Consultation on Validation

1. Should effort and progress in meeting the requirements over time be taken into account in validation?
   Yes, effort and progress over time should be taken into account. This is

2. Should validation encourage reporting that go beyond the EITI requirements?
   Validation under the current Standard has proven challenging for a number of implementing countries. Before consideration is given to extend reporting beyond current EITI requirements countries would need to use and exploit the reporting possibilities under the existing framework. Countries should be free to report beyond the basic EITI requirements based on decisions taken by the MSG.

3. Should the timeframe for countries to achieve compliance be the same for all implementing countries? If so, should the timeframe be a fixed number of years as at present?
   Yes, the timeframe should be the same for all countries.

4. Should progress and direction of travel matter for how much time countries are given to achieve compliance?
   A deadline for validation should be kept. Absence of it would dilute the incentive to become compliant. The system already provides flexibility to countries to cater for notions of progress and direction since countries are given extra time and recommendations in case they fail to comply.

5. To what extent should the local context in which the EITI is being implemented be taken into account during validation?
   While acknowledging that local contexts might be particularly challenging in some countries, the same Standard should be applied to every country. Tuning the intensity of technical assistance to particularly challenging country contexts would need to be explored.

6. Should EITI requirements continue to be assessed as met or unmet?
   The Pass/Fail grading needs to be kept and grey zones avoided. The analysis of requirements one by one allows validators to describe any progress in their implementation.
7. Should there be more disaggregated assessments, showing which requirements are met and which requirements are unmet, including the level of progress in meeting each requirement?

It is our understanding that this is already being done.

8. Should the consequences of not reaching compliance status be removed? I.e. countries are allowed to stay members of the EITI as long as they make progress towards meeting requirements?

No. Countries should not be allowed to remain candidate for unlimited periods of time. This would introduce further nomenclature problems. Countries need to be aware that compliant status is not a one way road.

9. How can validation measure progress or direction of travel towards meeting a requirement?

It is our understanding that this is already in place (meaningful/limited/non meaningful progress)

10. Should validation take place more frequently to measure progress, for example at the end of each EITI reporting cycle, or is the current frequency of every 3 years adequate?

The current frequency is adequate.

11. Should the concept of “Candidate” and “Compliant” be replaced, and if so with what?

A very pertinent question since the label “compliant” has been given to countries in very different circumstances and having joined the EITI in different states of its evolution. The notion “candidate” presents less of a problem.

We would be in favour of acknowledging the level of efforts accomplished by compliant countries beyond the minimum requirements by making explicit those cases where minimum requirements have been exceeded or the country has successfully integrated requirements into government systems.

12. What terminology could be suitable to indicate the various degrees of progress in meeting EITI Requirements? Are the current concepts of “limited progress” and “meaningful progress” appropriate?

Yes

13. How can Validation incentivize countries to continue to progress and innovate both before and after reaching compliance status?

The main objective of the validation exercise is to measure whether progress has been achieved in a number of requirements. Incentives should intervene in the preparatory phase before validation and make use of other available instruments (TA)

14. Should multi-stakeholder groups and/or local and international experts on extractive sector governance have a greater role in Validation?

The validator already contacts multi-stakeholder-groups as well as any relevant stakeholder in the local context prior to his/her assessment of the national EITI process. It
is unclear what role MSG would play in validation beyond being a key source of information.

15. Should the International Secretariat have a greater role in carrying out Validation assessments? What are the risks and benefits of this approach? What should be done to mitigate conflicts of interest?

Having an IS more involved in validation would create a conflict of interest which should be avoided. The validator needs to remain independent.