

# Strengthening Parliamentary Law-making and Oversight of the Oil, Gas and Mining Sectors

The Natural Resource Governance Institute works with parliaments and political parties to strengthen lawmaking and oversight of extractive resources and revenues. We provide capacity development support directly or through civil society partners in Colombia, Democratic Republic of Congo, Ghana, Guinea, Mongolia, Myanmar, Tanzania, Tunisia and Uganda. NRGI offers training, technical assistance, easy-to-read publications, exchanges and opportunities for political dialogue as well as networking with relevant stakeholders. Through this support, natural resource committees, members of parliament, parliamentary staff and political parties are equipped to successfully engage with extractive issues, including by strengthening the legal framework and increasing multi-stakeholder action for improved extractive governance.

# HOW PARLIAMENTARIANS CAN MAKE A DIFFERENCE

Our work shows that reform-minded parliamentarians can play an influential role in advancing natural resource governance. With adequate capacity, members of parliament can improve the management of oil, gas and mineral resources by:

- Securing the public disclosure of extraction contracts.
- Assessing and monitoring compliance with rules specified by contracts and laws.
- Amending and ratifying legislation on extractive sector management, including laws governing fiscal regimes, revenue collection and management, and conditions for exploration and production.
- Scrutinizing revenue projections and allocations as part of the annual budget process.

- Monitoring the performance of government agencies responsible for managing the extractive sector, in particular national oil, gas and mining companies.
- Reviewing information and data on extractives made available in EITI reports and through other sources for improved oversight.
- Building consensus within and across political parties to preserve long-term strategies and rules for sector governance across political cycles and changes of government.
- Informing and managing expectations of constituents in producing regions as well as representing constituents' interests.

### NRGI'S UNIQUE APPROACH

**Comprehensive technical support.** We follow training with technical assistance, including expert advice, customized briefings and written analyses.

**Multi-stakeholder approach.** NRGI capacity-building programs simultaneously target members of parliament, civil society organizations (CSOs) and media for trust building and constructive collaboration. This allows CSOs to assist parliamentary committees with timely information and the media to generate public support for parliamentary action.

**Multi-party engagement.** We work with major political parties to build consensus on, and sustain, principles and strategies that should govern extractive sectors across political cycles.



#### **ILLUSTRATIONS OF PARLIAMENTARY OVERSIGHT**

Parliamentary oversight is helpful at many points along the extractive industry decision chain.



## In November 2014, Tanzania's Public Accounts Committee (PAC) ordered the arrest of the acting Director-General and the Chairman of the Tanzania Petroleum Development Cooperation (TPDC) on charges of failing to release to parliament the oil and gas contracts the government signed with foreign and local investors for consideration by the committee. The PAC used its parliamentary powers to obtain the documents for independent verification of the contractual terms and to determine

whether the government had reached a good deal on behalf of its citizens.

In a landmark ruling in February 2013, the Kyrgyz parliament voted to renegotiate a contract signed in 2009 with the Canada's Centerra Gold for the exploitation of the Kumtor gold mine. Among a range of issues, Kyrgyz parliamentarians referred to serious environmental concerns underpinning their decision. In February 2014, the parliament adopted a resolution approving the creation of a joint venture that evenly splits control of the Kumtor gold mine with its Canadian owner. Since then the parliament has also been involved in the renegotiations of the operating terms at the country's flagship gold mine.

In 2009, the Liberia Extractive Industries Transparency Initiative (LEITI) Act legislated annual EITI reporting and formally recognized the initiative's multi-stakeholder group (MSG). The MSG has a varied composition including two representatives from the legislature. The benefits of membership for parliamentarians include access to regular and reliable information which helps them to monitor compliance by government and extractive companies, as well as providing a better understanding of extractive sector issues and offering a platform to intervene when necessary.

#### **FUTURE DIRECTIONS**

In recent years NRGI has expanded and deepened its parliamentary programming. We are currently implementing a pilot project with political parties to promote dialogue and consensus-building on key extractive issues and to develop long-term strategies that survive changes in government. The Natural Resource Charter benchmarking framework will be a central diagnostic tool in this effort.

NRGI is also helping parliaments to address the major budgeting and spending challenges created by resource revenues due to price volatility. NRGI will work to strengthen the capacity

of parliamentary budget offices and research units as well as finance and public account committees to monitor the balance between revenues from oil, gas and mining with non-resource revenues. NRGI will also help legislators and budget specialists to review proposals for investing resource revenues in special stabilization or savings funds and to set priorities for economic diversification through investment in human and physical capital.

For information on NRGI's parliamentary program, visit www.resourcegovernance.org/parliaments.

The Natural Resource Governance Institute, an independent, non-profit organization, helps people to realize the benefits of their countries' oil, gas and mineral wealth through applied research, and innovative approaches to capacity development, technical advice and advocacy. Learn more at www.resourcegovernance.org.