Validation Committee 2023-2026 Terms of Reference

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1. Background

The EITI Board agreed to establish a Validation Committee to oversee the Validation process (Board Circular 210).

Validation is the EITI's quality assurance mechanism and an essential feature of the EITI process. It serves to assess performance and promotes dialogue and learning at the country level. It also safeguards the integrity of the EITI by holding all EITI implementing countries to the same global standard.

On 24 December 2020, the EITI Board agreed a new Validation Guide and procedure. These revisions were reflected in Sections 4 and 5 of the 2019 EITI Standard, as agreed by the Board on 18 February 2021. Refinements to the Validation procedure, Guide and data collection templates were agreed by the Board on 17 June 2022.

On 2 May 2023, the Board agreed transitional arrangements to the 2023 EITI Standard. The transitional arrangements provide for the 2023 EITI Standard to come into force when it is formally adopted (on 12 June 2023), with Validations under the 2023 Standard scheduled to commence in January 2025. Countries undertaking their first Validations under the 2021 Validation model will continue being Validated under the 2019 EITI Standard until 31 December 2024. All second Validations under the 2021 Validation model will be deferred until after 1 January 2025, unless the Board or the multi-stakeholder group requests an early Validation. The Board may call for a targeted assessment in accordance with Article 8.a of Section 4 of the 2019 EITI Standard (Part 2, Section 1, Article 8.a of the 2023 EITI Standard) in cases where it is manifestly clear that significant aspects of the EITI principles and/or requirements are not adhered to, or in cases of substantial delays in the implementation of timebound corrective actions.

2. Responsibilities

With support from the EITI International Secretariat, the Validation Committee shall:

1. Make recommendations to the EITI Board on the elaboration of the Validation procedures in accordance with the EITI Standard, including: (1) a standardised procedure for data collection and stakeholder consultation by the EITI International Secretariat, (2) a Validation Guide and (3) data collection templates for Validation.

2. Make recommendations to the Board on the Validation schedule and the timing of each EITI country's Validation.

EITI International Secretariat
Phone: +47 222 00 800   •   E-mail: secretariat@eiti.org   •   Twitter: @EITIorg   •   www.eiti.org
Address: Rådhusgata 26, 0151 Oslo, Norway

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3. Review requests for extensions to the commencement of Validation submitted by implementing countries and make recommendations to the EITI Board in accordance with Article 7 in Section 4 of the 2019 EITI Standard (Part 2, Section 1, Article 7 of the 2023 EITI Standard). Develop criteria for assessing MSG requests for extensions to Validation deadlines.

4. Oversee the Secretariat's data collection and stakeholder consultation activities for Validation and targeted assessments under Article 8.a of Section 4 of the 2019 EITI Standard (Part 2, Section 1, Article 8.a of the 2023 EITI Standard).

5. Oversee the procurement of external experts in accordance with Annex B of the Validation procedure.

6. Review Validation documentation and reports, including any feedback from multi-stakeholder groups, and make recommendations to the EITI Board on implementing countries' progress in implementing the EITI Standard.

7. Review reports on targeted assessments under Article 8.a of Section 4 of the 2019 EITI Standard (Part 2, Section 1, Article 8.a of the 2023 EITI Standard), and make recommendations to the EITI Board on implementing countries' progress in implementing the EITI Requirement(s) under review.

8. Review the effectiveness of the Validation and targeted assessment processes and, where necessary, make recommendations to the Board regarding changes to these procedures.

3. Committee composition

The members of the Committee were confirmed through Board Circular 339. The members are:

Implementing countries
1. Francess Piagie Alghali
2. Jean-Jacques Kayembe
3. Lusine Tovmasyan

Supporting countries
1. Rinaldo Jeanty

Civil Society
1. Mariya Lobacheva
2. Vanessa Cueto La Rosa
3. Kossi Kougblenou
4. Tamika Halwiindi

Companies
1. Nick Cotts

2. Roberto Nardi

On 5 September 2023, the Validation Committee agreed to appoint Rinaldo Jeanty as Chair of the Validation Committee.

The Committee will be supported by the EITI International Secretariat to fulfil its terms of reference. The contact persons at the International Secretariat are Alex Gordy (agordy@eiti.org) and Olesia Tolochko (otolochko@eiti.org).

4. Committee policy on observers and quorum

The Committee follows the EITI observer policy for EITI Committees as approved on January 2018. The Committee will provide input to the Governance and Oversight Committee's considerations on observing and recusals by industry representatives from companies that have significant presence in the country under discussion. Stakeholders interested in observing committee meetings will find information on upcoming meetings at https://eiti.org/board-committees#validation-committee.

The Committee also follows the Board's policy on quorum for committees as established at its meeting in Jakarta in 2011 and reaffirmed in 2014:

> *For a meeting to be considered quorate, each constituency should have at least one member present and there should be at least one member from implementing countries. If a meeting is not quorate, decisions may be taken by correspondence on a no-objection basis following the circulation of meeting minutes. Any Committee member can call for a non-quorate meeting to be ended. In the absence of a committee member, a colleague or a Board member from the same constituency may convey the position of the committee member.*

5. Committee papers and procedures

The Committee follows the Board-endorsed "Good practices for committee calls", available on pages 11 and 12 of the EITI Board manual, including deadlines for the submission of papers and individual responsibilities of Committee members.

The Committee follows the EITI's Openness policy. Committee members should be judicious in their sharing of the internal working documents of the committee, which are not considered public in accordance with provision 4 of the EITI Openness policy.

Members of the Committee are expected to familiarise themselves with – and abide by – the EITI Association Code of Conduct.

EITI International Secretariat
Phone: +47 222 00 800 • E-mail: secretariat@eiti.org • Twitter: @EITIorg • www.eiti.org
Address: Rådhusgata 26, 0151 Oslo, Norway

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