

EITI STANDARD 2023

Part 2: EITI Board oversight and Validation

2023 EITI Standard (Part 2)

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EITI **STANDARD** 2023

The global standard for the
good governance of oil, gas
and mineral resources

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Introduction

This document covers **Part 2** of the EITI Standard (“EITI Board oversight and Validation”), and outlines the procedures and criteria that determine how the international EITI Board oversees and assesses implementation of the EITI Standard.

The international EITI Board serves as the EITI’s main decision-making body. It decides on priorities for the organisation and evaluates countries’ progress in meeting the EITI Standard. The EITI Board is a multi-stakeholder group consisting of 20 representatives from countries (implementing and supporting), supporting companies and civil society organisations, in addition to their alternates and a chairperson. The EITI Board’s decision-making is consensus-based. It takes decisions during Board meetings, which are held two to four times a year, and via Board circulars.

The EITI holds all implementing countries to the same global standard. Through Validation, the EITI’s quality assurance mechanism, implementing countries are assessed on their ability to meet the provisions of the EITI Standard. Validation promotes dialogue and learning at a country level, providing countries with an opportunity to communicate progress and to identify and address challenges in EITI implementation. It captures stakeholder views and allows countries to highlight their perspectives on the effectiveness and sustainability of EITI implementation. It acknowledges that countries have different starting points and face diverse challenges in implementing the EITI, and that they will use the EITI to address their most pressing priorities for improving extractives governance.

Part 1 of the EITI Standard (“Principles and requirements”) outlines the underlying principles of the EITI, as well as the requirements and expectations for EITI stakeholders. **Part 3** (“EITI governance and management”) addresses how the EITI Association is governed.

The EITI website (www.eiti.org) can be used to access the EITI Standard in full, along with guidance on implementation of various aspects of the EITI.

SECTION 1

EITI Board oversight of EITI implementation

This section outlines the procedures and criteria that the EITI Board uses in overseeing and assessing EITI implementation. These include the timeframes for implementing countries to publish data through the EITI, as well as EITI Board oversight of the Validation process.

Article 1: Adapted implementation

Should the multi-stakeholder group conclude that it faces exceptional circumstances that necessitate deviation from the EITI Requirements, it must seek prior EITI Board approval for adapted implementation. The request must be endorsed by the multi-stakeholder group and reflected in the work plan. The request should explain the rationale for the adapted implementation.

The EITI Board will only consider allowing adapted implementation in exceptional circumstances. When considering such requests, the EITI Board will prioritise the need for comparable treatment between countries and ensuring that the EITI Principles are upheld, including ensuring that the EITI process is sufficiently inclusive, and that EITI disclosures are comprehensive, reliable and will contribute to public debate.

Article 2: Disclosure and reporting deadlines

Implementing countries are required to publish timely information (Requirement 4.8). Implementing countries are required to publish the requested information (typically through an EITI Report) within 18 months of being admitted as an EITI implementing country. Thereafter, the published data must be no older than the second to last complete accounting period (e.g. information pertaining to the financial year ending 31 December 2023 must be published at the latest by 31 December 2025).

If the data is not published by the required deadline, the country will be suspended. The suspension will be lifted if the EITI Board is satisfied that the outstanding data is published within six months of the deadline. If the outstanding data is not published within six months of the deadline, the suspension will remain in force until the EITI Board is satisfied that the country has published EITI data in accordance with Requirement 4.8. If the suspension is in effect for more than one year, the EITI Board will delist the country.

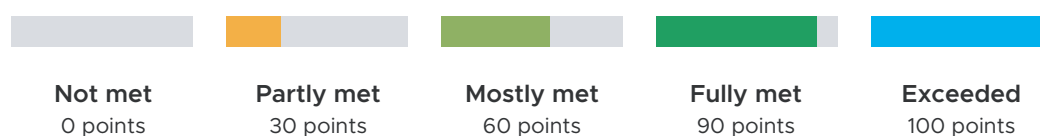
Article 3: Initial Validation deadline

When the EITI Board admits a new implementing country, it will establish a deadline for the commencement of Validation within two and a half years. Subsequent to considering the findings, the EITI Board will establish a deadline for further Validations (Article 5).

