

Implementation of the EITI in G7, EU and OECD countries

Facts & Figures
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1. Initial summary

This report entitled '**Implementation of the EITI in G7, EU and OECD countries**' is based on **59 questions** (see full list in section 7) gathered by the D-EITI Secretariat from within the **D-EITI Multi-Stakeholder Group (MSG)**.

The information in this report was obtained from research in **publicly available sources** and **information supplied by the international EITI Secretariat and designated EITI contacts** in France, Norway, the United Kingdom and the United States. Hyperlinks to the source data (where available in writing) are included in the report.

The **results** are presented in the form of tabular overviews: in section 2 for the following countries that already implement the EITI: Australia (pilot), Germany, Norway, the United Kingdom and the United States; in section 3 for EU members; in section 4 for G7 members; in section 5 for OECD members and in section 6 for the BRICS countries (Brazil, Russia, India, China and South Africa).

Current status

There are two groups of implementing countries, EITI candidate and EITI Compliant. The EITI is currently implemented by three countries out of the total membership of the G7, EU and OECD: **Norway** (compliant); **the United Kingdom** and **the United States** (candidates); **Germany** (submitted candidacy application), **France** and **Italy**. **Australia** ran a pilot implementation programme from 2011 to 2014.

The **Netherlands** have expressed interest to join the initiative in the near future.

Among the countries that make up the G7, EU and OECD, the EITI is therefore implemented by:

- three of the **G7 member states: 42 per cent**
- one of the 28 **EU member states: 3 per cent**
- three of the 34 **OECD member states: 8 per cent**

To date, only Norway and the US have published EITI **reports** (Norway since 2009; US since 2015). The United Kingdom is currently working through the **reporting process for the first report**. Germany has completed the four sign-up steps required by the EITI Standard and is hoping to reach **candidate status** in February 2016. **France** and **Italy** made public statements of their intention to implement the EITI in 2013.

Scope of application

Australia, Germany, the United Kingdom, and the United States have adopted the **principle of voluntary implementation**. The **international EITI Secretariat** has stated that implementation should be **encouraged** on a voluntary basis, as one ben-

enefit of this is that it allows countries to react flexibly and promptly whenever the EITI Standard is updated at international level.

Norway has made corporate participation in the EITI **mandatory through an administrative regulation** based on the country's Petroleum Act.

Australia: oil, gas, mining (no construction materials)

Germany: oil, gas, mining (including quarrying)

Norway: oil, gas

United Kingdom: oil, gas, mining (including quarrying)

United States: oil, gas, mining (including quarrying) and renewable energies

MSG Governance and Secretariat

In each country examined, a **consensus was reached** in the MSG on the relevant steps required for implementation of the EITI. **Sub-committees and working groups** are useful tools for promoting positive group dynamics and facilitating informed decision-making. Germany, the United Kingdom and the United States in particular make use of sub-committees and/or working groups to prepare all the main decisions of their MSGs.

With the goal of ensuring the active, equal and well informed participation of civil society organisations in the EITI process, **Germany grants financial support to the civil society organisations** involved in the MSG. To prevent a potential conflict of interest and retain the independence of civil society, the payments are awarded as project-related subsidies, which make no requirements in terms of subject matter and which do not provide for the financing of an MSG member. In other implementing countries, public financial support to stakeholders takes various forms including: official budgeted and project-related positions within the lead government department; the reimbursement of expenses to stakeholder groups; or, in the case of the U.S., reimbursement of travel and per diem expenses for scheduled meetings in the same manner as persons employed intermittently in Federal Government.

There were no indications that official staff assigned to roles in the secretariat were not perceived as **neutral service-providers** for all the stakeholder groups, or that any action need be taken in this respect. The number of persons assigned to such roles varies between countries. There is no uniform method of implementation.

Objectives and results

A primary objective of all of the G7, EU and OECD countries currently implementing the EITI is to **encourage good practice in developing and emerging countries** (especially in relation to good governance, anti-corruption measures and a level playing field for the private sector). With the exception of the U.S., which links EITI implementation with its domestic open government initiatives, the link between implementation on the one hand and domestic political objectives and reforms on the other

is only marginal in all other cases. The EITI is also linked to the Open Government Partnership (OGP) in Germany, Norway, the United Kingdom and the United States. For the most part, the objectives derived from the work plans are limited to technical issues concerning viability, reporting and public relations.

Special interests relating to implementation

National bodies that usually play an important role in ensuring **transparency and accountability** (e.g. parliaments and supreme audit institutions) have generally not been integrated into the EITI process at an institutional level. Information is exchanged regularly with individual representatives of these bodies. In the United Kingdom, one of the civil society representatives on the MSG was a member of parliament (until May 2015).

The issue of '**adapted implementation**' (cf. EITI Requirement 1.5) was raised in all the discussions as a **key issue for the future**. Norway is currently debating whether to suspend the publication of annual EITI reports on the grounds that they are considered by some to provide no additional benefit. They work with the EITI International Secretariat in the process of mainstreaming – to see how to provide the same information without reporting and the reconciliation. The precise nature and scope of any such initiative on adapted implementation is to be clarified by the Norwegian MSG during the course of 2016.

The United States will partially comply with the mandatory EITI Requirement 4.2.d (sub-national payments) in its first two reports. While both material and non-material legally required revenue transfers to sub-national governments and entities will be disclosed, the U.S. has obtained the approval of the EITI Board for an opt-in approach for material revenues paid directly to sub-national governments.

Details can be found in the **tabular overview**.

