EITI Validation procedure

Approved by the EITI Board in December 2020.

The Validation procedure in the 2019 EITI Standard (Chapter I, Section 5) is amended as follows:

Validation will assess progress in implementing one or several of the following components of the EITI Standard: Stakeholder engagement (Requirements 1.1 to 1.4), Transparency (Requirements 2 to 6) and Outcomes and impact (Requirements 1.5 and 7). The components assessed in the Validation are determined by the outcome of the previous Validation and the Validation schedule established by the EITI Board.

1. Preparation for Validation. Prior to the commencement of Validation, the multi-stakeholder group (MSG) oversees the collation of data and documentation that demonstrates evidence of addressing each EITI Requirement within the component(s) being assessed, using Board-approved templates. This work may be undertaken with support from, for example, the national secretariat, a consultant or the Independent Administrator. A guidance note on preparing for Validation will soon be available.

The International Secretariat's country team will provide guidance (*see Annex A for details of the division of roles within the International Secretariat*). This support may involve a mission to the country ahead of Validation, which a member of the Validation team may join to consult stakeholders and provide information on the Validation process. Any consultations should seek the views of representatives from each constituency in a balanced manner.

The onus is on implementing countries to demonstrate progress and provide evidence. The national secretariat should collate the documentation and other sources that demonstrate adherence using the Board-approved templates provided by the International Secretariat. In second and subsequent Validations, the MSG is encouraged to focus on demonstrating progress in addressing the corrective actions.

The dossier submitted by the MSG should include clear references to publicly available documents and information on how to access them. Where source documents are not publicly available (e.g. MSG meeting minutes, ToRs), these should be provided as an annex. Stakeholders are also invited to prepare any other documentation they consider relevant, including efforts to go beyond the EITI Standard.

The MSG should submit the completed data collection and documentation templates to the International Secretariat by the commencement of Validation.

Ahead of the Validation, the International Secretariat launches a call for views on stakeholder engagement in the EITI. The call for views is public and shared with the MSG and other relevant stakeholders.

The Validation Committee may also engage an external expert to provide input on any aspect of the EITI Standard on selected Validations (*see Annex B for details*).

2. Review of information and preliminary assessment. The International Secretariat's Validation team reviews the information submitted by the MSG, as well as responses to the call for views on stakeholder engagement. The composition of the Validation team will be communicated to the MSG and national secretariat.

The Validation team proposes a preliminary assessment of each EITI Requirement, as well as the effectiveness and sustainability indicators, following the Validation Guide. The Validation team proposes corrective actions for requirements where gaps are identified or evidence is not sufficient to demonstrate that the requirement has been fully met. If the Validation team is aware of a relevant publicly available source that addresses the gaps, it will highlight this in the draft assessment.

In second and subsequent Validations, the assessment will focus on the corrective actions determined in the preceding Validation, any indication of backsliding, innovations, efforts to implement encouraged aspects of the EITI Standard and the effectiveness and sustainability of implementation.

The Secretariat's Validation team will offer the MSG the opportunity to discuss preliminary findings at a teleconference. The Validation team may undertake targeted virtual stakeholder consultations at this stage, consult the International Secretariat's country team or draw on external experts to seek further information. In exceptional cases, especially if there are severe concerns related to stakeholder engagement, the Validation team may visit the country to undertake in-person consultations and seek further information.

The Validation team drafts an assessment that summarises progress in implementing the EITI Requirements related to the component(s) being assessed. The draft assessment, the underlying documentation and feedback on stakeholder engagement is shared with the MSG and the EITI Board's Validation Committee for information.

3. Stakeholder comments. The MSG is invited to provide further evidence and other feedback on the Secretariat's preliminary assessment within four weeks from receiving the document in the local working language. The National Coordinator (NC) should compile MSG comments and additional evidence in one file and submit these to the International Secretariat. The NC is encouraged to attach to the comments the minutes of the MSG meeting(s) where the comments were discussed and agreed. In exceptional circumstances, stakeholders may contact the International Secretariat directly to provide comments.

The International Secretariat's Validation team is expected to review all submissions from stakeholders received within the assigned 4-week period and provide a response to the MSG. The Secretariat is expected to give weight to comments agreed by the MSG over comments from individual stakeholders or constituencies. However, possible limitations to the ability of stakeholders to have their position reflected in the MSG's submission should be taken into account. The Secretariat may request further information from stakeholders as considered necessary.

Any information on disclosures or developments taking place after the commencement of Validation will be considered in the Secretariat's final assessment, if it is referred to in the MSG-endorsed feedback and materially affects the assessment. If individual stakeholders or constituencies submit information on new developments, these will be submitted to the Validation Committee but not taken into account in the Secretariat's assessment. Representations received after the period for MSG comments will not be considered.

4. Board review. The final assessment and all underlying documentation are submitted to the Validation Committee for review. The Validation Committee shall consider the submission of any external expert appointed to provide input and may commission the International Secretariat to undertake further consultations.

The Board will not consider developments taking place after the commencement of Validation that were not included in the MSG's feedback, unless there is recent evidence of considerable deterioration or improvement on one or more of the requirements related to stakeholder engagement (1.1 to 1.3).

The Validation Committee will make a recommendation to the EITI Board on the country's progress in addressing EITI Requirements, performance on the sustainability and effectiveness indicators, the timing of the next Validation and, where applicable, any corrective actions required.

