THE PATH TO ACCOUNTABILITY
Citizen-led revenue management in Burkina Faso
INTRODUCTION

Oxfam in Burkina Faso is collaborating with civil society organizations (CSOs) to promote citizen participation in the management of natural resources and the fiscal benefits that, if administered correctly, may accompany mineral extraction. A pivotal moment in this work was the successful 1% Revenue from Gold Campaign that, in 2015, resulted in the creation of the Local Mining Fund for Development (FMDL for its French acronym). The fund guarantees the allocation of mining revenues for education, health, and social services. To date it has distributed nearly 174 million USD across Burkina Faso’s 301 districts. Recognizing that legislation alone does not drive change, Oxfam and partners piloted Committees of Citizen Oversight (CCOs) in select localities to encourage citizen participation in the administration of the FMDL and improve contributions to local development priorities. The experience summarized in this case study is testimony to the value of a longstanding, unwavering, and responsive mobilization strategy that persisted past legislative wins and accompanied communities through the effective operationalization of the law.

A HISTORIC LEGISLATIVE WIN

Sixty years after declaring independence, Burkina Faso continues to face several challenges in the provision of basic education, health, water, and sanitation services, largely due to corruption, weak governance, and lack of transparency and accountability in the management of public financial resources. As an important gold producer, however, the country is in a strong position to benefit from mining revenues and grow state reserves for its development objectives.

In 2004, Burkina Faso passed a decentralization law giving sub-national governments the right to administer their own affairs with a view to promoting grassroots growth and strengthening local governance. Nonetheless, in the following years, sub-national governments remained largely underfunded and unable to manage their development priorities. As a result, in 2014, over a dozen civil society organizations, led nationally by ORCADE, joined in the Mines Alert/Publish What You Pay 1% Revenue from Gold Campaign and called for the creation of a dedicated fund to finance local development with mining revenues. The campaign leveraged timely discussions around the revision of Burkina Faso’s 2003 Mining Code and capitalized on the ECOWAS Mining Directive that encouraged states to create socio-economic development funds financed by contributions from the region’s numerous mining concessions.

From the early days of the campaign, mining administration officials and mining companies had little appetite for the coalition’s demands. However, a popular uprising in October 2014 forced Burkina Faso’s National Assembly to dissolve. This disruption created an opportunity to engage more willing actors in the transitional government.

During this period, the coalition mounted an extensive media campaign with television and radio broadcasts to fuel public debate and pressure both government and corporate actors. The media campaign was accompanied by press conferences and consultations with civil society, state structures, and mining companies. Of special importance were public forums to speak out against stalling and refusals by mining companies to adhere to the 1% contribution. Interviews with coalition members and articles published in prominent newspapers served to amplify the message and expose sticking points.

Targeted trainings with parliamentarians on the importance of a local development fund opened the government’s eyes to the benefits of the 1% contribution and ultimately led to support for the coalition’s demands. The parliamentarians, in fact, endorsed the new mining code, even in the face of arduous lobbying by mining companies to halve the contribution. In 2015, through the adoption of a new mining code, the transitional government signed into law the requirement to establish and maintain national and/or subnational funds for community development, thereby creating the FMDL and requiring that companies pay into the fund.
Contributions, however, would not be secured until 2018, and the fund would not be operationalized until 2019, as mining companies cited stabilization clauses in contracts signed under the 2003 Mining Code as pretexts for decreasing their contributions.

The coalition effectively monitored the context and pivoted swiftly to find new entry points to counter mining companies’ arguments. Civil society brought together hundreds of stakeholders that reaffirmed the need to respect the new law, highlighting the challenges that communities would face if the contributions were reduced. Continued involvement of primary beneficiaries in communities, such as mayors and traditional leaders, was crucial for securing grassroots support and encouraging citizen mobilization.