Article 4: EITI Validation process

1. Assessment of each EITI Requirement

The Validation process will assess the country's progress in addressing each of the EITI Requirements. Detailed guidance on the types of evidence that are required in order to make an assessment on individual requirements is set out in the Validation Guide. Progress in meeting each EITI Requirement will be assessed using the following scale and will be assigned corresponding points:



- **Exceeded (100 points).** In order for the EITI Board to conclude that a country has exceeded an EITI Requirement, Validation needs to demonstrate that all aspects of the EITI Requirement, including “expected” and “encouraged”, have been implemented and that the broader objective of the requirement has been fulfilled through systematic disclosures in government and company systems.
- **Fully met (90 points).** In order for the EITI Board to conclude that a country has fully met an EITI Requirement, the country needs to demonstrate that the broader objective of the requirement has been fulfilled and that all required aspects of the requirement have been addressed.
- **Mostly met (60 points).** In order for the EITI Board to conclude that a country has mostly met an EITI Requirement, the country needs to demonstrate that significant aspects of the requirement have been implemented and that the broader objective of the requirement is mostly being fulfilled.
- **Mostly met with improvements (75 points).** In order for the EITI Board to conclude that a country has mostly met an EITI Requirement with improvements, the country needs to demonstrate that it has made progress since the previous Validation where the EITI Requirement was assessed as mostly met.
- **Partly met (30 points).** In order for the EITI Board to conclude that a country has partly met an EITI Requirement, Validation needs to demonstrate that significant aspects of the requirement have not been implemented and that the broader objective of the requirement is not fulfilled.
- **Partly met with improvements (45 points).** In order for the EITI Board to conclude that a country has partly met an EITI Requirement with improvements, the country needs to demonstrate that it has made progress since the previous Validation where the EITI Requirement was assessed as partly met.
- **Not met (0 points).** In order for the EITI Board to conclude that a country has not met an EITI Requirement, Validation needs to demonstrate that all or nearly all aspects of the requirement have not been implemented, and that the broader objective of the requirement is far from being fulfilled.

2. Assessment of effectiveness and sustainability

A country may be awarded in total up to five additional points for the effectiveness and sustainability of EITI implementation. This is measured by the following five indicators:

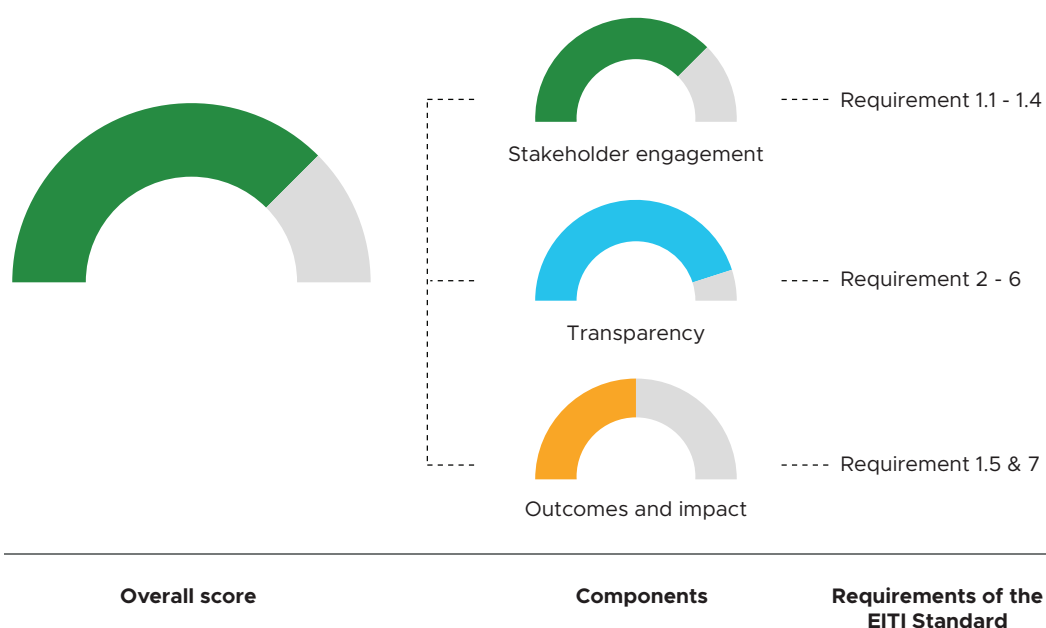
- EITI implementation addresses nationally relevant extractive sector governance challenges. This indicator also recognises efforts beyond the EITI Standard.
- Extractive sector data is disclosed systematically through routine government and corporate reporting.
- There is an enabling environment for citizen participation in extractive sector governance, including participation by affected communities.
- Extractive sector data is accessible and used for analysis, research and advocacy.
- EITI implementation has informed changes in extractive sector policies or practices.

