

Terms of Reference: Consultant on EITI data use in supply chain due diligence

The Extractive Industries Transparency Initiative (EITI) is seeking a qualified individual or firm to assist in a project aimed at enhancing the use of EITI data in mineral supply chain due diligence. The EITI International Secretariat has agreed to engage the services of a Consultant to undertake the tasks described in the Terms of Reference.

1. Background

The energy transition relies on the supply of minerals used in low-carbon technologies. Booming mineral demand brings socio-economic opportunities but also presents a multitude of challenges, from environmental harm and social conflicts to corrupt deals and mismanaged public finances. Weak governance exacerbates these risks.

There are growing expectations on mid- and downstream companies to ensure their mineral supplies are responsibly sourced. Through due diligence efforts, these companies can play an important role in pushing for stronger environmental, social and governance performance in the mining sector.

The [OECD Due Diligence Guidance](#) provides the best practice framework for mineral supply chain due diligence. The guidance and an OECD [Frequently Asked Questions](#) document refer to the EITI as a potential data source in due diligence efforts. An OECD [study](#) from 2020 further sets out linkages between the EITI and the OECD Due Diligence Guidance. The London Metals Exchange (LME), which requires its registered brands to implement the OECD Due Diligence Guidance, also includes the EITI as a potential data source in its Red Flag Assessment [template](#) and several other industry standards and best practice frameworks reference the EITI.

However, EITI engagement with mid- and downstream industry actors has shown that integration of governance and anti-corruption considerations into supply chain due diligence processes remains less well developed than checks on other sustainability issues. In addition, awareness of the EITI and its potential role in supporting supply chain due diligence is limited among many of these actors.

Within this context, the EITI seeks to conduct research on how mid- and downstream actors can strengthen their approaches to governance and anti-corruption issues in mineral supply chains. It plans to produce practical guidance and engage proactively with these actors to encourage the use of EITI data in due diligence and responsible sourcing efforts.

2. Objectives and target audience

The project aims to:

- Strengthen understanding of how mid- and downstream industry actors can support good governance and anti-corruption efforts in mineral supply chains.
- Encourage the practical use of EITI data in due diligence and responsible sourcing efforts.
- Strengthen understanding among EITI stakeholders of how the EITI could better support supply chain due diligence.

The target audience for this engagement are sustainability and compliance departments involved in mineral supply chain due diligence and responsible sourcing at mid- and downstream companies. The engagement will focus particularly on companies involved in supply chains for energy transition technologies, such as original equipment manufacturers (OEMs), renewable energy project developers and electric vehicle companies, as well as potentially representatives from other industries such electronics and jewellery.

Secondary audiences for the project include EITI multi-stakeholder groups and national secretariats in EITI implementing countries responsible for producing EITI data, as well as industry associations, standard-setting bodies and service providers working on supply chain due diligence and responsible sourcing.

3. Scope of assignment

The Consultant is expected to:

- Produce an **inception note** setting out:
 - Detailed project timeline.
 - Proposed list of individuals for research interviews and consultations and suggested approach for engaging them.
 - Proposed list of materials to be covered in desk review.
 - Initial ideas for format of project outputs.
- Conduct a thorough **desk review** of relevant materials, including of:
 - OECD [Due Diligence Guidance](#) and other OECD or EITI documentation, including internal EITI background materials, to build an understanding of linkages between the OECD Due Diligence Guidance and the EITI.
 - [EITI Standard](#) and selected national and global EITI disclosures, including the [Assessment of EITI supporting companies](#), [state-owned enterprise database](#) and

