberties and other fundamental human rights are indicative of a shrinking civic space which risks undermining all the transparency gains we have made in the last ten years. PWYP will continue to protect and strengthen civil society voices and capacities to engage both at national and global level in a dialogue on natural resource management, anti-corruption, transparency and accountability. As a strong solidarity movement PWYP will double its efforts to protect its members and the people they work with, using various mechanisms such as the EITI, but

¹ <https://panamapapers.icij.org/>

also Open Government Partnership and the UN Special Rapporteur on the Freedom of Assembly and Association. As a global coalition, we will also continue to consolidate our own internal governance and management systems in order to strengthen our movement in the face of shrinking civic space.

Finally, although PWYP has existed as a global alliance since 2002, it only became a stand-alone legal entity in 2015, when we separated from Open Society Foundation. This has provided a great opportunity for PWYP to grow as a truly member-led coalition and to strengthen its own governance and institutional processes. The business plan includes a number of metrics to ensure that the PWYP Secretariat, Global Council, Board and national coalitions consistently demonstrate the highest standards of transparent governance, accountability and effectiveness.

3. Strategic framework

The overall strategic framework continues to be the long-term strategy, Vision 20/20, and its four pillars. Vision 20/20 identifies the stages of the extractive sector value chain where PWYP supports public engagement, research, training and advocacy to ensure that natural resources are being exploited sustainably and responsibly, and that the revenues generated are being used for the public good. The stages fall under four strategic pillars.

a. Publish Why You Pay and How You Extract

PWYP seeks to increase public awareness of and participation in decision making processes related to the extraction of natural resources, especially by involving members of the public directly affected by extractive projects (such as communities living near a planned mining project). In many countries around the world, particularly in Africa, frameworks exist to govern the exploitation of natural resources according to best practice, but they are poorly implemented. In these countries PWYP supports training and research to enable the full and effective implementation of natural resource governance frameworks.

b. Publish What You Pay

PWYP encourages the adoption by extractive companies (oil, gas, mining) and governments of voluntary information disclosure mechanisms so that the public is informed about the payments (e.g. royalties, taxes, etc.) made to their governments for their oil, gas and natural minerals. When and where specific legislation is in place requiring mandatory disclosure of financial information by oil, gas and mining companies (such as in the EU, US, Canada and Norway), PWYP monitors compliance with the law and promotes information sharing so that information is made readily available to the general public.

c. Publish What You Earn and How You Spend

PWYP promotes access to information about how natural resource revenues are collected and how they are allocated in national budgets. PWYP promotes the role of citizens in ensuring that natural resource revenues reach the state treasury and are spent in such a way as to promote equitable and sustainable socio-economic development (for example on education, healthcare and infrastructure), particularly in the communities where extractive activities take place. PWYP enables access to training and research about appropriate tools that can support better extractive revenue

management, including sovereign wealth funds, to promote long-term, sustainable development and poverty reduction.

d. Publish What You Learn

PWYP encourages governments to assess the costs and benefits of extractive sector projects from a social, environmental and economic perspective, and to make available those findings. PWYP supports citizens to access and understand the costs and benefits of natural resource extraction and to use that information to improve the conditions under which natural resource exploitation takes place, including lobbying companies to introduce better policies relating to investment in local communities where they operate. PWYP maintains a website and newsletter to publicise and make available to the general public research and information relating to issues of natural resource governance.

It is important to note that gender is a cross-cutting theme in this strategy. Our strategy and governance manual is gender inclusive and we ensure that we have an equitable gender representation in both board and Global Council. Programmatically we have been working with UN Women on a gender-responsive Chain for Change, the so-called Extracting Equality Guide.

4. Key Programmatic areas

This section looks at the key programmatic areas that will take a significant amount of time and investment in coordination and facilitation at the PWYP Secretariat. These key areas are the EITI, Mandatory Disclosures, Using the Data, Laws and policies and Fiscal regimes.

Under each key area we have listed the strategic partners to engage with although further mapping is required. The strategic partners are those partners outside of the PWYP members at national and global level with whom the Secretariat needs to engage. This list is by no means exhaustive.