Validation will award the country zero, 0.5 or 1 point on each of the indicators. Detailed guidance on the types of evidence that are required in order to make an assessment on the effectiveness and sustainability indicators is set out in the Validation Guide.

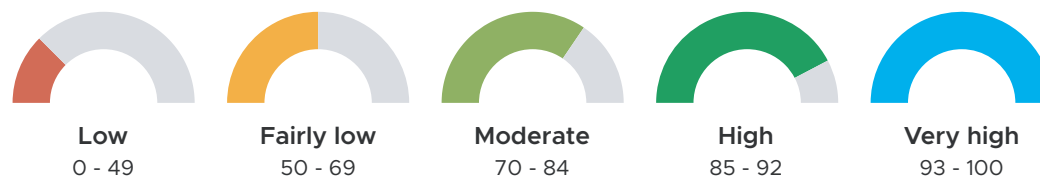
3. Overall assessments

The overall assessment consists of component scores, which together make up an overall numerical score.

Component scores are presented separately for each of the following areas: “Stakeholder engagement” (EITI Requirements 1.1 to 1.4), “Transparency” (EITI Requirements 2 to 6) and “Outcomes and impact” (EITI Requirements 1.5 and 7). The component score represents an average of the points awarded for each applicable requirement. The points awarded on the effectiveness and sustainability indicators will be added to the component score on “Outcomes and impact”.



The overall score is the average of the three component scores. The overall assessment is presented as a numerical score that is accompanied by a qualitative description according to the scale below:



- **Very high:** Average of 93 points or over
- **High:** Average 85 to 92 points
- **Moderate:** Average of 70 to 84 points
- **Fairly low:** Average of 50 to 69 points
- **Low:** Below 50 points

In addition to the assessment of the requirements and the effectiveness and sustainability of EITI implementation, Validation will document:

- **Efforts to go beyond the EITI Requirements.** This will include efforts by the multi-stakeholder group to address “encouraged” aspects of the EITI Standard. It will also include efforts by the multi-stakeholder group to successfully achieve any work plan objectives that fall outside the scope of the EITI Standard, but that have been identified by the multi-stakeholder group to be necessary objectives for the EITI to address national priorities for the extractive sector. The multi-stakeholder group is encouraged to document the objectives of these efforts, as well as their actual and expected outcomes and impact.

These efforts and their outcomes will be documented in the Validation process but will not be assessed as part of Validation. The information provided by the multi-stakeholder group may be used to assess performance on the effectiveness and sustainability indicators.

- The direction of progress towards meeting each EITI Requirement as compared to the country’s previous Validation(s), indicating whether implementation is improving or deteriorating.