Faced with the obligation to pay up, companies once again tried to find a way out, convincing the government that their contributions to Corporate Social Responsibility (CSR) should be deducted from their share of the FMDL. Government played into the mining companies’ hands until the coalition held a high-profile public conference citing the refusal of mining companies to contribute the FMDL and criticizing the Ministry of Mines for its inaction. As a result, a national committee for monitoring and allocating the FMDL was set up under the supervision of the president of Publish What You Pay (PWYP) Burkina Faso.

During this period, the coalition also made some strides in mainstreaming gender by partnering with the Association of Women in the Mining Sector (AFEMIB), which had noted that the coalition had not sufficiently reflected on the needs of women. AFEMIB launched a parallel campaign to mainstream gender into the management of the FMDL, effectively setting up a national committee to monitor fund allocations and receiving commitments from municipalities to prioritize women’s needs. It also inspired local women’s organizations to get involved in FMDL governance and is currently pushing for one third of the FMDL 1% contribution to be used for women-prioritized projects.

ARRIVING AT THE 1% CONTRIBUTION

The 1% contribution rate was proposed by mining sector technicians with ample knowledge of the sector both nationally and regionally. While mining companies called for a decrease to a 0.5% contribution, civil society embraced the proposed rate and brought the proposal to Parliament. In their vote over the 2015 Mining Code, Parliament upheld the 1% contribution (calculated as a percentage of company revenues) and retained the 20% royalty contribution that mining communities were already receiving under the 2003 directive.

Seven years following the enactment of the 2015 Mining Code, however, companies are still below their 1% contribution, with millions of dollars left unpaid. The Ministry of Mines is engaging mining companies to pay their debts.

LEGISLATION ALONE IS NOT ENOUGH

Aware of their historic yet fragile win, CSOs quickly shifted their attention toward the effective, transparent, and accountable implementation of the FMDL. Complicating its operationalization were low government understanding and disinterest in public engagement, with limited capacity of local authorities to mobilize resources effectively. The creation of Committees of Citizen Oversight in Dédougou, Soaw, and Houndé districts proved crucial in raising awareness of and fostering community participation in the administration of the FMDL, bringing years of civil society efforts for improved revenue management to fruition and underscoring the power of an active citizenry in achieving meaningful change in underserved communities.
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**THE CCO MODEL**

CCOs are district-level structures that promote citizen participation in decisions around the use of public resources. Composed of ten members from local civil society organizations, CCOs interact with local elected officials to promote accountability in the provision of health, education, and sanitation services financed through mining revenues. CCOs raise awareness in their communities and encourage citizens to actively participate in their development priorities. In doing so, they maintain a seamless collaboration among communities and local government. CCOs are tasked to 1) influence local authorities for greater transparency and accountability in resource management; 2) promote citizen oversight over resource allocations from the FMDL; 3) actively participate in consultations with decision-making bodies over resource allocations, management, and the selection of social development projects; and 4) carry out citizen education on resource management. Supporting the CCOs are community level monitoring groups made up mostly of women and youth activists who track local interests and keep CCOs informed of local realities.

> Throughout this project Oxfam has opened the eyes of the blind and awakened those who were sleeping. Before, we did not know that we could hold the authorities to account. We were content to take the achievements made for us without seeking to influence the quality. Today, we are very involved because it is our future.

A community level activist
CCOs are credited as the primary structures responsible for facilitating the operationalization of the FMDL in the selected districts and influencing the transparent and accountable allocation of resources. With strong support from project partners CERA-FP, RECIBOG, and ORCADE, CCOs have educated elected officials on their role in resource mobilization and management. As a result, mayoral offices now make budget information accessible to citizens, who can then hold them accountable through formal spaces for citizen decision-making. Both citizens and elected officials have improved their knowledge of the provisions of the FMDL. Conscious of the importance of fiscal management, citizens are participating in the process of drawing up municipal budgets and elaborating communal development plans. CCOs have further improved the populations’ understanding of fiscal responsibility through sensitization on the importance of paying due taxes, successfully increasing tax payments in Dédougou by 25% in 2020.