2. Tabular overview: Australia, Germany, Norway, the United Kingdom and the United States

	Australia	Germany	Norway	United Kingdom	United States
Current status					
Current status	<p>No status</p> <p>Note: Pilot programme between 2011 and 2014. In its final report dated 10 May 2015, the MSG suggested that the government implement the EITI within a specifically Australian framework.</p> <p>The pilot complies with the previous version of the Standard, but not the 2013 EITI Standard.</p>	<p>No status</p> <p>Note: The implementation was officially announced in July 2014. Germany is submitted its candidature application by the end of 2015 and plans to reach candidate status in February 2016.</p>	<p>Compliant (since 1 March 2011)</p>	<p>Candidate (since 15 October 2014)</p>	<p>Candidate (since 19 March 2014)</p>
Next deadline	<p>No information</p>	<p>Candidate status in February 2016</p>	<p>Validation by 1 January 2016</p> <p>Eight report by 31 December 2016</p> <p>Norway is currently debating whether to suspend the publication of annual reports on the grounds that they are considered by some to provide no additional</p>	<p>First report by 14 April 2016</p> <p>Validation by 17 April 2017</p>	<p>Completed.</p> <p>First Annual Report December 2015 (deadline March 2016). (The EITI Board extended the period from 18 to 24 months when it accepted the US candidature, as the 2013 Standard was then in a transitional phase.</p> <p>Validation by 19 March 2017</p>

	Australia	Germany	Norway	United Kingdom	United States
			benefit. There are plans to consult the international EITI Board to establish whether Norway could opt for adapted implementation of the EITI Standard as provided for in Requirement 1.5.		
Scope of application					
Sectors	Oil, gas, mining (no construction materials)	Oil, gas, potash and salts, quarrying products (stone and earth), lignite	Oil, gas (selection since first report in 2009 for reporting year 2008; still unchanged in seventh report in 2016 for reporting year 2014)	Oil, gas, mining and quarrying (selection based on Objective 3 in the work plan and a resolution of the MSG in April 2014)	Sectors covered: oil, gas, coal, other leasable minerals, non-fuel minerals (hard rock, sand, gravel), geothermal, solar, wind Note: Discussions were held on whether to extend EITI implementation to forestry and fisheries. At present not included.
Revenue streams	Six revenue streams were recorded: <ul style="list-style-type: none"> Tax on profits from oil and gas products (Petroleum Resource Rent Tax) Company Tax Oil and gas royalties (North West 	Three revenue streams received by the 16 sub-national tax offices (corporation tax) and 16 sub-national mining authorities (mining and exploration fees): <ul style="list-style-type: none"> corporation tax mining fees exploration fees 	Five revenue streams received by three official bodies (tax authorities, customs authorities and central bank) are recorded in an Excel file : <ul style="list-style-type: none"> Oil and gas tax CO₂ tax NO_x tax (nitrogen oxides compensa- 	Reporting template for mining and quarrying Reporting template for oil and gas Confidentiality waiver for EITI reporting purposes Altogether six revenue streams are to be recorded:	Twelve revenue streams classified by the four payees in the reporting template : Office of Natural Resources Revenue (ONRR) in the Department of Interior: <ul style="list-style-type: none"> Royalties Rents Bonuses

	Australia	Germany	Norway	United Kingdom	United States
	<p>Shelf Petroleum Royalties)</p> <ul style="list-style-type: none"> Excise tax (North West Shelf Petroleum Excises) Uranium royalty (Northern Territory Uranium Royalty) Federal state royalties (state royalties in Queensland, South Australia and Tasmania) <p>Originally there were also plans to reconcile flows of</p> <ul style="list-style-type: none"> Mineral Resource Rent Tax RT Land rent Land tax Payroll tax Transfer duty. <p>For costs reasons, however, these revenue streams were merely included in the context section of the final report.</p> <p>Other revenues included in the 'Contextual information' section of the report but</p>	<p>Note: The inclusion of trade tax (levied at municipal level) and consumption taxes, i.e. electricity and energy taxes, (received by the Federal Customs Administration) is currently being explored.</p>	<p>tion fund)</p> <ul style="list-style-type: none"> Area fee State's Direct Financial Interest (SDFI) 	<ul style="list-style-type: none"> Corporation Tax (mining companies only) Ring Fence Corporation Tax (oil and gas producers only) Petroleum Revenue Tax on 'super profits' (oil and gas producers only) Petroleum Licence Fees (oil and gas producers only) Payments to the Crown Estates Commissioners Payments to the Coal Authority 	<ul style="list-style-type: none"> Other payments (e.g. Royalty on Tax Reimbursement Payment and Contract Settlement Payment, Gas Storage Agreement Fees) Offshore Inspection Fees Civil penalties <p>Bureau of Land Management (BLM)</p> <ul style="list-style-type: none"> Bonus and First Year Rentals Permit Fees Leasing fees/access rights for renewable energy production - such as solar, wind, geothermal, biomass (Renewables) <p>Office of Surface Mining, Reclamation and Enforcement (OSMRE)</p> <ul style="list-style-type: none"> Reserves for abandoned mine lands (AML Fees including Audits and Late Charges) Civil Penalties including Late Charges <p>Internal Revenue Service (IRS)</p> <ul style="list-style-type: none"> Corporate Tax Payments to Internal Revenue Service

	Australia	Germany	Norway	United Kingdom	United States
	<p>not in the reconciliation process were:</p> <ul style="list-style-type: none"> ▪ Carbon price ▪ Fuel tax credits ▪ Research & Development Concessions ▪ Payments to First Peoples. 				
Materiality thresholds	No uniform materiality threshold (in practice at least AUD 100,000); depends on federal state and revenue stream.	Materiality threshold based on EU Accounting Directive set at EUR 100,000 per revenue stream.	No materiality threshold	Materiality threshold based on EU Accounting Directive set at EUR 100,000 (£86,000) per revenue stream.	<p>For the first report, the threshold addresses companies with total payments to the Department of Interior in 2013 of more than USD 50 million. This covers 80% of all Department of Interior revenues from the extractive industry.</p> <p>Based on the outcome of the first report, the threshold for the second report is expected to include parent companies with total annual payments to the Department of Interior in 2014 of USD 20 million. This will cover approximately 90% of Department of Interior revenues from the extractive industry.</p>
Number of companies	Eight companies participated on a voluntary basis.	Not yet determined.	69 companies (first report in 2009) 65 companies (seventh	The tax authorities were unable to confirm companies (or groups) that	45 companies approached for voluntary participation in the first report