The results of the assessment will be documented in a scorecard and a narrative Validation report, which presents evidence for the assessment, stakeholder views, references and conclusions.

Article 5: Safeguards

If a country has partly met or not met any of the requirements relating to stakeholder engagement (Requirements 1.1, 1.2 and 1.3), the EITI Board will suspend the country in accordance with Article 8.

If, on the first Validation, a country has mostly met Requirement 1.3 on civil society engagement due to a deficiency related to the EITI Protocol: Participation of civil society, the country will not be suspended and will be expected to demonstrate progress in addressing the corrective actions established by the EITI Board. Failure to demonstrate progress in addressing the corrective actions in subsequent Validations will result in suspension in accordance with Article 8.

Article 6: Consequences of Validation

The EITI Board will establish a date for the commencement of the country's next Validation. The outcomes of Validation will determine the date of a country's subsequent Validations, as follows:

- **Very high.** Components with a score of "Very high" are re-validated after 36 months.
- **High.** Components with a score of "High" are validated within 12 to 36 months. In establishing the commencement date for the next Validation, the EITI Board will consider the nature of corrective actions and local circumstances.
- **Moderate or Fairly low.** Components with a score of "Moderate" or "Fairly low" are validated within 12 to 24 months. In establishing the commencement date for the next Validation, the EITI Board will consider the nature of corrective actions and local circumstances.
- **Low.** The A country with an overall assessment of Low in Validation is temporarily suspended if any of the component scores is "Low". The suspension is lifted once the country has improved all component scores to at least "Fairly low". Components with a score of "Low" are validated within 12 to 24 months. In establishing the commencement date for the next Validation, the EITI Board will consider the nature of corrective actions and local circumstances.

An implementing country may request an extension of this timeframe in accordance with Article 7. A country may also request to commence Validation earlier than scheduled by the EITI Board.

Stakeholders who are concerned that the level of implementation has significantly deteriorated may also request the EITI Board for an early Validation or a targeted review under Article 8. The EITI Board will review the situation and exercise its discretion on whether to mandate an early Validation of one or several components.

Implementing countries are expected to improve their component and overall scores between Validations. If a country has not improved its score on at least one of the three components, or there has been material deterioration in any of the components, the EITI Board may temporarily suspend the country until it demonstrates progress. If the country repeatedly fails to make progress, it will be delisted.

The EITI Board will take into account the following factors when determining whether to suspend or delist an implementing country:

- The overall numerical score and component scores. Countries with a "High" or "Very high" score on all components will generally not be suspended for failure to demonstrate progress since the previous Validation;
- The advice and recommendations of the Validation team and the Validation Committee;
- The nature of the requirements that have not been implemented and how close the requirements are to being met;
- The magnitude and complexity of the extractive sector of the country;
- Other barriers to meeting requirements such as, but not limited to, state fragility and recent or ongoing political change, and the extent to which the multi-stakeholder group has undertaken actions to resolve barriers encountered;

- The good faith efforts undertaken by the multi-stakeholder group to comply with the requirements;
- The reasons and justifications for not complying with the requirements; and
- Any plans agreed by the multi-stakeholder group to address the requirements in the future.

Article 7: Extensions

An implementing country may apply for an extension if it is unable to meet any of the deadlines specified above. The EITI Board will apply the following tests in assessing any extension requests:

1. The request must be made in advance of the deadline and be endorsed by the multi-stakeholder group.
2. The multi-stakeholder group must demonstrate that it has been making continuous progress towards meeting the deadline and has been delayed due to exceptional circumstances. In assessing continuous progress, the EITI Board will consider:
 - a) The EITI process, in particular the functioning of the multi-stakeholder group and clear, strong commitment from government.
 - b) The status and quality of EITI reporting, including meaningful progress in meeting the requirements for timely reporting as per Requirement 4.8 and efforts to address recommendations for improving EITI reporting.
3. The exceptional circumstance(s) must be explained in the request from the multi-stakeholder group. These may relate to, for example, exceptional political instability.