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- forthcoming EITI companies database, to identify data relevant to supply chain due diligence efforts.
- Key legislation, including the EU [Corporate Sustainability Due Diligence Directive](#), EU [Critical Raw Materials Act](#), [US Dodd Frank Act](#) and relevant legislation from other jurisdictions, to build an understanding of legal obligations and the potential relevance of EITI data in supporting compliance.
 - Industry standards and best practice frameworks, including from [LME](#) (including the Red Flag Assessment template and summary statistics), [Copper Mark](#), [Responsible Minerals Initiative](#), [LBMA](#), [Responsible Jewellery Council](#), [Aluminium Stewardship Initiative](#) and [CCCMC](#), among others, to understand linkages with the EITI.
 - Other relevant literature on governance, anti-corruption and supply chain due diligence, including a [report](#) and [briefing](#) produced by the Natural Resource Governance Institute (NRGI) on the use of EITI data in anti-corruption efforts, as well as a forthcoming NRGI report on anti-corruption and mining certification schemes.
- Conduct high-quality **interviews** with relevant stakeholders (approximately 15-20 interviews). The interviews should focus on mid- and downstream industry representatives from a diverse range of jurisdictions, sectors and levels of maturity in due diligence approaches. The aim of the interviews would be to build an understanding of:
 - Current industry approaches to responsible sourcing and due diligence related to governance and corruption risks.¹
 - Industry awareness of the linkages between the EITI, OECD Due Diligence Guidance and other industry standards and best practice frameworks, including but not limited to those identified above.
 - Key gaps and needs to strengthen industry approaches.
 - Convene **focus group discussions/consultations** with various stakeholder groups to develop, test and refine project outputs (at least three virtual sessions).
 - Produce **practical materials** providing clear and simple guidance for mid- and downstream industry actors on how to integrate anti-corruption and governance considerations into supply chain due diligence and responsible sourcing processes. This could include:
 - An explainer setting out due diligence requirements related to anti-corruption and governance risks in key legislation and best practice frameworks.
 - A task-based checklist for integrating anti-corruption and governance considerations into different stages of the procurement cycle (e.g., risk

¹ For the purposes of this project, corruption is defined as the abuse of entrusted power for private gain in line with the widely-used [definition](#) developed by Transparency International. Among other risks, consideration should be given to fraud, tax evasion and money laundering.

assessment/onboarding, contract management, monitoring and supplier engagement, remediation).

- Step-by-step guidance on using EITI data (including potentially associated data gaps) within due diligence processes, including case studies.
- Guidance on how companies can engage with stakeholders in EITI countries as part of due diligence and responsible sourcing efforts.
- A template repository, including due diligence questionnaires, sample contract clauses, and policy templates for companies to adopt or adapt.

Priority should be placed on developing materials that are easy to access, understand and use. Materials should be tailored to the capacity and requirements of different types of actors in the value chain, follow a risk-based approach and align with existing standards.

The EITI would work with the Consultant to agree on the most impactful content and format for presenting and disseminating the information (e.g., factsheets, checklists, infographics, webpage).

- Participate in **introductory calls** between selected mid- and downstream stakeholders and EITI national secretariats and/or multi-stakeholder groups to begin developing communication channels between actors along the minerals value chain.
- Produce a short **internal briefing note** for the International Secretariat summarising research findings. This should include:
 - Background on opportunities and challenges for effective due diligence on governance and corruption risks in mineral supply chains and key gaps in current approaches.
 - Overview of the relationship between the EITI and existing due diligence requirements.
 - Recommendations for EITI multi-stakeholder groups and national secretariats, including:
 - What data covered by EITI reporting (and associated data gaps) are most useful for supporting due diligence efforts.
 - What additional data could the EITI produce to further increase its relevance to due diligence efforts.
 - What data products, communication channels and engagement approaches could facilitate the uptake of EITI data by mid- and downstream actors.
 - Recommendations for the EITI International Secretariat for how to deepen its engagement with mid- and downstream actors to encourage the use of EITI data in due diligence efforts.

4. Deliverables and timing

The assignment is expected to take 35-40 non-consecutive days of individual consultancy work over a six-month period. The selected Consultant will be expected to work in close coordination and collaboration with International Secretariat staff on all related tasks, ensuring a seamless integration of efforts.

A preliminary schedule is set out below. A more detailed timeline would be developed at the start of the project and would potentially be periodically revisited throughout the project.

