



## AFRICA REGIONAL MEETING

### Kinshasa Declaration

Members and partners of the Publish What You Pay coalition, from over thirty countries in Africa, Europe, North and South America, gathered from the 24 – 27 May 2011 in Kinshasa (Democratic Republic of Congo) for PWYP's Africa Regional Meeting. The representatives from government, civil society, regional and international institutions and the private sector deliberated on issues relating to transparency in the extractive sector.

These themes characterized the four days of the meeting:

- The extractive industry transparency agenda in Africa after 50 years of independence: achievements, challenges and the way forward ;
- From transparency to accountability ;
- The strategic orientation of PWYP's campaign in Africa ;
- Strengthening the effectiveness of PWYP in Africa ;
- The way forward.

The debates covered several subjects including : transparency of the extractive sector in Africa and particularly in DRC; PWYP in Africa: achievements of the campaign and challenges ahead; financial transparency in the extractive industries: EITI and other corporate reporting standards ; contract transparency ; the issue of accountability ; new regional and national structures of governance for the coalition; a protection mechanism for activists; improving communication flows between members of the coalition.

Following searching and productive exchanges, the participants identified a number of achievements to reach, in particular:

- A spirit of openness and dialogue between governments, civil society organisations and the extractive industries on issues concerning the exploitation of natural resources, (a subject hitherto considered taboo or pertaining exclusively to the contracting parties);
- An improvement of communication leading to stronger connections between civil society organisations from the different sub-regions and an ability to work in synergy within the frame of national coalitions and on a regional level;
- A greater awareness of and a growing interest in issues linked to the exploitation of natural resources in Africa by the public;
- An increased willingness by financial and technical partners to bring their support and expertise to stakeholders engaged in issues of transparency and of good governance in the extractive industry sector.

Furthermore, the participants emphasized that despite significant advances on the issue of transparency in the extractive sector, the fact that of the twenty African EITI candidate countries – a number brought about in large measure by pressure from PWYP activists - – only five have been declared compliant countries is a major challenge. The participants therefore recommended that stakeholders undertake the following actions or measures:

- the strengthening of EITI and the necessary appropriation of other norms of transparency, particularly in the light of the passing of section 1504 of the US Dodd-Frank Act;
- ensure the transparency and monitoring of contracts ;
- the need to go beyond transparency and to demand accountability in the use of revenues generated from extractive industry ;
- the implementation of the protection mechanism for activists ;
- the adoption and implementation of national legislation (EITI, Freedom of Information laws, stock market rules, etc) ;
- the creation of international corporate regulation (through stock exchange rules like Dodd-Frank or accounting disclosure rules) ensuring the disclosure of detailed information regarding production and operational numbers, financial and accounting balances, and payments to authorities. In particular, participants welcomed news that the European Commission will be proposing new rules this year and called upon all EU member states to ensure the new rules are robust, meaningful and provide data which is easily accessible and usable for the public. This information will enable citizens to hold governments to account for the use of revenues and ensure the country is receiving a fair deal for the exploitation of its natural resources from companies as well as limit the use of tax havens;
- ensuring transparency in the banking sector. All banks (national and international) holding state funds including those generated from natural resource revenues must carry appropriate checks – due diligence – to prevent transfers from state funds to accounts personally controlled by leaders.

The high point of the meeting was the adoption of a new structure of governance for the African PWYP campaign, the innovative element of which is the creation of a steering committee. This committee is made up of nine members, four of whom represent the sub-regional divisions (Western Francophone Africa; Western Anglophone Africa; Central Africa; Eastern and southern Africa), three African representatives of civil society on the EITI International Board and two representatives from PWYP International: the Africa coordinator and the International Director. In order to ensure continuity in the running of this committee, four alternate members representing each sub-region have also been chosen.

Finally, the participants congratulated the decision of the G8 countries to place transparency in the extractive sector on their agenda. The participants also issued an earnest call for emerging and BRIC (Brazil, Russia, India, and China) and other emerging economy countries to strongly engage with extractive industry transparency mechanisms.

**Kinshasa, 27 May 2011**

**The Participants**