Article 8: Suspension

1. Suspension due to breaches of the EITI Principles and EITI Requirements

Where it is manifestly clear that a significant aspect of the EITI Principles and EITI Requirements are not adhered to by an implementing country, the EITI Board will suspend or delist the country. Where the EITI Board is concerned that adherence to the EITI Principles and EITI Requirements is compromised, it may task the EITI International Secretariat with gathering information about the situation and submitting a report to the EITI Board.

Suspension of an implementing country is a temporary mechanism. The EITI Board shall set a time limit for the implementing country to address breaches of the EITI Standard. During the period of suspension, the country will have the status “suspended”. If the matter is resolved to the satisfaction of the EITI Board by the deadline, the country’s status and level of progress will be reinstated. If the matter has not been resolved to the satisfaction of the EITI Board by the deadline, the EITI Board will delist the country.

2. Suspension due to political instability or conflict

The EITI Board may decide to suspend countries in cases where political instability or conflict manifestly prevents the country from adhering to a significant aspect of the EITI Principles and EITI Requirements. Countries that are experiencing exceptional political instability or conflict may also voluntarily apply to be suspended. In this situation, the government should submit an application for voluntary suspension with the EITI Board. The government's application should note the views of the multi-stakeholder group.

The EITI Board will monitor and review the situation on a regular basis and retains the right to extend the suspension period or delist the country.

3. Lifting the suspension

The government may apply to have the suspension lifted at any time. The application should document the steps agreed by stakeholders to restart EITI implementation and the Validation process, and the work plan to achieve adherence to the EITI Requirements. If the EITI Board is satisfied that the reasons for suspension have been addressed, the suspension will be lifted. Upon lifting a suspension, the EITI Board will consider setting new reporting and Validation deadlines as appropriate. At all stages in the process, the EITI Board shall ensure its concerns and decisions are clearly communicated to the implementing country.

Article 9: Delisting

Delisting involves revoking a country's status as an EITI implementing country.

Delisting will occur if:

1. An implementing country has been subject to suspension and the matter has not been resolved to the satisfaction of the EITI Board by the agreed deadline; or
2. The EITI Board concludes that a country has repeatedly failed to demonstrate progress in Validation.

Where it is manifestly clear that a significant aspect of the EITI Principles and EITI Requirements are not adhered to by an implementing country, the EITI Board reserves the right to delist the country. A delisted country may reapply for admission as an EITI implementing country at any time. The EITI Board will apply the agreed procedures with respect to assessing EITI candidature applications. It will also assess previous experience in EITI implementation, including previous barriers to effective implementation, and the implementation of corrective measures.

Article 10: Appeals

An implementing country may petition the EITI Board to review its decision regarding suspension, delisting or the outcome of Validation. In responding to such petitions, the EITI Board will consider the facts of the case, the need to preserve the integrity of the EITI, and the principle of consistent treatment between countries. The EITI Board's decision is final. The country concerned may, prior to the notice periods under the Articles of Association (Article 7), appeal a decision of the EITI Board to the next ordinary Members' Meeting.

SECTION 2

Overview of Validation

This section sets out the objectives, methodology and procedure that the EITI Board uses to assess a country's progress in meeting the EITI Standard.

Article 1: Validation objectives

Validation is an essential feature of the EITI process. It serves to assess performance and promote dialogue and learning at the country level. It also safeguards the integrity of the EITI by holding implementing countries to the same global standard. It is intended to provide all stakeholders with an impartial assessment of whether EITI implementation in a country is in line with the provisions of the EITI Standard. The Validation Report seeks to identify the impact of the EITI in the country being validated; the implementation of activities encouraged by the EITI Standard; lessons learned in EITI implementation; any concerns stakeholders have expressed; and recommendations for future implementation of the EITI.