	Australia	Germany	Norway	United Kingdom	United States
	<p>Note</p> <p>Altogether, 4,500 companies operate in the extractive industry. Out of this total, 155 companies paid more than AUD 100 million of income tax, equivalent to 94% of the country's total revenue from the extractive industry.</p> <p>If Australia decides to pursue full implementation, the MSG has proposed a voluntary reporting system with different statistically representative reporting groups each year.</p>		report in 2016)	<p>made material payments due to taxpayers' confidentiality restrictions.</p> <p>Templates for the first report were sent to 39 mining companies accounting for 80% of production for the sector.</p> <p>Templates for the first report went to all oil and gas companies holding petroleum licences (181 companies). Many of these will not have made material payments to the UK Government.</p>	
State revenues (based on report)	AUD 12 billion (2015, reporting year 1 July 2011-30 June 2012)	No information	USD 71 billion (first report in 2009) USD 56 billion (sixth report in 2015)	No information	2013 total severance taxes collected in MSG prioritized states
Voluntary or mandatory	Voluntary	Voluntary	Mandatory: Administrative regulation on EITI reporting and scheduling (based on Norwegian Petroleum Act) in force since 1 July 2009. According to a govern-	Voluntary	Voluntary: 31 of 45 companies voluntarily reported and reconciled non-tax revenues of USD \$ 8.5 billion 12 out of a maximum of 41 applicable companies reported USD \$190 million in cor-

	Australia	Germany	Norway	United Kingdom	United States
			ment representative, implementation would also have been successful without legislation owing to the transparent structure of the industry and the structure of investor shareholdings. However, the representative also noted that the regulation had helped to provide legal certainty for investors and has set the remit and debating framework for the MSG.		porate income taxes.
MSG Governance and Secretariat					
Composition	Eight government members Seven private sector members Seven civil society members	Five government members (including sub-national bodies) Five private sector members Five civil society members Each MSG member has one alternate	Two government members (two deputies) Three private sector members (three deputies) Four civil society members (three deputies)	Four government members (2 deputies) Four private sector members (four deputies) Four civil society members (four deputies)	Per the MSG Charter: up to nine members and their alternate representing each sector; serving a three-year term. Each sector holds a Co-chair. Six government members (three alternates) Eight civil society members (eight alternates) Seven private sector members (seven alternates)

	Australia	Germany	Norway	United Kingdom	United States
Decision-making	<p>Consensus. Where consensus is not possible, alternatives are specified in the MSG's rules of procedure.</p>	<p>Consensus. Where consensus is not possible, alternatives are specified in the MSG's rules of procedure.</p> <p>Preparatory technical work and consensus-building in MSG working groups (further specifications in the MSG's rules of procedure), particularly regarding the objectives and scope of D-EITI.</p>	<p>Consensus</p>	<p>Consensus. Where consensus is not possible, alternatives are specified in the MSG's rules of procedure.</p> <p>Preparatory technical work and consensus-building in MSG sub-committees, e.g. contextual information, harmonisation with EU Accounting Directive, communications, Independent Administrator.</p>	<p>Consensus. Where consensus is not possible, alternatives are specified in the MSG's rules of procedure.</p> <p>The three Co-chairs facilitate stakeholder organization, outreach, representation and independence. Preparatory technical work and consensus-building begins in MSG Sub-committees and multiple Workgroups, primarily regarding the EITI reporting requirements; communication and outreach; and State and Tribal opt-in.</p> <p>The Workgroups will make consensus-based recommendations to the Sub-committee, who in turn will make a consensus-based recommendation to the MSG and an explanation of the basis for the recommendation. The MSG therefore benefits from the multi-sector analysis before making a recommendation to the Secretary of the Interior. Areas of focus have included the: candidacy application; IA Terms of Reference; adapted implementation of the sub-national opt-in process; taxes</p>

	Australia	Germany	Norway	United Kingdom	United States
					<p>and accounting period; company level reporting; audit and assurance practices; contextual narrative; and the annual country workplan.</p> <p>b) Recommendations should be made by consensus wherever possible.</p> <p>If the Committee does not reach consensus, in order to move the implementation of EITI forward, it will use the sector-voting procedure to address impasse.</p>
Term of MSG membership	Entire duration of pilot from 2011 to 2014	At least two years	Two years	Four years	Three years
Frequency of meetings	Monthly or ad hoc	<p>Every 12 weeks until compliant status has been reached.</p> <p>Extraordinary meetings can be scheduled upon request by at least three members of each stakeholder group.</p>	At least two meetings per year	Every two months or ad hoc	Approximately four MSG meetings a year. Sub-committees and Workgroups meet on a more regular basis.
Independent secretariat	No	<p>Yes</p> <p>The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH provides the D-EITI Secretariat as a neutral service provider on behalf of the</p>	The secretariat function has been allocated resources equal to about one full-time post at the Ministry of Energy (financed out of the budget of the Ministry of Foreign	The secretariat function has been allocated 2 full-time posts at the Department for Business, Innovation and Skills – BIS.	The Department of Interior established a USEITI Secretariat staffed by a Program Manager, three support staff and assistance from sector representatives.

	Australia	Germany	Norway	United Kingdom	United States
		Federal Ministry of Economic Affairs and Energy (BMWi) . The Secretariat has been allocated three full-time posts. Terms of Reference of the D-EITI Secretariat	Affairs).		
Training for MSG members	No	Yes The D-EITI Secretariat offers tailor-made trainings and supporting measures on demand.	No	No	The Department of the Interior held many third-party facilitated public meetings to inform on EITI and USEITI to advance the initial MSG development. The Communication Subcommittee oversees the USEITI outreach and communication and all associated materials, which are posted on the MSG public website. The new and -reappointed MSG members had an orientation meeting to introduce all parties, review the MSG Charter and Terms of Reference and well as background materials on the discussions and decisions of the MSG through December 2016.
Subsidies to stakeholders	No	Yes With the goal of ensuring the active, equal and well informed participation of	No Private sector and civil society members may claim reimbursement of	No	Non-Federal members of the Committee serve without compensation. However, while away from their homes or regular places of business,