The EITI Board will determine the assessment of each EITI Requirement and the consequences of Validation, in accordance with Articles 4 and 5 of the EITI Standard.

Documents related to the Validation are considered confidential until the Board has reached a decision. Board members are encouraged to reach out to local stakeholders from their constituency to seek their views, without sharing confidential Board documents.

Once the Board has reached a decision, the documents will be made publicly available. The Validation Committee will consider stakeholders' requests for comments to be treated confidentially. In accordance with Article 10 of Chapter 4 of the 2019 EITI Standard, an implementing country may petition the Board to review its decision related to Validation.

Annex A: Roles and responsibilities

To ensure the independence of the Validation from implementation support provided by the International Secretariat, the following division of roles will be maintained:

- *Country team*: The International Secretariat's country team provides regular implementation support to the country being assessed. As part of this support, it provides guidance to the MSG and national secretariat in compiling the documentation ahead of the commencement of Validation. The International Secretariat does not pre-validate countries and cannot give assurances about the outcome of Validation. The country team may consult the Validation team and thematic experts within the Secretariat in providing advice to the country. It is recognised that the country team has the deepest knowledge about the country being assessed and its EITI implementation within the International Secretariat. The Validation team should draw on this expertise to ensure that its assessment is fully informed.

- *Validation team:* A Validation team is agreed at least three months before the scheduled commencement of each Validation. The composition of the team is communicated to the MSG and the national secretariat. The team consists of one to three International Secretariat staff members who have the necessary expertise and language skills to undertake the assessment and have not been members of the relevant country team during the period being assessed in Validation.

  The Validation team reviews the documentation compiled by the MSG and proposes an assessment of each EITI Requirement, and responds to the MSG's feedback. The country team may seek advice from the Validation team when supporting the country in preparing for Validation. The Validation team should consult the country team when conducting the assessment to gain a better understanding of the context. The Validation team can support the country team's country visit ahead of Validation or after the commencement of Validation to consult stakeholders and/or encourage progress in implementation. The distinct roles of the members of the country team and the Validation team should be clearly presented to stakeholders during such missions. The Validation team's work is quality assured by a senior staff member.

Additionally, the Validation Committee may appoint external experts to provide views on the assessment. To ensure the timely completion of Validation, the Validation Committee will seek to identify upcoming Validations that require input from an external expert in its work plan. The criteria and procedure for inviting external experts to provide input to the Validation are defined in Annex B. Board members who are lead reviewers are encouraged to review Validation documentation and raise any concerns related to the integrity of the assessment at the Validation Committee.

Annex B: Procedure for engaging external experts

The Validation Committee may appoint external experts to provide input on any aspect of the EITI Standard on selected Validations. The decision on whether to engage an external expert will be taken by the Validation Committee at least two months before the scheduled commencement of

the Validation and be documented in the Committee's work plan. The EITI Board will annually establish a budget line for the engagement of external experts in Validation.

In deciding which Validations to involve an external expert, the Validation Committee will consider the following criteria: (1) the complexity of the EITI process being assessed, (2) the country's Validation ratings and findings, (3) challenges in stakeholder engagement in the EITI identified during implementation and/or in recent ratings and trends related to the broader enabling environment, (4) the International Secretariat's need for external support, (5) budget implications, and (6) the particular added value from external expertise in the case at hand.

Any MSG may also propose to the Validation Committee that an external expert be involved in its Validation. Such requests should be made at least three months before the scheduled commencement of Validation and explain the rationale for the request. The Validation Committee shall consider such proposals as an integral part of its regular review of the Validation Committee work plan.

The role of the external expert is to provide input to inform the assessment prepared by the International Secretariat and the EITI Board's decision-making. The scope of the expert's work may cover individual EITI Requirements or a module of several interlinked requirements. The duration of the assignment is one to five working days depending on its complexity, and will not involve travel. The deliverable is a report that documents evidence of the country's progress in addressing the relevant EITI Requirement(s) and opportunities for strengthening implementation. The expert will not propose an assessment of the EITI Requirement(s).

The following criteria will be considered when appointing the external expert: (1) demonstrated relevant thematic and regional expertise, (2) demonstrated knowledge of the EITI Standard, (3) a reputation for credibility and trustworthiness, and (4) ability to complete the assignment in the agreed timeframe. Once the Validation Committee has decided to involve an external expert in an upcoming Validation and has agreed the thematic scope of the expert's work, the International Secretariat and Committee members may propose experts. The Validation Committee will approve the selection of the expert and the terms of reference for the assignment. The Committee will consider potential conflicts of interest in selecting the expert.

Annex C: Validation timeline

Milestone	Responsible party	Timeline
Compilation of data and documentation	MSG, with support from the national secretariat and guidance from International Secretariat country team	Prior to the commencement of Validation
Call for views on stakeholder engagement launched	International Secretariat Validation team	Validation commencement date - 4 weeks

Submission of data and documentation to the International Secretariat	MSG	By Validation commencement date
Commencement of Validation	-	Varies as per the schedule agreed by the Board
Review of information and initial assessment	International Secretariat Validation team	+ 6 weeks
Translation of initial assessment	International Secretariat	+ 3 weeks
MSG comment period	MSG	+ 4 weeks
Finalisation of Secretariat's assessment	International Secretariat Validation team	+ 2 weeks
Completion of Board review	Validation Committee, EITI Board	+ max 10 weeks