Revision of the EITI Open data policy

For decision

For discussion

For information

Summary

The Implementation Committee recommends that the EITI Board adopts a revised EITI Open data policy (see Annex 1). The Board-approved EITI Open data policy is part of the EITI Standard and has been an important reference for implementing countries in their open data efforts. The revised policy reflects various developments in the open data field and the Board’s encouragement of systematic disclosure by companies and government. It also addresses stakeholder feedback and challenges encountered in implementing countries as documented in Validation.

Supporting documentation


Board Paper 39-4-A Encouraging systematic disclosure: https://eiti.org/BD/2018-8


Summary data template version 1.0: https://eiti.org/document/eiti-summary-data-template

Has the EITI competence for any proposed actions been considered?

The EITI Articles of Association (Article 12) mandates the EITI Board to consider general and specific policy issues affecting the EITI Association. The EITI Standard requires implementing countries to “agree a clear policy on the access, release and re-use of EITI data” (requirement 7.1).

Financial implications of any actions

Efforts to promote open data imply costs for implementing countries and for the EITI International Management. The revision of the policy allows countries to consider opportunities to reduce these costs, e.g., through prioritisation, systematic disclosure and greater standardisation. There are no immediate financial implications for the EITI International Management.

Document history

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<tbody>
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<td></td>
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</tbody>
</table>
REVISION OF THE EITI OPEN DATA POLICY

Contents

Recommendation ........................................................................................................................................... 3
Background .................................................................................................................................................. 3
Lessons learned from implementation of the Open data policy .......................................................... 3
Stakeholder consultation ......................................................................................................................... 6
Annex 1 – Revised Open data policy with changes highlighted ............................................................. 7
  Preamble .................................................................................................................................................. 7
  Open data objectives .............................................................................................................................. 7
  Open data in EITI Implementation ......................................................................................................... 8
  Engagement with the open data community .......................................................................................... 10
Recommendation

The Implementation Committee recommends that the EITI Board adopts a revised EITI Open data policy (see Annex 1). The Board-approved EITI Open data policy is part of the EITI Standard and has been an important reference for implementing countries in their open data efforts. The revised policy reflects various developments in the open data field and the Board’s encouragement of systematic disclosure by companies and government. It also addresses stakeholder feedback and challenges encountered in implementing countries as documented in Validation.

Background

The EITI Principles declare that “a public understanding of government revenues and expenditure over time [can] help public debate and inform choice of appropriate and realistic options for sustainable development” (EITI Principle 4). The EITI Standard therefore requires EITI Reports that are “comprehensible, actively promoted, publicly accessible, and contribute to public debate” (EITI Requirement 7.1). Improving the accessibility and comparability of EITI data is essential to realise these objectives.

To further these objectives, the EITI’s Open data policy was adopted on 9 December 2015 (and incorporated into the EITI Standard in February 2016). The policy contains recommendations on open data in implementation of the EITI, building on lessons emerging from national level implementation and emerging international best practice. The EITI Standard was also revised to promote open data. MSGs in implementing countries are required to “agree a clear policy on the access, release and re-use of EITI data” (requirement 7.1). This requirement came into force on 31 December 2016. The Implementation Committee oversees progress made by countries in implementing open data efforts, and the Committee work plan for 2018 includes activities aimed at supporting open data efforts in implementing countries (action 3.1.b).

Lessons learned from implementation of the Open data policy

Since the adoption of the EITI’s Open data policy, there have been further developments within the EITI and open data communities, technological developments, country experiences and international data standards.

Most EITI countries have adopted an open data policy and we have seen some activity around publishing EITI data in open format. The use of data for accountability has been quite limited, however, because the published data is mainly two years old and not necessarily provided in the context that can be useful to

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2 Including the Open Government Partnership, the G8 Open Data Charter and Technical Annex, the Open Data Charter (http://opendatacharter.net/), and the open definition (http://opendefinition.org/).
Lessons learned from implementation of the Open data policy

Based on feedback from stakeholders, implementation support and experience from Validation, some key lessons include:

1. A key factor to ensure the sustainability of publishing open data is to ensure that it is part of the bureaucratic routine and being published at the source.

