EITI Consultation on Validation https://eiti.org/consultation-validation

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Consultation questions

1. Should effort and progress in meeting the requirements over time be taken into account in validation?
   Yes. This is already provided for in EITI Standard Requirement 1. Validation reports should explicitly recognise and detail the efforts and progress that countries have made towards compliance and against each requirement, whether or not they achieve compliance, so that experience and learning are fully shared.

2. Should validation encourage reporting that go beyond the EITI requirements?
   Validation reports can usefully indicate how far a country has met “encouraged” elements in the Standard but should focus chiefly on the core requirements. The priority is to consolidate the 2013 Standard, which is still relatively new.

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 fixed timeframe is needed to ensure a robust international reporting standard. There is already flexibility within the system to allow additional time for countries to make meaningful progress and take remedial actions.

4. Should progress and direction of travel matter for how much time countries are given to achieve compliance?
   This is sufficiently provided for in Requirement 1.6.

5. To what extent should the local context in which the EITI is being implemented be taken into account during validation?
   This is adequately provided for in Requirement 1.6, which allows 5 years for candidacy and meaningful progress before a country is suspended. To introduce greater flexibility so early in the implementation of the 2013 Standard risks weakening the EITI.

6. Should EITI requirements continue to be assessed as met or unmet?
   Yes. Validation needs to be rigorous to be meaningful.

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?
   Assessments are already required to be disaggregated and based on “A comprehensive and detailed assessment by the Validator of the country’s compliance with each requirement, taking into account stakeholder views”; “Each requirement should be assessed as “met” or “unmet””; “Where the country has made meaningful or limited progress but has not fully met the requirements, the Validator should make recommendations on remedial actions needed to achieve compliance”
Validation should explicitly assess and describe the level of progress in meeting each requirement.

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 change to the provisions of Requirement 1 regarding compliance and consequences of not reaching it should be contemplated at this time. The EITI’s reputation as a meaningful international standard requires that membership entails obligations and that failure to meet requirements has serious consequences. Implementation of the 2013 Standard is still at an early stage, and it should not be used as justification for any weakening of the EITI’s core elements.

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

   The current concepts of “meaningful” and “limited” progress provide a useful basis to assess individual requirements consistent with the application of these concepts to overall progress towards compliance. Ambiguity about “limited” (EITI Standard page 39) vs “no meaningful” (EITI Standard pages 16, 17) progress – are they the same or different? – could be addressed.

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?**

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

   No change to validation frequency or the concepts of “Candidate” and “Compliant” should be contemplated at this time. Implementation of the 2013 Standard is still at an early stage, and it should not be used as justification for any weakening of the EITI’s core elements.

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?**

   The current concepts are appropriate, but as noted above, ambiguity about “limited” (EITI Standard page 39) vs “no meaningful” (EITI Standard pages 16, 17) progress – are they the same or different? – could be addressed.

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

   The core purpose of Validation is “to assess performance and promote[s] dialogue and learning at the country level” and “safeguard[s] the integrity of the EITI by holding all EITI implementing countries to the same global standard” (Validation Guide 3.1). While doing this, Validation is already required to recognise and note progress and innovation (3.2) and make recommendations for improvement (3.4). Beyond this, it is for each MSG, and the EITI as a whole, to encourage and incentivise progress and innovation.

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

   No, because of the risk of compromising the validation process, which should be as objective as possible.

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?**

   No, because of the risk of compromising the validation process, which should be as objective as possible.