Worksheet G
II. Transparency and accountability

Background: Public disclosure of contracts, operations, company information and financial flows can lead to better informed public debate, help manage citizens' expectations and deter corruption. Transparency can also help government officials and oversight actors identify mismanagement and corruption, and hold the government and companies to account, provided that robust formal oversight mechanisms exist and there is a good enabling environment for civil society and various media.

When developing a resource position, parties are well positioned to call for greater transparency and stronger oversight mechanisms. For example, in the policy position of Ghana's Convention People's Party, the party explicitly recognized transparency and accountability as prerequisites for good governance. It also made several commitments to back up this statement, not least around strengthening the capacity of the revenue authority and enacting beneficial ownership and contract data disclosure rules.

Party positions can also be an opportunity to call for the country's participation in international initiatives that support or supplement domestic resource governance efforts, such as the EITI or the Open Government Partnership (OGP).

> **Costs and trade-offs**
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> *When developing policy stances related to* **transparency and accountability** *it is particularly important to consider:*
>
> - Who benefits from transparency and who benefits from opacity
>
> - The corruption risks associated with opacity
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> - The implications of not publishing the contracts on citizens' ability to hold the government and companies accountable
>
> - The financial, time, political and economic costs of disclosing documentation and data and cost differences between different format choices
>
> - What information is most important to subject to public scrutiny, both to enable accountability and to help manage expectations
>
> - Who the target audiences for resource sector transparency are and what information formats are most accessible for them

For more information on these policy issues, please refer to Precept 2 in the Charter Benchmarking Framework and the NRGI primers on transparency mechanisms and movements, the EITI, Publish What You Pay (PWYP) and contract transparency.[141]

Guiding questions	Current orientation
• Does the party already have a stance (formal or informal, public or internal) on what natural resource documentation and data should be publicly disclosed and how? If so, what is that stance?	
• Does the party already have a stance (formal or informal, public or internal) on the role of formal oversight mechanisms (e.g., the supreme audit institution, anti-corruption authority and ombudsman) in promoting good resource governance? If so, what is that stance?	
• Does the party already have a stance (formal or informal, public or internal) on how to protect the enabling environment for oversight by civil society and the media? If so, what is that stance?	
• Does the party already have a stance (formal or informal, public or internal) on what global or regional resource governance initiatives the country should participate in? (e.g., EITI and OGP) If so, what is that stance?	
• What do the party base and the party's core constituencies think about the need for transparency and accountability in natural resource management? What does the wider population think?	
Guiding questions	**Current framework**
• What is the current legal and regulatory framework for transparency in the management of natural resources? What are the current documentation and data disclosure requirements? Are these requirements adequately enforced? How is information disclosed (e.g., timing, frequency, format)?[142]	

[141] The Transparency Mechanisms and Movements primer is available at <http://www.resourcegovernance.org/analysis-tools/publications/primer-transparency-mechanisms-and-movements>; the Extractive Industries Transparency Initiative primer is available at <https://resourcegovernance.org/analysis-tools/publications/primer-extractive-industries-transparency-initiative-eiti>; the Publish What You Pay primer is available at <https://resourcegovernance.org/analysis-tools/publications/primer-publish-what-you-pay-pwyp>; and the Contract Transparency primer is available at <https://resourcegovernance.org/analysis-tools/publications/primer-contract-transparency>.

[142] Information on the current framework may be available in the RGI data under questions 1.1.7a-b, 1.1.8a-b, 1.1.9a, 1.1.10a-d, 1.2.1a-1.2.2c, 1.2.3a, 1.2.4a-c, 1.3.2a, 1.3.3b, 1.3.4a, 1.4.2a-1.4.3a, 1.4.4b, 1.4.5b-1.4.6b, 1.4.7d, 1.4.8a-1.4.9e, 2.1.1a-d, 2.1.4a-2.1.5b, 2.2.3a-c, 2.3.2a-b, 2.3.4a-c, and 2.3.5b.

[143] Information on the current framework may be available in the RGI data under questions 1.1.10c-d, 1.2.6c, 1.2.7a, 1.4.3b-c, 1.4.5a, 2.1.2b, 2.1.3b, 2.2.4a, 2.2.5a, 2.3.5c-d, and 2.3.6b-c.

Guiding questions	Current framework
• What formal oversight mechanisms exist under the current legal framework? Are these mechanisms sufficiently resourced, independent and given the information and access they need to operate effectively? If not, why not?[143]	
• What is the current legislative and regulatory framework around the enabling environment for civil society and the media? Are civil society and the media outlets able to operate freely? How does the country perform on the 'Enabling Environment' component of the Resource Governance Index?	
• If the country is an EITI member, what were the major findings and recommendations in the latest EITI report?[144]	

Policy options	Stances
What should the government do to ensure that resource management is sufficiently transparent for all actors to effectively understand and scrutinize decision-making and its implications? • How should the government ensure that the full legal framework governing resource management is available to the public? • Should the government establish or strengthen rules that enable access to information on resource management? • What information management systems should the government have to support access to information? • What extractive sector contracts should be made public and how? • Should the government publish data according to open data standards?[145] • How should the government ensure that data is released on a comprehensive set of resource governance and management issues?	*Example stance:* The party believes that data on the management of natural resources should be accessible to all citizens. We therefore commit to establishing rules that guarantee citizens access to sector information, both through the proactive disclosure of information by default and through a request process—and always in an open data format.
What should the government do to ensure that formal oversight bodies hold officials to account? • How should the legislature hold public officials to account on issues relating to resource governance? • How should the supreme audit institution oversee the government's management of financial flows relating to the extractive sector and how should the government respond to its findings? • What measures should the government take to deter, detect and prosecute corruption?	*Example stance:* The party believes that the legislature must have the capacity, access and independence to hold the government to account for the management of natural resources. We therefore commit to establishing a special parliamentary committee on resource governance that has adequate funding for technical staff and expert support.

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[144] For the most recent report and other information on country progress see the EITI website at <https://eiti.org/countries>. Information on the current framework may be also available in the RGI data under questions 1.2.8a-b.

[145] The Open Data Charter defines open data as 'digital data that is made available with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime, anywhere'. More information on open data principles is available at <https://opendatacharter.net/principles/>.

Policy options	Stances
What should the government do to ensure that there is a critical mass of informed citizens that holds the government to account? • Should the government implement a communications strategy to ensure that the public has realistic expectations of the future benefits and costs of extraction? • How should the government ensure that civic and political freedoms are consistently upheld? • What should the government do to ensure that the media and civil society groups are able to contribute to improved public accountability in natural resource management? • What should the government do to ensure that research institutions carry out independent and high-quality research on resource governance? • What should the government do to encourage professional associations and unions to actively promote and enforce professional standards of conduct and engagement among their members who are engaged in extractive industries?	*Example stance:* The party believes that an informed civil society and media are key to effective oversight of natural resource management. We therefore commit to active and open communication with both on resource governance issues.
Should the government participate in international initiatives that support or supplement domestic resource governance efforts (e.g., EITI and OGP)? • If the country is a member or pursuing membership of the EITI and/or OGP, what should it do to ensure it is following through on the associated commitments in a meaningful way? • If the country is a member of one or both, how should it leverage the initiatives' support or convening powers more effectively? • If the country is not a member of one or both, should it pursue membership?	*Example stance:* The party recognizes the value of membership of the Open Government Partnership. We therefore commit to joining and to making and implementing robust resource governance commitments.[146]

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[146] More information on this Working Group is available at <https://www.opengovpartnership.org/about/working-groups/openness-natural-resources>.