CCOs are also ensuring that the almost 4 million USD received by the districts of Houndé, Dédougou, and Soaw is benefitting their populations, following up on discrepancies on what is owed to communities and encouraging men, women, and youth to actively monitor FMDL-funded projects, thereby ensuring that spending responds to their needs and expectations. CCOs have identified and corrected shortcomings in the quality of services provided, including poor school construction, lack of upkeep of public buildings, late delivery of school meals, and insufficient school supplies. CCOs and local citizen groups regularly disseminate information on their Facebook pages regarding opportunities to contribute to revenue management decisions, communicate on the quality of the projects being financed, and share inputs with municipal councils.
The creation of CCOs proved essential to cementing campaign wins and driving local change, bringing to fruition years of influencing. In a short time, CCOs have improved transparency and accountability in the management of resource revenues, changed attitudes on civic engagement, and brought communities into budgeting processes where they were once largely absent. Local authorities have started sharing information on local budgets, and citizens are driving decisions on community investments.

**Align efforts with international, regional, and national priorities to legitimize and elevate civil society demands.** The coalition found legitimacy by grounding its demands in the Economic Community of West African States (ECOWAS) Directive of 2009 and The Africa Mining Vision 2009 that encouraged member states to create socioeconomic funds from mining revenues and to put in place a system for equitable distribution of those revenues. With the backing of these agreements, Burkina Faso’s government more readily accepted the coalition’s demands and saw CSOs as a partner in the realization of regional directives. In the same way, Burkina Faso’s Vision for Decentralization 2040 represents a true jumping off point for the creation and operation of the CCOs as genuine promoters of the country’s agenda for inclusive economic growth. Evoking contributions to this vision, CCOs were able to fully claim their roles in the management of local mining revenues. In fact, municipal councils increasingly conceive of CCOs as partners for the realization of their mandate.

**Prioritize consultations with communities and local leadership to reflect their demands and keep them engaged.** The campaign was careful to consult with communities to channel local needs and demands and, in return, received community support in mobilizations. Ongoing engagement with local leadership led to mayors’ and regional councils’ endorsements of the campaign, keeping it grounded in local needs. CCOs, by their nature, also retain this local focus and remain true reference points for community representation. Supporting the actions of the CCOs are the community level monitoring groups, composed mostly of women.

**LESSONS LEARNED**

*Invest in the passage of legislation but understand that implementation drives change.* Advocating for the passage of legislation requires a long-term commitment and a flexible strategy to respond to a rapidly changing context. It also calls for a recognition of the fragility of wins, especially when unstable governments may easily give in to mounting pressure from corporate players and retract commitments.

**CITIZEN WATCH ON THE MOVE!**

CCOs, accompanied by community level monitoring groups and municipal counselors, have carried out monitoring visits of projects financed by the FMDL to assess the implementation of the procurement plan and ensure the quality of service delivery. Across the three districts, citizens brought to the attention of local authorities cases of pending construction sites, poorly maintained public buildings, badly executed public works, and late delivery of school meals. Following this monitoring, citizens in Soaw attained the replacement of a poorly maintained school roof and guaranteed food and supplies to a school canteen that had mismanaged procurement. In Houndé, construction of a school was halted due to poor quality of bricks used and later resumed with better quality materials. In Dédougou, CCOs oversaw the construction of two schools with three classrooms each, plus a store and office. Citizens also brought up issues with garbage collection and compelled the waste company to remove overflowing bins and proceed with clean up. Sensitization of market vendors at the Central Market of Dédougou improved the strained relationships between market vendors and town hall representatives in charge of tax collection; tax contributions improved as vendors understood the importance of fiscal responsibility for the betterment of their community.
and youth activists, who monitor infrastructure spending and project implementation in their own villages. These local groups regularly interface with the CCOs and facilitate the upward flow of information. A communal consultation framework among authorities, civil society, and community members in the three districts provides support to the CCOs to guarantee that they are meeting their responsibilities to the communities.

