

Transparency mechanisms in the extractive industries: the cases of Bolivia, Ecuador and Perú

Carlos Casas Tragodara
Universidad del Pacífico
Lima-Perú

Motivation

- In recent years prices of minerals reach high levels and generate great profits for firms, more taxes collected by the governments and an increase in the value and volumen of mineral products.
- The resources generated in the last boom impacted also at subnational level because intergovernmental transfers increased.
- As governments had more revenues, different groups –from civil society and international institutions were more interested in the use of these resources.
- EITI and national initiatives has been disperse.

Transparency policies in Latin America

- Transparency does not imply accountability but it's a necessary condition for it.
- EITI standard has been adopted by some countries in the region
- Results are communicated to the public in order to promote the debate about the use of revenues.
- There are country specific initiatives as well. NGOs play a central role in that effort.

Bolivia

- There is no Transparency and public access law.
- Lack of articulated policy of transparency.
- Ministry of Institutional Transparency.
- Previous consultation recently implemented (under Ley de medio ambiente).
- In the oil sector previous consultation is included in a specific law.
- Limited public access to contracts between firms and the state

Bolivia

- Administrative contracts are public not because exists a law but for publicity of contracts in procurement system.
- EIAs are available to the public.
- Information about labor costs, materials, transport, royalties, taxes, insurance, etc are available but in different sources and platforms.
- YPF and Agencia Nacional de Hidrocarburos web pages include information but with lags.
- EITI: Bolivia is not part of the initiative
- According to the IGR Bolivia is 24 out of 58 countries in governance (but there is a weakness in access of information by the public

Bolivia

- Some NGOs and civil society organizations collect information and publish reports.
- Organización Jubileo (catholic organization) elaborate different reports about social responsibility and governance around gas and oil sectors.
- Confederación de Pueblos Indígenas (previous consultation)
- Defensoría del Pueblo look after indigenous communities and have a indirect contact with information about extractive industries.
- CEDIB (independent information platform) with the goal of dissemination of information.

Ecuador

- There is a Law of transparency and access to public information.
- Previous consultation is in charge of Secretaría de Hidrocarburos.
- Defensoría del Pueblo (ombudsman office) process some information.
- Service contracts between the state and the oil firms (all public) are available but until 2012.
- Environmental information unique system has information about protected areas.
- But there is no information about EIAs

Ecuador

- Public oil firms report information of their production and some costs but they permit only to download reports.
- Banco de Información Petrolera del Ecuador has a lot of information about technical aspects but is only available to investors or industry members.
- In the mining sector exist limited information.
- EITI: Ecuador doesn't participate
- From the civil society FLACSO and grupo FARO are important players because they collect information and try to disseminate the information

Perú

- There exist a lot of institutions regulating access to information and transparency (MINEM, PERUPETRO, MINAM, Culture and Ministry of finance)
- Transparency and information public access is the framework in which all the agencies provides information.
- Ministry of Culture has information about previous consultation (is in charge of the process)
- MINEM collect and publish information about EIAs and mineral production.

Perú

- National Statistics Office publish information about production, investment, reserves of the mining sector.
- Taxes: The Ministry of Finance has a public access platform (SIAF) that allows to have information about the public finances in real time.
- Information is aggregated and there is no information by firms (collection of taxes)

Perú

- IGR: Perú 11 out of 58
- EITI: Perú participates and jointly with Guatemala are the two latin american countries that fulfill the EITI standard.
- Perú has a commision with different representatives (state, firms and civil society) and has started the make reports at the subnational level.
- From the civil society there is two organizations: Cooperación and Grupo Propuesta Ciudadana who process information and make good reports and are engaged in dissemination activities.

Conclusions

- High rents and revenues from extractive sectors increased awareness of different stakeholders about the use of these resources.
- Pressure for more transparency. (but not good results)
- EITI only in few countries
- Different quantity and quality of information for public access.
- Efforts from civil society institutions but too few dissemination of reports.
- It seems that there is no interest of the public.

Recommendations

- More information
- Adoption of EITI Standard
- Development of information platforms with easy access by the public
- Empowerment of civil society organizations in the introduction of IT technologies jointly with the governments
- More publicity of reports in order to increase awareness of the public.