Article 2: Validation methodology

Validation assesses progress in meeting the EITI Requirements. The methodology is set out in the Validation Guide, with guidance on assessing each EITI Requirement. In some cases, the Validation Guide specifies the evidence that the Validator must use to ensure that a requirement has been satisfied. In other cases, there are different approaches that a country might take to address an EITI Requirement, and the Validation Guide provides examples of the types of evidence that the Validator might consider.

Article 3: Validation procedure

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 that are assessed in 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 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. Countries may wish to consult the EITI's guidance note on preparing for Validation.

The country team of the EITI International Secretariat will provide guidance. 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 to the EITI Requirements using the Board-approved templates provided by the EITI International Secretariat. In second and subsequent Validations, the multi-stakeholder group is encouraged to focus on demonstrating progress in addressing the corrective actions.

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

The multi-stakeholder group should submit the completed data collection and documentation templates to the EITI International Secretariat by the commencement of Validation.

Ahead of the Validation commencement date, the EITI International Secretariat launches a call for views on stakeholder engagement in the EITI. The call for views is public and shared with the multi-stakeholder group 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.

2. Review of information and preliminary assessment

The Validation team of the EITI International Secretariat reviews the information submitted by the multi-stakeholder group, as well as responses to the call for views on stakeholder engagement. The composition of the Validation team will be communicated to the multi-stakeholder group 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 previous Validation; any indication of backsliding; innovations; efforts to implement encouraged aspects of the EITI Requirements; and the effectiveness and sustainability of implementation.

The Validation team will offer the multi-stakeholder group the opportunity to discuss preliminary findings at a teleconference. The Validation team may undertake targeted virtual stakeholder consultations at this stage, consult the country team of the EITI International Secretariat 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) that are being assessed. The draft assessment, the underlying documentation and any feedback on stakeholder

engagement is shared with the multi-stakeholder group and the EITI Board's Validation Committee for information.

3. Stakeholder comments

The multi-stakeholder group is invited to provide further evidence and other feedback on the EITI International Secretariat's preliminary assessment within four weeks of receiving the document in the local working language. The National Coordinator (NC) should collate comments by the multi-stakeholder group and additional evidence and submit these to the International Secretariat. The NC is encouraged to attach to the comments the minutes of the multi-stakeholder group meeting(s) where the comments were discussed and agreed. In exceptional circumstances, stakeholders may contact the International Secretariat directly to provide comments.

The Validation team of the EITI International Secretariat is expected to review all submissions from stakeholders received within four weeks and provide a response to the multi-stakeholder group. The International Secretariat is expected to give priority to comments agreed by the multi-stakeholder group over comments from individual stakeholders or constituencies. However, possible limitations to the ability of stakeholders to have their position reflected in the multi-stakeholder group's submission should be taken into account. The International 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 EITI International Secretariat's final assessment, if it is referred to in the feedback endorsed by the multi-stakeholder group 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 International Secretariat's assessment. Comments received after the period for multi-stakeholder group 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 views by an appointed external expert and may commission the EITI International Secretariat to undertake further consultations.

The EITI Board will not consider developments taking place after the commencement of Validation that were not included in the multi-stakeholder group's feedback, unless there is recent evidence of considerable deterioration or improvement on one or more of the requirements related to stakeholder engagement (Requirements 1.1, 1.2 and 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 Section 1, Part 2 of the EITI Standard.

Documents related to the Validation are considered confidential until the EITI 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 EITI Board documents.

Once the EITI 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 Section 1, Part 2 the EITI Standard, an implementing country may petition the EITI Board to review its decision related to Validation.



Extractive Industries
Transparency Initiative

We believe that a country's natural resources belong to its citizens.

Our mission is to promote understanding of natural resource management, strengthen public and corporate governance and provide the data to inform greater transparency and accountability in the extractive sector.

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