	Australia	Germany	Norway	United Kingdom	United States
		civil society organisations in the EITI process, the German Government grants financial support (2015: 140.000€) to four civil society organisations involved in the MSG. To prevent a potential conflict of interest and retain the independence of civil society, the payments are awarded as project-related subsidies, which make no requirements in terms of subject matter and which do not provide for the financing of an MSG member.	expenses. To date no claims have been submitted.		Committee or subcommittee members engaged in Committee or subcommittee business approved by the DFO may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Federal Government service under Section 5703 of Title 5 of the United States Code.
Objectives and results					
Link to domestic policy objectives and reforms	Not explicit	Coalition agreement for the 18 th legislative period (2013-2017): <ul style="list-style-type: none"> Promote political initiatives in order to ensure that a reliable legal and institutional framework is put in place for fair competition on international raw material markets Promote acceptance by citizens of raw ma- 	Open Government Partnership	Open Government Partnership EU Accounting Directive	Open Government Partnership Presidential Memorandum for a Transparent and Open Government Dodd-Frank Act Project Open Data

	Australia	Germany	Norway	United Kingdom	United States
		<p>terial extraction at home</p> <ul style="list-style-type: none"> Enhance the quality of public services in Germany through greater transparency and the provision of open data <p>Federal Government's National Action Plan to implement the G8 Open Data Charter</p> <p>Open Government Partnership</p> <p>EU Accounting Directive</p> <p>German Government's Raw Materials Strategy:</p> <ul style="list-style-type: none"> Enhance the transparency of cash flows in conjunction with exploration activities and the extraction of resources within the framework of the EITI Open raw materials markets, the environmentally compatible extraction of raw materials, and the increase in welfare due to enhanced transparency, as a contribution towards economic development 			

	Australia	Germany	Norway	United Kingdom	United States
		<p>Extractive Resources in German Development Co-operation:</p> <ul style="list-style-type: none"> Ensure that resource wealth can be harnessed sustainably for pro-poor economic growth. This can be achieved by managing the extractive resources sector in developing and industrialised countries alike comprehensively on the basis of economic, ecological and social sustainability principles. 			
Objectives of the MSG	<p>To improve the transparency of payments: ('Increase the transparency of transactions between governments and oil, gas and mining companies by annually publishing material payments by companies to governments and revenues received by governments.')</p> <p>To analyse governance arrangements in</p>	<p>7 objectives based on the EITI principles and national priorities:</p> <ol style="list-style-type: none"> Produce timely reports that are understandable and accessible to the general public and based on a transparent, open and innovative EITI process in Germany. Process contextual information concerning the German extractive sector, with a view to 	<p>To encourage good practice in other countries.</p> <p>To improve the transparency of payments.</p> <p>Objective specified in 2009 administrative regulation: 'Transparency of cash flows from the petroleum activity to the state'.</p>	<p>Six objectives in the work plan:</p> <ol style="list-style-type: none"> Support the EITI principles ('Recognise and support the principles set out in the 2013 EITI Standard.') Improve public accountability Highlight socio-economic benefits Promote access to information 	<p>Objectives listed for each USEITI target group</p> <p>Objectives are formulated in the work plan at the technical level and include:</p> <p>Meetings between government representatives and indigenous tribes in extraction areas</p> <p>(Hold Regular State & Tribal Outreach Meetings)</p> <p>Regular sub-committee meetings</p>

	Australia	Germany	Norway	United Kingdom	United States
	<p>the extractive industry: ('EITI domestic Pilot to consider how Australia's existing financial and governance arrangements deliver outcomes consistent with EITI principles, and to test the applicability and usefulness of the EITI in the Australian context.') To encourage good practice in other countries: ('Demonstrates Australia's continued commitment to transparency in the resources sector.')</p>	<p>promoting a broad debate on resource policy that includes aspects of sustainability (economic, environmental, and social).</p> <ol style="list-style-type: none"> Engage in understandable, commensurate and increasingly comprehensive reporting to the general public in compliance with the EITI Standard and in harmony with the EU Accounting and Transparency Directives. Concomitantly, additional value shall be generated. Contribute to the further development of the EITI Standard and its implementation and acceptance as a de-facto global standard, to support the global strive for transparency and accountability as well as the fight against corruption in the extractive sector. Share experience from the multi-stakeholder process, in particular with respect to participatory democracy, citi- 		<ol style="list-style-type: none"> Uniform reporting standards and a level playing field Model of open government 	<p>('Hold Regular Candidature Application Subcommittee Meetings') Debureaucratisation ('DOI request information collection approval under Paperwork Reduction Act') Publication of reports ('Hire Independent Administrator/Publish USEITI Report')</p>

	Australia	Germany	Norway	United Kingdom	United States
		<p>zen engagement and knowledge transfer, and also with regard to EITI implementation in a federal state.</p> <p>6. Substantially enhance Germany's credibility as regards its political and financial support for EITI.</p> <p>7. Ensure ongoing implementation of the D-EITI with the intended multi-stakeholder model while building capacity for broad-scale public debate.</p>			
Government objectives	<p>To encourage good practice in other countries.</p>	<p>Signalling to other countries in the mutual fight against corruption and for transparency and accountability</p> <p>Transparency and dialogue in the German resource sector</p> <p>EITI as a platform for information and participation</p> <p>Enhancement of credibility regarding the political and financial support to the EITI</p> <p>Level-Playing-Field</p> <p>Enhance acceptance for</p>	<p>To encourage good practice in other countries.</p> <p>To improve the transparency of payments.</p> <p>Objective specified in 2009 administrative regulation: 'Transparency of cash flows from the petroleum activity to the state'.</p>	<p>To encourage good practice in UK and other countries.</p> <p>Level playing field for investors</p>	<p>Open government</p> <p>Analyse governance arrangements in the extractive industry.</p> <p>Encourage good practice in other countries.</p> <p>Make federal extractives revenue data more easily accessible and comprehensible</p> <ul style="list-style-type: none"> Increased public trust in federal management of natural resources development and revenue Demonstrate the sub-

	Australia	Germany	Norway	United Kingdom	United States
		domestic resource extraction Germany as international role model for the implementation of the EITI in a federal state Resource sector as a pioneer for the provision of Open Data in Germany			stantial contributions of gas, oil, mining, and other extractive companies to <ul style="list-style-type: none"> ▪ the federal government and to the economy as a whole ▪ Inform the public policy dialogue by enhancing stakeholders' understanding ▪ Build relationships between sectors ▪ Boost U.S. foreign policy goal of supporting good governance and stable, democratic governments ▪ Supports our diplomatic open government and global energy governance and security agendas ▪ Allows the U.S. to lead by example in global extractive sector transparency initiatives ▪ Encourages others, particularly OECD and G20 countries, to join EITI ▪ Provide an important tool to fight corruption in the United States and abroad
Private sec-	Level playing field	BDI: Responsible import	Tackling corruption	Level-Playing-Field	Transparent payments