2. A key factor to ensure timeliness is to encourage publication at source. As outlined in the Board decision on encouraging systematic disclosure, instead of relying on the EITI reporting process to publish information, the Board has encouraged routine disclosure from the reporting entities at the national level within the agreed scope of EITI implementation. Reporting entities are encouraged to consider opportunities to improve the timeliness of these disclosures, e.g., monthly and quarterly updates.

3. To avoid duplication of data clear ownership and publishing rules for the dataset need to be determined. The data sets should be clearly labelled by publisher, date of publication, with a contact to allow for further inquiries.

4. Where open data policies and projects are being established, special attention needs to be paid to capacity-building in order ensure sustainability in the longer-term and that reporting entities dealing with data are included in policy and project design and execution. While there have been some efforts in establishing open data platforms, those have often been established in isolation to other processes. Coordination mechanisms are needed to collect, manage, publish and integrate data over the mid- and long-term.

5. To address the use of data, publishers need to consider the context, demand for the data and determine how to publish it so it can be found. Data will be used and can have an impact if it helps solve a concrete question or address a concern. Publishing data without context will not lead to it being used.

6. Capacity needs to be built both in government, industry and civil society to prepare the data, publish it and analyse it.

7. Emerging data standards can contribute to making data interoperable. A better understanding on data standards and how to apply those is needed in countries and at the International Secretariat.

8. Open data principles should reflect the level of maturity of the country’s data infrastructure. Open data policies should consider the current state of data infrastructure, such as internet and mobile penetration, the skills and equipment needed to publish open data, and include objectives to establish a solid data collection and distribution network (both in terms of technology and people), in line with the country’s level of development.

9. In 2016, the EITI introduced a requirement for MSGs to agree an open data policy. These policies have often focused on how to make the data in the EITI Report more accessible. A more effective approach is to review the open data policies and practices of the companies and government

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Stand-alone data portals with EITI data require a good understanding of EITI data.

The Board agreed on recommendations on systematic disclosures: 2018-8/BM-39/BP-39-4-A
agencies that are the primary sources of data, and to consider actions to improve their open data policy and increase public access to more timely data.

10. To further support countries and companies, the EITI should promote good examples of systematic disclosure and open data more widely and consider joining working groups focusing on open data to disseminate examples and draw on lessons learned.

The EITI Board has agreed that systematic disclosure should be the default expectation. The trend toward mainstreaming (systematic disclosure) and open data are mutually reinforcing. However, there is an emerging risk is that “EITI open data” portals are being developed independently of core administrative information management systems. This can lead to duplication and inattention to the strengthening the systems that the primary source and guarantor of reliable data.

Experience from other organisations and networks could be valuable in further developing the EITI’s policy. For example, that more attention needs to be paid to the data infrastructure and purpose of publishing data when orienting government systems to “open by default”. The Open Data Charter has (in May 2018) initiated a review of its own principles. Other initiatives have made good progress with collecting and publishing data and a consultation could draw on lessons from their experience. Other organisations have found that publishing data does not always lead to growing accountability and are reviewing their assumptions.

Internationally, the expectation to publish data in open format has gained further traction. The first UN World Data Forum took place in October 2018, bringing together experts from statistics offices worldwide to debate how to advance the publication of data which is deemed essential to meet the SDGs. The EITI could consider joining working groups on open government data to further draw on experience from other organisations and networks.

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6 For example, the EITI could consider endorsing the Open Data Charter and join one of its working groups. See also their guide on fighting corruption: [https://open-data-charter.gitbook.io/open-up-guide-using-open-data-to-combat-corruption/](https://open-data-charter.gitbook.io/open-up-guide-using-open-data-to-combat-corruption/)

7 Open by default refers to the expectation that government data is published, and it needs to be justified if it does not get published (for example for security or data protection). [https://opendatacharter.net/principles/](https://opendatacharter.net/principles/). The same organisation has found that

8 See [https://medium.com/opendatacharter/a-vision-for-the-future-of-open-data-4d0864465776](https://medium.com/opendatacharter/a-vision-for-the-future-of-open-data-4d0864465776)

9 The International Aid Transparency Initiative has established a data standard on aid data which has been widely adopted [https://iatistandard.org/en/](https://iatistandard.org/en/). The Open Government Partnership has shared experiences with open data commitments of countries, see [https://www.opengovpartnership.org/resources/aligning-supply-and-demand-better-governance-open-data-open-government-partnership](https://www.opengovpartnership.org/resources/aligning-supply-and-demand-better-governance-open-data-open-government-partnership)


11 [https://undataforum.org](https://undataforum.org)

other actors and share experiences from EITI countries\textsuperscript{13}.