4.1. Extractive Industries Transparency Initiative (EITI)

Proposed outcome: Civil society leverages the EITI platform to achieve increased transparency and accountability in the extractives sector

Objectives and milestones

1. Effective implementation of the 2016 Standard at the national and international level
 - a. EITI civil society Board members effectively contribute to uphold and broaden a high quality Standard
 - b. The expertise and ability to strategically engage in the EITI of PWYP coalition members is reinforced at the national level, both in outreach and implementing countries (including on issues such as Beneficial Ownership, contract transparency, etc.)
2. A cohesive, representative and responsive civil society voice at the international and national level

- a. Civil society representation on the EITI Board is competent, diverse, coordinated and influential
- b. Threats to fundamental human rights and civil liberties arising from engagement in natural resource governance are acknowledged and addressed in a systematic fashion by the international Board
- c. The PWYP Secretariat plays a facilitation role at the national level to encourage wide and accountable civil society engagement, both in outreach and implementing countries

Key strategic partners: PWYP members, the EITI Secretariat, the EITI Board members, World Bank, Open Government Partnership, Natural Resource Governance Institute (NRGI), International Centre for Non-Profit Law, Heinrich Boell Foundation and partners, MSI Integrity, Human Rights Watch, CIVICUS etc.

Risk Assessment: Due to both internal tensions and the external political environment, there is a high level of risk that civil society is a weak and/or divided voice on the International Board and/or on national MSGs. There is a low to medium risk that the Secretariat is unable to secure sufficient funding to carry out its EITI work. To mitigate these risks, PWYP will support the development of clear guidelines for civil society engagement at both national and international level; and actively coordinate the CSO Board members to help build consensus on key positions. PWYP will engage with a wide range of partners to address concerns related to civic space and will continuously foster current and new donor relationships.

4.2. Mandatory disclosures

Proposed outcome: More companies are required by law to publish more information about payments to governments in key capital markets

Objectives and milestones

1. Mandatory disclosure laws are advanced in key capital markets (such as BRICS) where they do not currently exist or are not yet implemented
 - a. The PWYP Secretariat identifies and shares relevant information regarding political, legal, economic and social contexts in regions not covered by mandatory disclosure laws
 - b. The PWYP Secretariat supports its members to identify opportunities for and methods of engagement with key stakeholders, to foster an open public dialogue around mandatory disclosures
2. Existing mandatory disclosure laws in Canada, EU, Norway and US are protected and/or improved upon, if and when they are challenged or reviewed
 - a. The PWYP Secretariat coordinates regular interaction, information exchange and analysis relating to the implementation, value and impact of existing mandatory disclosure laws

- b. The PWYP Secretariat supports its members to identify opportunities for and methods of engagement with key stakeholders, to maintain and improve upon levels of corporate transparency

Strategic Partners: PWYP members, Governments in 'champion' countries, mandatory disclosures 'champions', industry, investors.

Risk assessment: There is a high level risk of slow implementation in jurisdictions where legislation is in place; and slow advancement on new laws in jurisdictions where there is no law yet. There is a medium to high level risk that some existing laws will be challenged or that those laws will be reviewed and watered-down, especially in the absence of strong evidence that financial transparency leads to increased accountability and better governance in the extractive sector. A low to medium level risk is lack of mobilisation around the mandatory disclosures agenda by PWYP members. To mitigate these risks, PWYP will support its members to uphold and/or improve compliance with existing standards. We will help our members to understand existing legislation and will advise them on how to engage with key stakeholders to build ongoing support for existing and new laws. PWYP will continuously reach out to relevant partners to achieve these objectives.