	Australia	Germany	Norway	United Kingdom	United States
tor objectives	<p>Stable investment climate</p> <p>Rio Tinto: 'It produces a level playing field for the industry, with all companies required to disclose the same information. Companies also benefit from having a more stable investment climate in which they can more effectively engage with citizens and civil society.'</p>	<p>SAFRI: International Level-Playing-Field, integration of countries and companies outside of Europe into the European transparency agenda, minimization of governance risks on African markets</p> <p>BDI: Prevention of double reporting standards</p> <p>Wintershall: 'Visibility of tax and royalty payments and contribution to the value creation in Germany'</p> <p>BDI: Long-term and stable resource supply, harmonization with the EU Accounting Directive , consideration of prevailing competition regulations, signaling to other countries</p>	<p>Greater accountability</p> <p>Stable investment climate</p> <p>Statoil: 'We continue to support the Extractive Industries Transparency Initiative (EITI), of which we have been a board member since 2009. We actively encourage implementation of the criteria and principles of the EITI in several countries in which we operate.'</p> <p>ExxonMobil: 'Our efforts to promote revenue transparency have helped fight corruption, improve government accountability and promote greater economic stability around the world. We believe the most successful transparency initiatives are those that ensure each relevant public, private and societal entity is fully engaged and properly represented.'</p>	<p>Shell: 'Our aim is to establish a level playing field while avoiding conflicts of laws between extraterritorial legislations and the legal frameworks of countries where Shell operates.'</p>	<p>Greater accountability</p> <p>BP: 'We focus on improving transparency in revenue flows from oil and gas activities in resource-rich countries. This helps citizens of those countries to access information to hold public authorities to account for the way they use funds received through taxes and other agreements.'</p> <p>'We believe that the comprehensive, multi-stakeholder approach of EITI is the best approach for the extractive industries. The EITI is an inclusive process that is tailored to fit the local fiscal and legal regimes.'</p>
Civil society objectives	Confidence-building measure	Transparency International Germany: Transparency	Transparent ownership	Partnership of equals	Access to information

	Australia	Germany	Norway	United Kingdom	United States
	<p>Greater accountability</p> <p>Stakeholder comment</p> <p>Construction, Forestry Mining & Energy Union (CFMEU): 'Australian implementation of the EITI will improve trust and accountability in our mining, oil and gas sector.'</p>	<p>and integrity in the German resource sector</p> <p>Open Knowledge Foundation Germany:</p> <p>Informing the public through a transparent, open and inclusive dialogue</p> <p>Building a critical mass for D-EITI in the German civil society</p> <p>Elaboration of comprehensible and relevant reports and data according to the principles of Open Data</p> <p>Greater level of detail with the aim of connecting EITI data to other data sets</p>	<p>Use of data</p> <p>Stakeholder comment</p> <p>PWYP: 'Transparency concerning beneficial owners ... Digitalisation of raw data'</p>	<p>A protected space for civil society engagement</p> <p>Stakeholder comment</p> <p>Global Witness: '[The EITI] multi-stakeholder approach, which involves governments, the private sector and civil society groups working in partnership, has created a protected space for civil society activists to raise natural resource issues with officials, including in countries where this space never existed before.'</p>	<p>Tackling corruption</p> <p>Greater benefits for people living in the extraction areas</p> <p>Stakeholder comment</p> <p>First Peoples Worldwide: 'The Extractive Industries Transparency Initiative (EITI), ... presents opportunities for Native Americans, Alaska Natives, and other Indigenous Peoples to influence emerging transparency laws and norms in ways that benefit their communities, at the local, national, and international levels.'</p>
Special interests relating to implementation					
First milestone	Hosted 6th EITI Global Conference 22-24 May 2013	Official launch event: D-EITI Transparency Summit on 26 November 2014	Administrative regulation on reporting introduced in 2009.	Official launch on 9 July 2013	EITI implementation announced by President Obama on 20 September 2011.
Role of national parliaments	Not involved at institutional level; occasional dialogue	Not involved at institutional level	Not involved at institutional level; occasional dialogue	Not involved at institutional level Until May 2015, one civil society member of the MSG was a member of	Not involved at institutional level; occasional dialogue and participation in MSG meetings

	Australia	Germany	Norway	United Kingdom	United States
				parliament	
Role of supreme audit institutions	Not involved at institutional level; occasional dialogue	Not involved at institutional level	Not involved at institutional level; occasional dialogue	Not involved at institutional level	Not involved at institutional level; occasional dialogue
'Beacon effect' and outreach	Focus on South-East Asia and Pacific. No documentable interaction.	Regional focus on Eastern Europe. Expression of interest by the Russian Embassy in Berlin.	<p>Anecdotal evidence points to greater awareness in the BRICS and G20 countries. No documentable interaction.</p> <p>Advice and information provided to interested groups from other EITI countries and countries wanting to adopt the EITI.</p>	<p>UK presidency of the G8 in 2013 contributed to the announcements by Germany, France and Italy.</p> <p>Anecdotal evidence points to greater awareness in the BRICS and G20 countries. No documentable interaction.</p> <p>UK action contributed to the extractives transparency within the G20 Anti-Corruption Working Group.</p> <p>UK action also contributed to wider efforts within the Open Government Partnership (e.g. UK national action plan) and new working group on 'Openness in Natural Resources'.</p> <p>Advice and information provided to interested groups from other EITI countries and countries wanting to adopt the EITI.</p>	<p>Announcement of US intention to implement the EITI helped shape priorities for UK presidency of G8 in 2013.</p> <p>Anecdotal evidence points to greater awareness in the BRICS and G20 countries. No documentable interaction.</p> <p>Advice and information provided to interested groups from other EITI countries and countries wanting to adopt the EITI.</p>

