
This note has been issued by the EITI International Secretariat to provide guidance to implementing countries on meeting the requirements in the EITI Standard. Readers are advised to refer to the EITI Standard directly, and to contact the International Secretariat to seek further clarification. Contact details can be found at www.eiti.org.

Guidance note for National Secretariats

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I. Summary

EITI implementation requires giving attention to day-to-day activities to support the government and the multi-stakeholder group (MSG)¹ in carrying out their functions. Among the requirements for government engagement under 1.1 b of the EITI Standard is the ability to mobilise resources for EITI implementation. One way of doing this, as done by almost all implementing countries, is to create a national secretariat with a full time staff to make sure that due attention is given to the details of implementation and to ensure that decisions of the MSG are properly carried out.

The structure, mandate and function of secretariats vary from country to country depending on need and context. In the absence of any requirements in the Standard, the government agency that is responsible for implementation and under which the secretariat is typically located can decide how to create, supervise and define the role of the national secretariat.

This guidance note aims to provide guidance on the typical roles and responsibilities of national secretariats, documenting usual and good practices based on existing implementing country experiences. It considers the establishment of a national secretariat, working relations with the MSG, and common issues and challenges.

¹ Guidance Notes on MSG Governance are available here <https://eiti.org/GN14>. Guidance Notes on MSG Oversight of the EITI Reporting Cycle are available here.

II. Guidance

The following may be considered good practice in ensuring good secretariat governance, even if there are no EITI requirements on how they are run:

1. **Written and public documents defining in detail the core function of the secretariat and its accountability.** For example, Azerbaijan's Terms of Reference for the MSG clearly outlines the role of the national secretariat. In Ghana, even the role of the National Coordinator is explicitly described. Liberia has a manual of operations for the MSG and the secretariat. The Philippines has an Internal Rules of Procedure to guide the secretariat's work. These instruments do not only clarify the secretariat's roles but also enable the MSG and other stakeholders to hold the secretariat to account. The Guidance Note on MSG Governance has a proposed Terms of Reference for MSGs which include a section on national secretariats. Aside from simply defining the roles of the secretariat, it is useful to explain how these roles differ from the roles of the MSG.
2. **Secretariat work plan.** Drawing from the MSG's work plan, the secretariat may wish to produce its own detailed work plan to easily plot activities and track progress of implementation. The Philippines Secretariat Work Plan is one example.
3. **Regular assessment of national secretariat.** The MSG could define a criteria for the regular assessment of the secretariat in order to strengthen its accountability.

A. Establishing a national secretariat: considerations, steps and functions

Creation. Most countries establish a national secretariat soon after starting to implement the EITI or even while preparing for candidature. This has proven helpful not only in organizing activities, but also in making sure that a dedicated institution is regularly coordinating with all stakeholders within and outside the country. In the absence of any requirement under the EITI Standard regarding national secretariats, countries have adopted different means for their creation. In countries like Albania and the Philippines, the secretariat was created through a government issuance. In some countries, however, national secretariats are created by designating an existing unit in the lead government agency or under the office of the national EITI champion. The government and the MSG may decide on an approach that works best for their country. In so doing, they may take into account expediency and how the manner of creation would impact on the secretariat's functions. For example, in some countries a government decree may be necessary to reinforce the secretariat's role and allow it to perform official functions such as accepting grants, convening meetings, procuring consultants and the like. The steps for creating a secretariat would depend on whether a formal legal instrument (law, regulation, decree) is necessary or not.

Where to lodge. The majority of EITI countries have national secretariats under the agency designated by the government to lead the EITI implementation in the country, the rationale being that this ensures better coordination between the national secretariat and relevant government officials, including the MSG Chair. It also lends authority to secretariats when they organise activities and engage stakeholders. In countries like Sierra Leone, the national secretariat is lodged under the President's Office, the rationale being that it ensures direct communication to the President which is necessary to maintain political commitment and to signal that the secretariat has a clear mandate from the president to issue directives to other agencies. Most secretariats operate from within ministries or regulatory authorities such as under the Ministry of Finance and Revenue or ministries regulating the extractive sector such as Ministry of Energy, Mines or Natural Resources. In some cases, such as in Nigeria, NEITI is a separate government entity. The Terms of Reference² in Germany describes the national secretariat as an "impartial service provider to the MSG" that is equally dedicated to all three stakeholder groups which make up the MSG. Operationally, this means that the secretariat is independent of the government, although the ToR states that it reports directly to the Parliamentary State Secretary.