4.3. Using the data

Proposed outcome: Mandatory and voluntary data disclosure lead to more accountability in the extractive sector and stronger development outcomes in resource rich countries

Objectives and milestones

1. PWYP members are able to access, understand and analyse extractives data
 - a. The PWYP Secretariat trains and supports its members in how to access, understand and analyse relevant data
 - b. The PWYP Secretariat supports its members to act as 'infomediaries', and to train others in acquired data skills
2. PWYP members are able to use extractives data to hold governments and extractive companies to account
 - a. The PWYP Secretariat makes an evidence-based case for transparent extractives data
 - b. The PWYP Secretariat trains its members to incorporate their findings in their engagement with relevant stakeholders

Strategic partners: PWYP members, Open Data community, Omidyar Network, International Budget Partnership, School of Data, Open Knowledge Foundation and Open Oil, NRGi, GW ,ONE, Oxfam, Global Partnership for Social Accountability

Risk assessment: There is a high level of risk that data released through voluntary and mandatory channels is not truly 'open'²; or that companies comply only in part with their voluntary commitments or legal obligations. This would limit access to and analysis of data, and limit the opportunity to use the data to push for change. There is a medium risk that PWYP members, who are predominantly activists rather than financial data analysts, are not able to use the data skills training they receive effectively to advance their advocacy objectives. To mitigate these risks, PWYP will work coordinate and work with a wide range of experts to build a solid support base for civil society activists using data. PWYP will continue to expand its training programmes and to seek sources of sustainable funding to build the capacity of members.

4.4. Laws and policies

Proposed outcome: Legislation affecting natural resource management provides a robust framework conducive to sustainable development and transparency and accountability of the extractive sector

Objectives and milestones

1. Effective participation of PWYP members in the revision and/or design of national mining, oil and gas laws and policies
 - a. The PWYP Secretariat enables access to relevant expertise, commissions research and facilitates training on issues affecting the extractives sector such as the commodity super cycle, beneficial ownership and climate change
 - b. The PWYP Secretariat actively identifies and facilitates engagement opportunities for its members with global and regional blocs, bodies and organisations, such as the EU, AU, ECOWAS, ASEAN, etc.
2. Effective oversight by PWYP members of the implementation of national oil, gas and mining laws and policies; and contracts
 - a. The PWYP Secretariat provides members with opportunities to share lessons learned from monitoring implementation of laws and policies
 - b. The PWYP Secretariat creates engagement opportunities for its members with national monitoring institutions such as Auditor General offices
3. PWYP members are equipped to understand and participate in national and sub-national budgeting processes and monitoring and to advance a tax justice agenda
 - a. The PWYP Secretariat works with technical partners to build members' capacity to access, read and analyse contract terms in order to monitor implementation
 - b. The PWYP Secretariat forges partnerships with relevant national and international actors to build expertise among, and protect the fundamental rights of, its members

² "Open data and content can be freely used, modified, and shared by anyone for any purpose"
<http://opendefinition.org/>

Strategic partners: PWYP members, Tax Justice Network and other tax justice organisations, Open Contracting Partnership, International Budget Partnership, Oxfam, African Organization of Supreme Audit Institutions (AFROSAI), United Nations Economic Commission for Africa (UNECA), African Minerals Development Centre, African Union, Open Society Initiative for Southern Africa (OSISA), Open Society Initiative for West Africa (OSIWA), Southern Africa Resource Watch (SARW), Association of Southeast Asian Nations (ASEAN), World Bank, International Finance Corporation (IFC) and other international finance institutions.

Risk assessment: There is a high level risk that PWYP and its members will not be included in consultation processes or that they will otherwise be prevented from engaging effectively (e.g. too short time scales, not supported to travel to meetings). There is a medium to high level risk that PWYP will be prevented from supporting its members who work on this topic due to shifting political contexts; or that PWYP will not be able to react within the timescale available for meaningful engagement. To mitigate these risks, PWYP will work closely with its members to understand the needs and opportunities that may arise, and will secure partners and donors who are able to work quickly and flexibly to provide the support required.