	Australia	Germany	Norway	United Kingdom	United States
Innovation	<p>Data protection and confidentiality of tax information. The 1953 Taxation Administration Act prohibits the disclosure of corporate tax data to third parties. The MSG decided on the following approach:</p> <ol style="list-style-type: none"> 1. Company submits data to the IA (Independent Administrator). 2. Company obtains corresponding data from the tax authorities. 3. Company submits data obtained from tax authorities to the IA for reconciliation of payments. <p>Initially, the data was communicated in paper form, later by using an online reporting template:</p> <ol style="list-style-type: none"> 1. The file is protected by means of an individual password and can only 	<p>Aspects, laid out in the workplan, and to be discussed by the MSG:</p> <ul style="list-style-type: none"> ▪ Reserves of the mining industry to cover environmental costs at a later date ▪ Compensatory payments pursuant to intervention provisions of the Federal Nature Conservation Act ▪ Water as a source of energy, from the point of view of consumption and from an environmental stance ▪ Deep geothermal energy 	<p>Reporting in accordance with International Standard on Related Services (ISRS) 4400: 'Engagements to Perform Agreed-upon Procedures Regarding Financial Information'.</p> <p>Recommended EITI requirement 3.11 'Beneficial ownership' is already implemented through legislation (Sections 4-5, Limited Liability Company Act; Section 4, Public Limited Liability Company Act; Sections 7-42 Accounting Act) and included in the EITI Report. Not specifically for the extractive industry.</p> <p>EITI uses an existing online portal operated by the Ministry of Energy.</p>	<p>Probable method of implementation of recommended EITI requirement 3.11 Beneficial ownership: more than 25% threshold for beneficial owners; and a threshold of over 5% for ownership by politically exposed persons (PEPs). UK EITI has adopted the definition of the EU Council in the draft directive Prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012, p. 42-46.</p>	<p>USEITI videos on the reporting process</p> <p>Reporting guidelines</p> <p>Online report (using open-source software and user-centred design principles) providing diagrammatic information on the various sectors at the federal and state levels.</p> <p>100 percent unilateral disclosure of in-scope revenues reported by company, commodity and revenue type.</p> <p>Publicly available data from 18 states with significant extractive industries.</p> <p>12 extractive industries local community case studies.</p>

	Australia	Germany	Norway	United Kingdom	United States
	<p>be accessed by the company, the tax authorities and the IA.</p> <ol style="list-style-type: none"> 2. The company and the tax authorities each enter their data into the file. 3. The IA then conducts a reconciliation of the payments. <p>The pilot was evaluated by the University of Queensland.</p>				

Last updated: 15 February 2016

3. Tabular overview: EU members

EU		
Member	EITI status	Notes on experience to date and next steps
Austria	None	
Belgium	Supporter	
Bulgaria	None	Initial approach made in 2010, activation visits by staff from the international EITI Secretariat. The EITI could be applied in particular to revenues from the transport sector.
Croatia	None	
Cyprus	None	
Czech Republic	None	
Denmark	Supporter	Relevant on account of Greenland. In Denmark the EITI could be applied in particular to revenues from offshore oil and gas and the transport sector.
Estonia	None	
Finland	Supporter	
France	Supporter Preparing candidature	The French Prime Minister, Mr Manuel Valls, instructed the Minister of the Economy, Mr Emmanuel Macron to take on the role of EITI Champion on February 1 st 2016. The role of national coordinator should be performed by a Senior Advisor from the General Council for Industry, Energy and Technology (CGIET) during the candidature application period. The role of secretariat is to be performed by the Planning, Housing and Nature General Directorate (DGALN), which is responsible for mining policy within the Ministry of Ecology, Sustainable Development, Transport and Housing, with support from the Energy and Climate Directorate, from the same Ministry. Other French ministries involved: Economy, Industry and Digital Affairs, Finance, and Overseas France, with support from Foreign Affairs. The French government is planning to hold round tables with the private sector and civil society in the first semester of 2016 and expects to present its candidature application to the EITI Board in 2017.
Germany	Supporter Preparing candidature	See tabular overview. Further information: www.D-EITI.de
Greece	None	
Hungary	None	
Ireland	None	

Italy	Supporter	An Undersecretary from the Ministry of Economic Development is expected to take on the role of EITI Champion. The role of secretariat is to be performed by Directorate-General for Mineral and Energy Resources of said Ministry which is responsible for mining policy. Other Italian ministries involved: Economy and Finance; Foreign Affairs and International Cooperation. Pending the designation of the EITI Champion, the Italian government has already organized in late Autumn 2015 an informal meeting of the EITI Implementation Multi-Stakeholder Working Group, which is composed of representatives from: Ministry of Foreign Affairs and International Cooperation; Ministry of Economy and Finance; Mining Industry Association; Italian National Institute of Statistics; ENI (major Italian Oil & Gas corporation); Interuniversity Consortium for Earth Resources Engineering. In March 2016, the Ministry of Economic Development will start an informal dialogue for selecting the representatives from the Italian civil society taking part in future meetings of the said Multi-Stakeholder Working Group.
Latvia	None	
Lithuania	None	
Luxembourg	None	
Malta	None	
Netherlands	Supporter Preparing candidature	In November 2015, the Dutch government informed Parliament about the intention to join the EITI and start a process towards future EITI candidacy. Three ministries are involved: the Ministry of Foreign Affairs, the Ministry of Economic Affairs and the Ministry of Finance. The Netherlands Enterprise Agency will host the independent EITI Secretariat and the NL-EITI coordinator started in January 2016. The coordinator is planning meetings with the private sector and civil society for the first months of 2016. A process to select the NL-EITI Chair and Champion started by end of 2015 with results being expected in early 2016. As soon as the Chair is identified, a Dutch public kick off meeting will be organized before summer 2016. The government of the Netherlands expects to present its candidature application to the EITI Board in 2017.
Poland	None	
Portugal	None	
Romania	None	
Slovak Republic	None	
Slovenia	None	
Spain	Supporter	Meeting of international Board held in Madrid in May 2008.
Sweden	Supporter	
United Kingdom	Supporter and	See tabular overview.

	candidate	
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Note: 'Supporters' provide technical, financial or political support for the EITI. This does not necessarily involve implementing the EITI in the supporter's own country.