Selection and role of National Coordinator. Countries often appoint an individual who heads the secretariat, usually designated as the National Coordinator. This person typically oversees the management of the secretariat and acts as the point person for the MSG and external stakeholders. While this is the usual practice, the National Coordinator and the Head of Secretariat may be two different individuals, as in the case of Germany. The National Coordinator usually represents the EITI within the country and internationally. The appointment and nature of the position of the National Coordinator varies from country to country. Some countries like Iraq and Niger appoint senior government officials as national coordinators with the intent of ensuring high level political commitment to the process. The advantage of this is that decision-making processes may be faster. On the other hand, effective oversight of implementation may suffer as senior government officials may not be able to devote adequate attention to day-to-day implementation activities. In such cases, a full time deputy may be a good solution. In Guatemala for example, the National Coordinator is a Deputy Minister and most of the day-to-day activities are handled by the Technical Secretary. Some other countries appoint a full-time national coordinator who can attend to the administrative day-to-day functions. This could be helpful in settings where the national champion or the MSG Chair ensures sustained political commitment while the National Coordinator is tasked mainly to manage the secretariat.

One question that implementing countries often ask is whether the national secretariat should be placed under the EITI champion's office and whether the National Coordinator should come from government or should be hired externally. There is no categorical answer to this question, but the following considerations may be taken into account:

² http://www.d-eiti.de/wp-content/uploads/2015/05/2015-03-10-Terms-of-Reference-D-EITI-Sekretariat_ENG.pdf

1. **Ability to create trust, balance interests within the MSG and objectively represent stakeholder's interests.** National Coordinators and secretariats are expected to execute the collective decisions of the MSG. This task, however, is not always straightforward. Sometimes, despite a collective decision, stakeholders within the MSG may have different preferences as to the manner of execution. A National Coordinator or secretariat who is accountable primarily to the government might encounter challenges in handling this situation. MSGs might wish to consider this scenario in deciding who should be the National Coordinator. A possible approach would be for the MSG to conduct regular assessments of the national secretariat to strengthen its accountability to the MSG.
2. **Familiarity with government systems.** National Coordinators who come from government are more likely to be familiar with government systems and are often well placed to engage the right people within government. This has proven useful in contexts where the National Coordinator also plays a political role or is expected to engage with high- level government officials.

Functions of the national secretariat

National secretariats are expected to provide support to the government and the MSG and make sure that its directives are properly implemented. In general, secretariat functions may be categorized into administrative functions and technical or substantive functions, depending on the secretariat's mandate as determined by the MSG. The National Coordinator usually acts as head of the secretariat and takes the lead in performing the following functions. It should be stressed that this list is based on existing practices and is not prescriptive as local context might necessitate the performance of other functions:

Administrative functions:

- a. Provide administrative support to the MSG such as preparing the agenda for meetings, organizing forums and outreach activities.
- b. Document EITI activities and make sure that minutes of each meeting are available to all MSG members and to the general public.
- c. Coordinate with stakeholders on routine administrative matters such as attendance in meetings, distribution of documents, providing updates from the International Secretariat and other partners.
- d. Draft the work plan, annual progress report and other EITI documents for the MSG's approval.
- e. Oversee the procurement process for the Independent Administrator and other consultants.

- f. Liaise with external partners on administrative matters (EITI International Secretariat, World Bank).
- g. Maintain custody of documents such as EITI reporting templates, EITI reports, minutes of meetings and ensure their availability to the public in a timely manner.
- h. Coordinate preparations for Validation.
- i. Monitor progress of work plan implementation and actions on recommendations and report progress to the MSG.
- j. Maintain a secretariat work plan to complement the MSG's work plan.
- k. Manage EITI funds and regularly report to the MSG about expenditures.

Technical or substantive functions:

- a. Provide technical support to the MSG on matters involving data analysis, understanding the EITI Standard, and overseeing the Independent Administrator's work.

Example: Nigeria has technical units within the secretariat tasked to develop strategies for generating and auditing data, ensuring data reliability, and building the technical capacity of stakeholders.

- b. Provide information to assist the MSG in formulating policy recommendations

Example: The Office of the Head of Secretariat in Liberia is responsible for advising the MSG on policy-related matters to enable them to make informed policy decisions.