**Stakeholder consultation**

The EITI undertook a public consultation process between 7 December 2018 and 7 January 2019, inviting comments on the opportunities to improve the EITI’s open data policy\textsuperscript{14}. The International Secretariat invited feedback from national secretariats through the National Secretariat Circular\textsuperscript{15}. The feedback received is reflected in the lessons learned outlined above and the revised policy set out in Annex 1.

\textsuperscript{13} For example, the Open Data Charter working group.


\textsuperscript{15} National Secretariat Circular, issued 11 December 2018: [https://us5.campaign-archive.com/?u=691e61806662528c68908252f&id=5e7a0e147a#open%20data](https://us5.campaign-archive.com/?u=691e61806662528c68908252f&id=5e7a0e147a#open%20data)
Annex 1 – Revised Open data policy with changes highlighted

Preamble

1. This policy contains recommendations on open data in implementation of the EITI within the agreed scope of EITI implementation at the national level. It complements the requirements regarding open data as per requirement 7. It builds on lessons emerging from national level implementation and emerging international best practice and encourage systematic disclosure.

2. The EITI Principles declare that “a public understanding of government revenues and expenditure over time [can] help public debate and inform choice of appropriate and realistic options for sustainable development” (EITI Principle 4). The EITI Standard therefore requires EITI Reports disclosures to be “comprehensible, actively promoted, publicly accessible, and contribute to public debate” (EITI Requirement 7.1). Improving the accessibility, reliability, relevance, timeliness and comparability of EITI data is essential to realise these objectives.

3. To help realise the EITI principles, the EITI Board has agreed that systematic disclosure of EITI data through government and company systems is now the default expectation. The EITI encourages routine disclosure from the reporting entities in open formats at the national level within the agreed scope of EITI implementation.

4. The EITI acknowledges that the circumstances differ in each implementing country, that not all countries will be able to transition to open data at the same speed, and that the financial implications need to be considered, both in the near and long term. The demand from the public and the use of the data to address public policy issues should be considered. Access challenges and information needs of different genders and subgroups of citizens should also be taken into account.

Open data objectives

5. Open data from EITI implementation can improve transparency about government and business activities and increase awareness about how countries’ natural resources are used and how extractives revenues are levied and spent governed. It can shed light on who owns extractives companies, who holds licenses and permits, what the relevant fiscal terms are and

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16 Including the Open Government Partnership, the G8 Open Data Charter and Technical Annex, the Open Data Charter (http://opendatacharter.net/), the open definition (http://opendefinition.org/) and the World Wide Web Consortium (W3C) for developing data standards (https://www.w3.org/Consortium )

17 See https://eiti.org/BD/2018-8

18 Ibid

19 See Requirement 4

20 The key is to “publish with purpose”, meaning that data publication should be embedded to solving specific policy problems.
what extractives revenues are levied and spent. Such disclosures provide strong incentives for that money to be used most effectively.

6. Open data is effective and useful when it is timely, of good quality, addressing stakeholder needs and expectations. EITI implementation should Open data promotes accountability and good governance, enhances public debate and citizen engagement, helps combat corruption through enhanced government accountability and improves the delivery of government services. Providing access to comprehensive data can empower individuals, the media, civil society, and business to make better informed choices about the services they receive and the standards they should expect. Open data can also be a valuable tool for government in improving policy making and sector management.

7. Free access to, and subsequent re-use of, open data are of significant value to society and the economy. It can be a valuable source of information to multi-stakeholder groups in EITI implementing countries.