The EU Commission is also an EITI supporter. As such, all EU members could be regarded as supporters. In the above table, only countries that provide bilateral support are shown as supporters. See <https://eiti.org/supporters/countries>.

4. Tabular overview: G7 members

G7		
Member	EITI status	Notes on experience to date and next steps
Canada	Supporter	Canadian legislation “Extractive Sector Transparency Measure Act” (ESTMA) was brought into force on 1 June 2015; reporting for companies, not for government bodies; strong role for provinces.
France	Supporter Preparing candidature	See EU
Germany	Supporter Preparing candidature	See tabular overview.
Italy	Supporter Preparing candidature	See EU
Japan	Supporter	Focus on Japanese foreign investment in Asia
United Kingdom	Supporter and candidate	See tabular overview.
United States	Supporter and candidate	See tabular overview.

5. Tabular overview: OECD members

OECD		
Member	EITI status	Notes on experience to date and next steps
Australia	Supporter and pilot (completed)	See tabular overview.
Austria	None	See EU
Belgium	Supporter	See EU
Bulgaria	None	See EU
Canada	Supporter	See G7
Chile	None	International Secretariat conducted feasibility study in 2015. Interest in EITI expressed by Ministry of Mining but no support as yet from Ministry of Finance or other ministries owing to politically charged debate over fiscal decentralisation.
Czech Republic	None	See EU
Denmark	Supporter	See EU
Estonia	None	See EU
Finland	None	See EU
France	Supporter Preparing candidature	See EU
Germany	Supporter Preparing candidature	See tabular overview.
Greece	None	See EU
Hungary	None	See EU
Iceland	None	
Israel	None	
Italy	Supporter Preparing candidature	See EU
Japan	Supporter	See G7
Luxembourg	None	See EU

Mexico	None	EITI relevant in the context of national sector reforms, especially in energy sector. On several occasions in the past, the government announced its intention to implement the EITI in the near future. Leading representatives of Mexico's oil and gas industry (including the state-owned company PEMEX) and civil society have expressed their support for possible implementation of the initiative. Progress may come in the run-up to EITI 2016 Global Conference in Lima.
Netherlands	Supporter Preparing candidature	See EU
New Zealand	None	Awareness-raising by the Secretariat. Implementation by other countries and steps taken by Australia and Papua New Guinea are being observed.
Norway	Compliant	See tabular overview.
Poland	None	See EU
Portugal	None	See EU
Slovak Republic	None	See EU
Slovenia	None	See EU
South Korea	None	Information-gathering visit by the International Secretariat revealed lack of interest.
Spain	Supporter	See EU
Sweden	Supporter	See EU
Switzerland	Supporter	Board meeting in Berne (October 2015). Relevance dependent on inclusion of trading companies. Civil society groups are very active.
Turkey	None	Several information-gathering visits by the International Secretariat. Outreach training by end of 2015 is planned. EITI relevant to coal/gold mining and transport.
United Kingdom	Supporter and candidate	See tabular overview.
United States	Supporter and candidate	See tabular overview.

6. Special interests: BRICS countries

BRICS		
Countries	EITI status	Notes on experience to date and next steps
Brazil	None	<p>Priority outreach country for the EITI Board. EITI is supported by the private sector (especially semi-nationalised company Petrobras).</p> <p>Ambivalent approach to the EITI. Views expressed by government range from the EITI as a 'neo-colonial plot to bring resources under foreign control' to the EITI playing a positive role in the fight against corruption.</p>
China	None	<p>'Friends of the EITI' group set up but as yet no 'champion' to push for domestic implementation. Chinese foreign investors have generally played a positive role in the EITI; the reporting process has run smoothly in countries such as Zambia and Mozambique.</p>
India	None	<p>Possible implementation at federal state level. No champion identified at national level.</p>
Russia	None	<p>The Russian government had initiated contacts in order to find out more about the EITI in Oslo and Germany. Basic awareness of the EITI. The government may hold further talks on implementation with the private sector.</p>
South Africa	None	<p>Since 2010, the EITI Board, the International Secretariat and individual stakeholders (including political visits by the German federal government) have held 30-40 meetings with South African representatives to discuss the EITI. Although the International Secretariat has made great efforts to establish a 'Friends of the EITI' group, no relevant stakeholder has proved willing to act as an EITI champion. Government views of the EITI are similar to those expressed in Brazil.</p>

7. 59 questions used as basis for research

Scope of application

1. Are legislative changes required? If so, please give details.
2. What is/was the scope of application in the first report (what resources, what revenue streams)? Has the scope of application changed in subsequent reports? Are there plans to widen the scope of application in future reports? If so, please give details.
3. Have electricity and energy taxes paid by the extractive industry been recorded? Have environmental compensation payments also been recorded?
4. What companies are subject to mandatory reporting? (Limited to 'large companies'? If so, would this not overlook substantial revenues, e.g. based on share of total sector capitalisation or net revenues?) Is the EUR 100,000 materiality threshold adopted in the EU Accounting Directive a suitable figure for mandatory EITI reporting? (Would this not overlook companies that benefit from wide-ranging exemptions?)
5. How extensive/long is the report?
6. What has been learned from the compiled data? How has the reporting template been designed?
7. How were the issues of data protection and confidentiality of tax information handled?
8. What materiality threshold was specified and why? Were different materiality thresholds specified for different resources?
9. How is the simultaneous implementation of the EU's Accounting and Transparency directives viewed? Are there or have there been any specific challenges or problems in this regard? Are there any synergies? Has the MSG worked to establish rules on equivalence between implementation of the EITI and of the EU's Accounting and Transparency directives?
10. What 'material areas' were discussed, but then omitted from the scope of application? (With regard to Germany: although significant as a whole, the quarrying sector should perhaps be omitted because it is fragmented into too many small-scale projects. In this context, D-EITI may wish to examine the following: how have/do other countries dealt/deal with the issue of raw materials for construction?) Have mineral resources that legally belong to the landowner also been included in order to comply with the EITI principle of transparency?
11. Which of the areas recommended in the EITI Standard have been included for reporting purposes? Has contract transparency been included? Has beneficial ownership been included?
12. Which 'innovative' reporting areas, issues and process steps have been included and how? For example, has the renewable energy sector been considered? Has consideration been given to conservation outcomes, compensation payments and/or other environmental issues? Have revenue streams from transfer network operation been considered? Were subsidies included and any associated NON-payments (e.g. tax concessions or exemptions) taken into account? Has social expenditure been included?
13. What information is presented in the report under the heading 'Contextual information' and in what way? (For Germany, it may be of interest to know how much of the information in licensing registers is made publicly available.)
14. Who is responsible for providing the data on the government side? How many ministries and public authorities are involved? Where applicable, how are federal structures treated,

and in this context what institutions are involved? How difficult is it to obtain and record the data? Was it possible to use existing (IT-based) systems?