Task	Timeframe
Inception note	Weeks 1-2
Desk review	Month 1
Research interviews	Months 1-2
Focus group discussions / consultations	At least three virtual meetings from month 2 onwards
First draft of project outputs	Month 3
Second draft of project outputs following review	Month 4
Third draft of project outputs following review	Month 5
Finalisation of outputs and participation in virtual launch event	Month 6

5. Consultant qualifications

The Consultant should be a credible individual that the EITI International Secretariat considers to be trustworthy and technically competent.

The Consultant must demonstrate:

- **In-depth expertise in supply chain due diligence:** extensive knowledge of mineral supply chain due diligence requirements and practices, particularly the OECD Due Diligence Guidance.
- **Familiarity with industry standards and legislation:** such as the industry standards and legislation set out in Section 3.

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- **Knowledge of governance and anti-corruption issues:** experience integrating governance and anti-corruption considerations into supply chain due diligence processes.
 - **Industry networks:** well-established networks among mid- and downstream industry stakeholders with knowledge of companies' due diligence approaches. Existing contacts among OEMs, renewable energy companies and electric vehicle manufacturers are particularly important.
 - **EITI knowledge:** Familiarity with the EITI Standard and reporting processes.
 - **Research capabilities:** track record conducting high-quality research through desk reviews, interviews and focus group discussions.
 - **Experience developing practical guidance:** demonstrated ability to create clear, practical guidance materials, tailored to the needs of stakeholders.
 - **Collaborative work ethic:** a proactive willingness to work collaboratively and adaptively with the International Secretariat and external partners.
 - **Commitment to excellence:** dedication to producing rigorous, high-quality outputs, with consistent respect for agreed deadlines.
 - **Excellent written and oral communication skills:** Fluency in English is a requirement. Additional language skills (especially French, Spanish, Russian or Chinese) are an advantage but not required.

6. Administrative support

The International Secretariat will offer the following support to the Consultant:

- Regular oversight, guidance and input on project deliverables. The International Secretariat will aim to have a close, collaborative and iterative working relationship with the Consultant throughout the project.
- Administrative support from the International Secretariat.
- Necessary background information and input as needed (including support in identifying relevant interviewees and focus group participants).
- Document editing, typesetting, design and translation as required.
- Any other support required for the project.

7. Contractual procedure and proposal deadline

A Consultant will be selected following a quality and cost-based selection procedure. The Consultant should submit:

- A **Technical Proposal**, outlining: (a) the experience of the firm / consultants, (b) the proposed methodology and work plan in response to the Terms of Reference (TORs), (c) the key experts' qualifications and competence and (d) a section on potential conflicts of interest. This section should identify any areas of work, including past, present or future consultancies related to the EITI, which might pose a conflict of interest. Please also describe strategies that you intend to use to minimise those risks. The Technical Proposal should not include any financial information. Technical proposals containing material financial information shall be declared non-responsive.
- A **Financial Proposal**, clearly indicating a lump sum financial proposal, in USD, of all associated costs, including applicable taxes. The daily rate for Consultant's fees should be clearly indicated. Please note that no travel is anticipated as part of this assignment. The financial proposal should be sent as a password-protected PDF file. The passwords should not be sent. The passwords will be requested following the assessment of the technical proposals.

Proposals must be delivered by email to skasimova@eiti.org by Friday 18 October with the subject line "Consultant for supply chain due diligence project – proposal attached"

All questions related to the project, its timeline and deliverables should be submitted to skasimova@eiti.org by no later than Friday 11 October. Responses to the questions will be posted on this page.

The evaluation of technical proposals will be conducted according to the following criteria:

- Adequacy and quality of the proposed methodology and work plan in responding to the ToR.
- Experience of the Consultant relevant to the assignment
- Expert's qualifications and competence based on the qualification requirements (see section 5 above).

While prior experience with EITI projects will be considered during the assessment, it is not a mandatory requirement.

The weighting assigned to the technical proposal (T) and the financial proposal (P) is as follows:

- T = 70 %
- P = 30 %

Proposals will be ranked according to their combined technical (St) and financial (Sf) scores, using the weights [T = weight given to the technical proposal; P = weight given to the financial proposal; T + P = 1] as follows: $S = St \times T\% + Sf \times D\%$.