- c. Craft and implement communication strategies such as maintaining the website/social media platforms and managing its content, regularly issuing press releases, creating infographics, engaging with the media, monitoring news items on EITI.
- d. Liaise with the EITI International Secretariat on technical matters such as the EITI Standard, EITI Report analysis, scoping studies, Terms of Reference and relay to the MSG all communications with the EITI International Secretariat
- e. Draft proposals to secure funding from partners.
- f. Maintain data portals.

Examples: In Indonesia, Mongolia, and the US, the national secretariats maintain data portals for EITI and extractives data. The Philippine national secretariat maintains an open contracts portal.

- g. Give regular briefings to and conduct inter-agency coordination among government officials including legislators on the progress of EITI implementation and opportunities for EITI to contribute to reforms in the country.
- h. Conduct research and draft technical documents for the MSG's approval such as policy briefs, proposed bills.
- i. Engage with other national secretariats for peer learning.
- l. In countries that have representatives to the EITI International Board, the national secretariat is often also tasked to provide support to the board member from their country, whether from government, companies or civil society. In such cases, familiarity with the work of the EITI Board is encouraged. More guidance on this can be found at the EITI's Articles of Association.³

Secretariat staffing pattern. The number of people and the positions in the secretariat depend on the country's needs and how the MSG defines its functions. In some countries, e.g. the Democratic Republic of Congo and Nigeria, the secretariats are divided into three to four units with several people under each unit. In other countries, e.g. Mongolia, Senegal and Timor-Leste, there are smaller secretariats with three to five members. The emerging practice based on surveys of staffing patterns in EITI countries is that aside from the National Coordinator, the following positions are usually present: communications officer, finance officer, technical officer (usually someone who is tasked with data analysis), IT consultant and administrative personnel.

Staff appointment. Factors such as practicability, government procedures, resources and expediency all affect the manner of appointing the national secretariat. Staff appointment may be done by the government alone where the secretariat is placed under government agencies with rules and prescriptions on the number, qualifications, and positions available. In such cases, the government agency's selection processes prevail without the MSG's intervention, as in the case of Papua New Guinea. In certain cases, like in Indonesia, the staff engaged by government is augmented by hiring consultants directly funded by donors. Here, there is opportunity for the MSG to be involved in the selection process. In other cases, the MSG is fully involved in appointing the staff including the national coordinator. Liberia's TOR contains this provision. . In some instances, like in the Philippines, the MSG selects the National Coordinator who then selects the staff following government rules. In other cases, like in Afghanistan, the donor who funds the position has to give its approval.

³ EITI Articles of Association are available here <https://eiti.org/node/4853>

The size of the secretariat and its manner of appointment are dictated largely by the scope of EITI implementation in the country. Where the extractive sector is significantly large and the process requires more activities, broader engagement and more technical work, it is ideal to have more staff with technical expertise that may be outside of the competencies of employees within the agency. In the latter case, involving the MSG in the selection process could be useful. It is thus important to have a periodic review of competencies required as the scope of EITI implementation in the country evolves.

Funding. Where the national secretariat is lodged within the government, the national government sometimes funds staff salaries. There are also instances where some staff are funded by the government while some are funded by external partners, and other cases where staff are entirely funded by external partners.

While it is common practice to secure external funding for the first few years of implementation, it is considered better practice for the government to eventually absorb secretariat costs by including these in the regular budget of the lead EITI implementing agency. This funding arrangement ensures the sustainability of the national secretariat and minimizes the challenge often seen in countries where externally-funded staff receive higher salaries than other government staff, which can create tensions. Having externally funded staff also tends to lead to high turnover or unpredictability as contracts are typically only on short term basis. Where the staff is funded by government, safeguards should be in place to guarantee the secretariat's accountability to the entire MSG.

B. Working with the MSG

Working with a multi-stakeholder group with varying interests can sometimes pose issues and challenges to the national secretariat. The following could be helpful in navigating these issues.

Accountability and balancing of interests. Experience suggests that it is ideal for the MSG and the secretariat to establish clear lines of accountability from the start. This ensures that all stakeholders feel that they are ably represented by the secretariat and the national coordinator, that no one is given undue preference or advantage in decision-making processes, and that messages coming from the MSG are not biased towards a particular group.

In some countries the secretariat is primarily accountable to the government, whereas in other countries the secretariat fully serves the MSG. In cases where members of the secretariat or the national coordinator are employees of the government agency and are performing government functions in addition to their EITI functions, the issue of accountability tends to get more complicated. In instances like this, the MSG and the secretariat are encouraged to have discussions early on regarding the secretariat's accountability. To avoid confusion, it is helpful if the lines of accountability are written down. Ghana's ToR, for example, explicitly states that the national secretariat shall be responsible to the Multi-Stakeholder Group for the discharge of its functions.