15. Were some issues repeatedly raised by a stakeholder group but then not included in reports? If so, please give details. Which group raised those issues, and why were they not included? Overall, were proposals by the various stakeholder groups treated equally (e.g. when defining the scope of application)?

MSG Governance and Secretariat

16. Role of the Special Commissioner in the EITI process
17. Composition of the MSG
18. Identification and selection of MSG members: Were all the relevant actors from the various stakeholder groups sufficiently informed in advance about EITI implementation and the opportunity to join the MSG? How and by whom were MSG members identified?
19. How were representatives mandated to sit on the MSG? How was their legitimacy established? What measures are in place to ensure that the results of MSG discussions are fed back to the wider interest groups?
20. Have differences and/or conflicts arisen at any point within individual stakeholder groups on particular issues? If so, how were they resolved?
21. Were stakeholders generally critical of or well-disposed to the process?
22. Can all stakeholder groups take part in the EITI process on equal terms and with equal representation? If not, why not?
23. How do members of the individual stakeholder groups reach agreement between themselves and how do they feed back to the wider interest groups?
24. Frequency of meetings
25. MSG rules of procedure
26. Consensus or vote:
- a) Has the MSG always been able to reach a consensus? Have there been cases where the different stakeholder groups have disagreed strongly on specific points? If so, how was a consensus reached? Is there a formal grievance mechanism?
 - b) Has the MSG ever held a vote? If so, under what circumstances is the voting procedure used? How did the voting procedure affect group dynamics?
27. Has the MSG established any working groups? If so, please give details. How often do they meet? Do the working groups have specific terms of reference and/or objectives that are agreed with the MSG? Are the working groups regarded as helpful by the MSG?
28. Have confidence-building measures been implemented for the MSG? If so, please give details.
29. Are sufficient financial resources in place to allow stakeholder groups to participate in the process?
30. Do stakeholder groups receive financial support for their involvement?
31. Technical support (e.g. training) and/or financial support from the secretariat
32. Organisation, structure and financing of the secretariat
33. Terms of reference of the secretariat
34. What mechanisms are in place to ensure the independence of the secretariat? Is the secretariat regarded as a neutral service provider for all the stakeholder groups? Are the services provided by the secretariat regarded as helpful by all stakeholder groups in equal measure? How could these services be improved? How does the secretariat sup-

port the various stakeholder groups, and to what extent/in what areas does this support vary between the three groups (e.g. scope of support, advice)?

35. Does the secretariat offer training for individual stakeholder groups? If so, what areas does the training cover, and who makes use of it?
36. What is the role of the secretariat in implementation and in preparation of the report? For example, which of the independent administrator's tasks are performed by the secretariat?

Objectives and results

37. Sign-up objective
38. On which EITI implementation objectives has the MSG reached agreement and why?
39. Do some of the objectives go beyond national objectives?
40. Results achieved so far
41. Benefits to the country from implementation (from a domestic perspective)
42. General opportunities and challenges of the EITI process (e.g. federalism)
43. How was the government's public statement of its intention to implement the EITI formulated (first preparatory steps for becoming an EITI candidate)?
44. Has the EITI been linked to other (transparency) standards and/or political processes (e.g. open government) in order to leverage the EITI principles?
45. How is national EITI implementation linked to broader support for the EITI (e.g. politically, financially or in terms of development cooperation, etc.)? Where are synergies created?
46. Is the EITI linked to other standards or political processes (e.g. open government)?

Special interests relating to implementation

47. What is or was the time frame for submitting the candidature application? What is a realistically achievable time frame?
48. How was the work plan drawn up? Which stakeholders did what and when? Who was the driving force, i.e. the main 'input provider'?
49. Which steps in the process were the most delicate and/or most susceptible to disagreement once the MSG had been established? Is it possible to identify a particular momentum or turning point in the process?
50. How is the process communicated to the general public? Has it been possible to stimulate a broad public debate? Does the EITI debate form part of a wider debate (e.g. on the environment, energy, climate change, open data, etc.)?
51. Has the MSG adopted a communication strategy? If so, please give details.
52. Are innovative methods of communicating the results incorporated into the report and/or other media?
53. Is there a link to national reforms? Is the EITI process integrated into the country's national institutional landscape and existing mandates (e.g. supreme audit institution)?
54. Role of national parliaments
55. Response from general public
56. Response from researchers and the media
57. Response from other states: Has the national process encouraged a move towards good practice elsewhere and helped to attain the EITI's outreach objectives? Has an outreach strategy been actively pursued?

58. Has a scoping study been produced? If so, by whom? Who determined the make-up of this study, and to what extent were stakeholders engaged in this process? How detailed was the study? Were the recommendations of the study supported by the stakeholders? Were most of the recommendations adopted? If not, why not?
59. Which mandatory EITI rules were not implemented because this was not possible for practical and/or legal reasons?

Notes

It has not been possible to answer every one of the 59 questions submitted in the same detail. The amount of material is very substantial and cannot be evaluated in the space available without focusing on certain areas. Furthermore, with the exception of Norway, the implementation processes are still at the initial stage. Equally, in the case of questions relating to assessments of individual stakeholder groups or potential aspects of an evaluation in other countries, it did not seem appropriate for these to be recorded for the first time in a D-EITI document. It is important not to pre-empt the evaluation on these matters.

On request, the D-EITI Secretariat can make contact with national secretariats and stakeholder groups (government, private sector and civil society) in other EITI countries.

Enquiries and suggestions for future updates and additions may be submitted by telephone or in writing to:

D-EITI Secretariat, tel. +49 30 – 72614 – 202, Sekretariat@D-EITI.de.



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