*Actively promote the participation of women and vulnerable groups in civic spaces.* Initially silent on the differential needs of women and vulnerable populations, implementing partners have since recognized the benefits of involving women, youth, and other vulnerable groups in decisions over budget planning and allocation processes. In fact, they have encouraged women and youth participation in both the CCOs and the community level monitoring groups and have deliberately included transformative leadership approaches in trainings and participatory budgeting exercises. Efforts are further grounded in regional and national campaigning priorities, supporting AFEMIB in advocating for the earmarking of one third of FMDL allocations to the priorities of women and youth. Special emphasis is placed on women and youth participation in the choice of projects financed by the FMDL.

**THE WAY FORWARD**

The commitment of Burkina Faso’s civil society to local development priorities is clearly bearing fruit. Coalition partners have proven capable of adapting their strategies, pivoting in the face of mounting corporate pressure and government weakness, and persevering through the operationalization of the FMDL and the creation of the CCOs. Going forward, CCOs should consider formalizing their relationships with municipal authorities through written partnership agreements. Municipalities could bolster CCO efforts by allocating a budget to their activities. Continued advocacy may also be necessary to consolidate gains and further strengthen citizen participation, keeping in mind that strides made must not stop with improved oversight of budgetary processes, but must increasingly translate into enhanced social services for the direct benefit of men, women, and children.
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Oxfam’s work on Extractive Industries
Oxfam supports the rights of communities to know about oil, gas, and mining projects, and to decide if they want these projects. Oxfam also helps track the revenues paid by companies to governments so that more of that money will be spent fighting poverty. Today Oxfam works to find just solutions to oil, gas, and mining issues in approximately 30 countries. This case study is part of a knowledge and learning series focused on Oxfam and partners’ work influencing the oil, gas, and mining activities in selected countries.

Photos
Page 1: Open pit mining, Burkina Faso.
Photo: Isuru Senevi
Page 5: Citizen oversight Committee of Soaw.
Photo: Francelline Sawadogo

Notes
1. FMDL contributions include 20% royalties to mining districts already mandated in the 2003 Mining Code and the additional 1% mining revenue contribution signed into law in the 2015 Mining Code. While the payment of royalties is reserved to mining districts, all districts in the country receive the 1% revenue contribution irrespective of whether they are hosts to mining projects.
3. Oxfam, Mines Alert PWYP Coalition, the French Embassy, NRGI, the PWYP International Secretariat, Organization for Community Capacity Building for Development (ORCADE), African Network of Journalists for Integrity and Transparency (RAJIT), Burkinabe Movement for Human and Peoples’ Rights (MBDHP), National Anti-Corruption Network (RENLAC), Cadre de Concertation des ONG et Associations Actives en Education de Base (CCEB-BFI), Association of Women in the Mining Sector in Burkina Faso (AFEMIB), ATTAC-Burkina, Alliance Burkinabe de Fournisseurs de biens ed de services Miniers (ABSM), Centre d’Information, de Formation, et d’Education sur le Budget (CIFOEB), The Free Afrik Institute, Norbert Songo National Press Centre, Research and Study Group on Democracy and Economic and Social Development (SERDESBI-Burkina), League of Consumers, Centre for Democratic Governance (CGD), National Network for the Promotion of Environmental Evaluations (RENAPEE), FoodFirst Information & Action Network (FIAN) Burkina.
4. The main advocacy targets included decision-making bodies in Burkina responsible for the initiation, passage, and subsequent adoption of bills, such as the Ministry of Energy, the Ministry of Decentralization, the Ministry of Finance, the National Assembly responsible for adopting laws, and the parliamentarians. The Chamber of Mines and local authorities were also targeted. ORCADE allies sought to build relationships with stakeholders, including religious leaders, specialized research centers, media, and technical partners.
5. While district-level oversight structures exist across the country, they are not always operational or working well. The three project districts are examples of successful implementation and serve as a model for expansion. Soaw could serve as a model for other rural districts, Dédougou for larger districts, and Houndé for mining districts.
6. In the three CCOs, we find 23 men and 7 women. Membership is drawn from local civil society organizations.
7. Youth organizations, organizations promoting human rights, gender organizations, trade unions, etc.
8. The Vision for Decentralization 2020 aims to boost public participation in local development and align infrastructure and services with local needs.