Clear delegation of functions and delineation of roles. To avoid confusion, it is helpful if the roles delegated by the MSG to the secretariat be stated explicitly. The EITI Standard requires MSG approval for the following: annual work plans, the appointment of the Independent Administrator, the Terms of Reference for the Independent Administrator, EITI Reports and annual progress reports (Requirement 1.4). For matters not mentioned in the Standard, the MSG should specify clearly, preferably in a written document, what decisions are delegated to the national secretariat and what requires prior MSG approval.

National Secretariats are advised to refrain from performing the role of the MSG. A common example is when National Coordinators chair MSG meetings or makes decisions on matters that the MSG should approve. National secretariats sometimes tend to fill in the gaps to make sure that the EITI process in a country is running smoothly. MSGs, however, might want to balance this with their role of primarily exercising oversight on the EITI process. MSGs and national secretariats should consider discussing these issues regularly.

C. Common issues and challenges

Building technical capacity. National secretariats are strongly encouraged to build their technical capacity especially on report analysis and understanding the requirements of the EITI Standard. National secretariats can benefit from training programmes and webinars conducted by the EITI International Secretariat and from guidance notes on the EITI website which could help in understanding the EITI requirements and thematic issues such as beneficial ownership, commodity trading, contract transparency, among others. Relevant websites and publications of EITI partners such as Global Witness, International Council on Mining and Metals, Natural Resource Governance Institute, Publish what You Pay, the World Bank, among others can provide information on issues in the extractive sector.

Formulating a communications strategy

Secretariats are often tasked to explain the EITI and to discuss the findings of the EITI Report to a wide range of audience including high-level government officials, communities, companies, students, donors and the media. All of these would require different approaches and core messages. Secretariats from some countries have engaged full time communications officers. The problem, however, is in finding the right person who is well versed in the extractive sector and in the EITI who can communicate these matters effectively and comprehensibly. Because of the secretariat's familiarity with the subject matter, the task often falls on it to develop a good communication strategy. The EITI International Secretariat has developed a communications guide that secretariats can use. Good examples from other countries can also be utilized, such as the communications plan of UK-EITI, and the interactive infographics on US-EITI's web portal.

Issues sometimes arise when some stakeholders perceive that communications are not equally disseminated to everyone, or when the information communicated is selective. This could breed mistrust towards the national secretariat even when it is not deliberate. As good practice,

secretariats are encouraged to set up mechanisms such as mailing lists which include the names of relevant stakeholders so that everyone is given the same information at the same time.

Finding the right people. Finding the right people to work in the national secretariat depends on the role that the MSG wants it to fulfil. As discussed above, some secretariats are confined to administrative roles, while others take on a technical or advisory role. Nevertheless, organizing the secretariat would require at the minimum individuals with the following skills:

- i. good administrative and financial skills which are important in conceptualizing and organizing events, preparing budgets, drafting proposals for donors, financial reports and progress reports, and overseeing procurement processes
- ii. effective communication skills which are needed for outreach activities, stakeholder engagements, briefings, drafting correspondences and various documents, writing blogs, creating infographics and overseeing social media platforms and website content
- iii. technical skills necessary to prepare terms of reference for various types of engagements, analyze data and explain the possible uses of information in the EITI report, understand and explain EITI requirements and thematic issues, and present the findings of the report to various stakeholders

Code of Conduct

The EITI has a Code of Conduct⁴ that national secretariats are expected to adhere to. It states that national secretariats (among other EITI Office holders⁵) are responsible for making EITI Office Holders familiar with this Code of Conduct and for providing advice and, if required, training on the interpretation and implementation thereof. There are provisions in the Code on avoidance of conflicts of interest, abuse of position and acceptance of gifts that EITI Office Holders including national secretariats should observe. In addition, the Code states that EITI Office Holders shall discharge their duties to the EITI in compliance with applicable national laws and regulations and with the EITI Rules, interests and objectives. This could be particularly relevant in the selection and appointment of staff and in procurement processes.

For more information, see country pages on the EITI website and links to national EITI websites.

<https://eiti.org/countries>

⁴ Available at <https://eiti.org/node/4846>

⁵ Includes EITI Board Members, their alternates, Members of the EITI Association, secretariat staff (national and international), and members of multi-stakeholder groups