5. Institutional Development

5.1. An effective, responsive and transparent secretariat

Proposed Outcome: The PWYP Secretariat drives forward the successful implementation of Vision 20/20 and identifies, analyses and responds to the needs of national coalitions in an effective manner

Objectives and milestones

1. Systems/tools for strategic, financial, operational and communications planning, monitoring and evaluation are in place, understood and used
 - a. The PWYP Secretariat develops annual organisational plans, which are supported by individual staff working plans with SMART objectives
 - b. The PWYP Secretariat staff receive relevant training on tools and strategies which they integrate into everyday working
 - c. The PWYP Secretariat is able to demonstrate the impact of its work at sub-national, national, regional and international levels
2. The PWYP Secretariat comprises an outstanding team of staff with clarity of purpose, a sense of common direction, shared responsibility and clear reporting lines
 - a. The PWYP Secretariat staff understand the expectations of them in their roles and are enabled to deliver their objectives
 - b. The PWYP Secretariat staff work effectively as a team
3. The PWYP Secretariat is a financially sustainable organisation with adequate reserves
 - a. The PWYP Secretariat has an effective fundraising strategy which ensures the long term financial sustainability of the organisation, and adequate reserves.
4. Strong alliances and partnerships with a broad range of organisations contribute to PWYP's resources and capabilities at national, regional and global levels

- a. The PWYP Secretariat fosters relationships with new partners outside the network and maintains/deepens relationships with existing partners within the network
5. PWYP is a recognised global brand which provides the platform for greater visibility, protection and engagement of its members in the global dialogue on natural resource transparency
 - a. PWYP members' key achievements are showcased, and lessons learned are documented and shared, within and beyond the network
 - b. PWYP's brand and messaging is clearly defined and understood by the PWYP Secretariat and PWYP members
 - c. The PWYP Secretariat develops and nurtures strategic media relations and social media presence

5.2. Effective, united and well governed national coalitions

Proposed outcome: PWYP national coalitions are able to operate effectively and have solid governance structure that enable them to deliver PWYP's Vision 20/20

Objectives and milestones

1. The PWYP Secretariat promotes and supports adherence to PWYP's governance principles and standards
 - a. The PWYP Secretariat collects governance-related data, facilitates self-assessment of national PWYP coalitions and establishes monitoring, evaluation and learning mechanisms to improve compliance with PWYP governance standards
 - b. The PWYP Secretariat provides opportunities for peer learning and capacity building on good organisational governance
2. The PWYP Secretariat supports strategic planning in alignment with Vision 20/20 and encourages coalitions to mobilise financial, political and capacity-building support for their work
 - a. The PWYP Secretariat facilitates AGMs of its members and provides guidance on strategic planning, fundraising and engagement with relevant stakeholders
 - b. The PWYP Secretariat promotes the basic human rights of its members to engage on questions of good governance and protects them from harassment and intimidation when political support is absent
3. The PWYP Secretariat supports efforts to develop strong relationships among members and key stakeholders, including communities living near extractive sites
 - a. The PWYP Secretariat supports opportunities for peer learning and reflection among PWYP members
 - b. The PWYP Secretariat enables and/or supports knowledge sharing among members, strategic partners, communities and individuals affected by extractive

projects, including by reaching out to constituencies such as environmental organisations, indigenous peoples groups, women rights activists, etc.

- c. PWYP has a good understanding of its membership base and continuously support outreach efforts to promote generational renewal and to cultivate the next generation of transparency activists

5.3. Governance

Proposed outcome: PWYP's legal status and governance structure are fit-for-purpose and enable the successful delivery of Vision 20/20

Objectives and milestones

1. PWYP governance structures are transparent and effective
 - a. PWYP Global Council and Board members are elected/selected according to the Governance Manual and are held accountable by the global membership
 - b. PWYP Governance bodies review the PWYP Governance Manual on a timely basis to ensure it is fit for purpose
2. The PWYP Global Council and Board demonstrate strategic organisational leadership
 - a. PWYP Board and Global Council take timely remedial action with national coalitions when/where necessary
 - b. PWYP Board and Global Council provide thought leadership on the coalition's long term strategic planning, including on issues that affect the extractive sector (super cycle, climate change, carbon bubble, dwindling accessible reserves, etc.)
3. The legal status of PWYP as an independent legal entity is fit-for-purpose and supportive of PWYP's mission and objectives
 - a. PWYP is registered as a charity by the UK Charity Commission and complies with the requirements of its charitable status

Risk assessment: Risks relating to PWYP's institutional development are documented, assessed and managed by the PWYP Board and Global Council via the Risk Register.