CONTRACT TRANSPARENCY

Lessons from validation and country opportunities

EITI's contribution to contract transparency debate

- Creating a forum for debate

- Facilitating disclosures

- Providing access to contracts

- Supporting legal reform enabling contract transparency

EITI

Key Findings from Validation

- The EITI has significantly influenced the contract transparency debate in implementing countries.

- Validation has highlighted several benefits of contract transparency for many stakeholders.

- Limited use of contracts for analysis.

EITI

Key Findings from Validation

- There appears to be little focus on the EITI's encouragement of contract transparency in Validation.

- There continues to be a discrepancy between policy and practice in countries that provide for full disclosure.

- Validation has shown a need for clarification of the meaning of confidentiality clauses.

EITI

Challenges during Validation

- **Accessibility:** A survey of the initial assessments and EITI Reports shows that little attention has been given to data accessibility and the format in which contracts are disclosed.

- **Conflicting sources and outdated information:** Validation revealed that there is often lack of clarity on which government agency is responsible for publishing contracts and challenging in keeping contract databases up to date

EITI

Challenges during Validation

- Confidentiality clauses: Validation has highlighted a need to interrogate the confidentiality of the contracts in further detail.

- Commercial sensitivity: The question of commercially sensitive information in contracts was not frequently cited by EITI Stakeholders as a reason not to disclose contracts.

- Fear of instability: In some countries, governments officials seem to fear public criticism or instability if contracts were to become public.

EITI

Need for Country Support

- Identifying opportunities for reforms (e.g. ongoing legal amendments, revision of model contracts)
- Formulating key messages and arguments, language for legal provisions
- Engaging key people
- Creating platforms for disclosure (extractives hub, contract portals)
- Identifying commercially sensitive information, what could be redacted?
- Use of contracts

EITI

Next steps:

1. Joint projects/activities?
2. Priority countries?
3. Targets for the Global Conference
4. Side event for the Global Conference
5. Other suggestions?

EITI