8. Emerging data standards can contribute to making data interoperable. Adopting standard data also contributes to the sustainability of data publishing, supports the capacity of governments, industry and civil society to prepare and publish data through accessing existing tooling and resources, and can support data use and analysis where standards are thoughtfully designed, and communities of users form around them.

Open data in EITI Implementation

9. EITI Implementing countries are encouraged to:

a) orient government systems towards open data by default. It is recognised that there is national and international legislation, in particular pertaining to intellectual property, personally-identifiable and sensitive information, which must be observed;

b) systematically publish open data by embedding open data policies and strategies in reporting entities involved in EITI reporting to ensure timely and quality data, accessibility and cost effectiveness of data delivery;

b) Working with users to identify priority data sets and the form that the data delivery should take;


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21 Examples include: for beneficial ownership, the beneficial ownership data standard is emerging as an open data standard (http://standard.openownership.org); for contracts the Open Contracting Data Standard is being adopted (http://standard.open-contracting.org/)

22 Users can refer to citizens, the media, academia and of course other government agencies who use data from other agencies for their own service delivery.
c) consider different user needs and access challenges based on gender, ethnic and geographic representation.

d) ensure that data are provided in granular, machine-readable formats and fully described, so that users have sufficient information to understand their strengths, weaknesses, analytical limitations and security requirements, as well as how to process the data;

e) release data as early as possible, allow users to provide feedback, and then continue to make revisions to ensure the highest standards of open data quality.

f) release data under an open license, preferably CC 4.0\textsuperscript{23}, that allows users to freely obtain and easily re-use it\textsuperscript{24};

g) share technical expertise and experience with other countries to maximise the potential of open data in a socially inclusive manner;

h) work to increase open data literacy and encourage people, such as developers of applications and civil society organisations that work in the field of open data promotion, to unlock the value of open data;

i) ensure that data is interoperable with national and international standards\textsuperscript{25}, including adopting data standards approved by the EITI Board and additional guidance provided by the EITI International Secretariat;

j) where possible use unique identifiers to link data across years of reporting or different sources; support the cross-referencing of data with other datasets by using unique, persistent and public identifiers for commercial and government entities;

k) consider the technical infrastructure to deliver and use the open data\textsuperscript{26};

l) consider the governance and sustainability of open data policies as to ensure that reporting entities have a data steward, data is retained, and security standards are in place.

\textsuperscript{23} See https://creativecommons.org/licenses/by/4.0/ and https://creativecommons.org/licenses/by/4.0/legalcode
\textsuperscript{24} See 'Recommendations for licensing' suggested by Open Knowledge International https://research.okfn.org/avoiding-data-use-silos/#the-licensing-process
\textsuperscript{25} See, for example, the open data standards directory http://datastandards.directory/
\textsuperscript{26} Technical infrastructure relates to the information technology and skills needed to enable data to be collected, cleaned, connected to other datasets and published. Mapping data ecosystems can be a way to chart out the technical infrastructure and actors related to the collection, curation and publication of data. See for example Open Data Institute’s guide https://theodi.org/project/mapping-data-ecosystems/ and the DFID principles for digital development: https://digitalprinciples.org/principle/understand-the-existing-ecosystem/
Engagement with the open data community

10. To learn from and shape best practices of government open data, EITI countries are encouraged to endorse the Open Data Charter\(^\text{27}\) and other relevant initiatives\(^\text{28}\);

11. To transfer lessons learned from EITI countries and draw from international experience The EITI International Secretariat should engage in working groups focusing on open data, where considered complementary\(^\text{29}\).

\(^{27}\) See open data charter: [https://opendatacharter.net/endorse-the-charter/](https://opendatacharter.net/endorse-the-charter/)

\(^{28}\) Such as the guidelines “Principles for Digital Development”: [https://digitalprinciples.org/](https://digitalprinciples.org/)

\(^{29}\) For example, Open Data Charter’s implementation working group, which develops tools and resources to support governments in the implementation of open data, and promotes and facilitates peer learning across countries and organisations. See [https://opendatacharter.net/who-we-are/](https://opendatacharter.net/who-we-are/) for more background