

15<sup>TH</sup> EITI BOARD MEETING, PARIS, 1 MARCH 2011

# Minutes

**EITI International Secretariat** Oslo, 1 April 2011

# MINUTES OF THE 15<sup>TH</sup> EITI BOARD MEETING

*OECD Conference Centre, Paris. 1 March 2011*

## Chair

**Dr Peter EIGEN**, Chairman EITI

## Implementing Countries

**Mr Abdoul Aziz ASKIA**, Permanent Secretary, EITI Niger, Niger

**Mr Essimi MENYE, Minister of Finance, Chairman EITI, Cameroon**

Alt: **Mr T. Negbalee WARNER**, EITI Liberia, Liberia

**Prof Humphrey ASSISI ASOBIE**, Chairman, NEITI, Nigeria

**Mr Shahmar MOVSUMOV**, Executive Director, State Oil Fund, Azerbaijan

## Supporting Countries

**Mr Mark PEARSON**, Director General, External Relations, Science and Policy Integration, Natural Resources Canada

Alt: **Mr Stephen GALLOGLY**, Director for International Energy and Commodity Policy, US State Dep., USA

**H.E. Birgitta NYGREN**, Ambassador, Ministry for Foreign Affairs, Sweden

**Mr Jelte van WIEREN**, Head, Gender, Good Governance and Humanitarian Aid Department, The Netherlands (Alternating for **Mr Dominik ZILLER**, Deputy Director General, BMZ)

## Civil Society Organisations

**Mr Ingilab AHMADOV**, Director of the Public Finance Monitoring Centre - Baku, Azerbaijan

Alt: **Mr Dorjdari NAMKHAJANTSAN**, Open Society Forum, Mongolia

**Mr Alfred BROWNELL**, Green Advocates, Liberia

Alt: **Mr Eduardo BOHORQUEZ**, Transparency International, Mexico

**Mr Christian MOUNZEO**, Coordinator PWYP Congo/President Rencontre Pour la Paix et les Droits de l'Homme, Republic of the Congo

Alt: **Dr Gilbert MAOUNDONODJI**, Coordinator, Group de Recherches Alternatives et de Monitoring Projet Pétrole Tchad-Cameroun, Chad

**Mr Michel ROY**, International Advocacy Director, Secours Catholique, France

Alt: **Mr Diarmid O'SULLIVAN**, Team leader, Oil Campaign, Global

**Mr Anthony RICHTER**, Chairman of the Governing Board of Revenue Watch Institute

Alt: **Ms Radhika SARIN**, Coordinator, Publish What You Pay

## Companies including Investors

**Ms Baiba RUBESA**, Manager of Corporate Social Responsibility, Statoil ASA, Norway

**Mr Stuart BROOKS**, Manager, International Relations, Chevron

Alt: **Mr Michael D MAHER**, Coordinator, Upstream Issues Advisor, ExxonMobil Public & Government Affairs

**Mr Olivier LOUBIÈRE**, Corporate Business Ethics Advisor, AREVA

Alt: **Mr Jim MILLER**, Vice President, Environmental Affairs, Freeport-McMoRan, Copper & Gold Inc.

**Dr R Anthony HODGE**, President, International Council on Mining and Metals  
Alt: **Mr Edward BICKHAM**, Independent Consultant, International Council on Mining and Metals

**Mr Jean-François LASSALLE**, Vice President Public Affairs – France and NGOs, Total  
Alt: **Mr Keith RUDDOCK**, General Counsel – Exploration & Production, Royal Dutch Shell

**Ms Julie McDowell**, Head of SRI, Standard Life Investments  
Alt: **Mr David DIAMOND**, Head of Sustainable and Responsible Development, Allianz Global Investments Europe

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Secretary to the Board: **Jonas Moberg**, Head of Secretariat

## 1. Welcome from Chair and adoption of agenda (Board Paper 15-1)

The Chair introduced the agenda and objectives of the 15<sup>th</sup> Board Meeting. He also welcomed the Clare Short, EITI Chair-candidate as an observer.

### The Board adopted the proposed agenda.

Julie McDowell, on behalf of the Validation Committee, requested to add two agenda items: the final Validation report from Yemen and the request for extension of the Validation deadline from Tanzania. Jelte van Wieren noted that tabling papers at such short notice did not provide sufficient time to allow thorough review and consultation and should be avoided. However, the Board agreed to accept the additional two papers as agenda items.

## 2. Report from Head of the Secretariat (Board Paper 15-2)

Jonas Moberg gave an update on the substantial work of the Chair and the Secretariat in the intense preparations for the Global Conference, Validation and the process of revising the EITI Rules. Jonas summarised the table attached to the agenda that reviewed the action points from the preceding Board meetings. He noted that all actions were completed except for 14-4 on handling requests to present statements before the Board.

## 3. Validation (Board Paper 15-3)

The Chair opened the discussion by praising the Validation Committee for the remarkable amount of work undertaken in reviewing Validation reports. He invited Committee chair, Julie McDowell, to introduce the agenda item. She noted that the Committee had agreed the validation status of six countries including Yemen, and that she would introduce each case and call on the Secretariat as required to provide additional information.

The final decisions from the Board on the status of countries are attached to these minutes. Key discussions and decisions are set out below.

### 3.1 Final validation report from Norway (Board paper 15-3-A)

Ms Gro Anundskaas (observer) recused herself from discussion of this matter.

Julie McDowell advised the Board that Norway had completed Validation. The validator had found that Norway had met all of the validation indicators. The Validation Committee had assessed the report and concurred with the validator's assessment. Accordingly the Validation Committee recommended that the Board designate Norway as Compliant.

The Board designated Norway as EITI Compliant country as of 1 March 2011.

The Chair invited Ms Anundskaas back into the room and congratulated Norway for achieving Compliance, and for becoming the first OECD country to achieve this status.

### **3.2 Final validation report from Central African Republic (Board paper 15-3-B)**

Julie McDowell advised the Board that the Central African Republic had completed Validation. The validator had found that Central African Republic had met all of the Validation indicators. The Validation Committee had assessed the report and concurred with the validator's assessment. Accordingly the Validation Committee recommended that the Board designate Central African Republic as Compliant.

The Board designated the Central African Republic as EITI Compliant country as of 1 March 2011.

### **3.3 Secretariat review: Nigeria (Board paper 15-3-C)**

Prof Humphrey Asobie and Zainab Ahmed (observer) recused themselves from discussion of this matter.

Julie McDowell advised the Board that in February 2011 the Secretariat had conducted a thorough review of the corrective actions established by the Board. The review found that all remedial actions set by the Board have been addressed satisfactorily. The Validation Committee had assessed the report and concurred with the Secretariat's assessment. Accordingly the Validation Committee recommended that the Board designate Nigeria as Compliant.

The Board designated Nigeria as EITI Compliant country as of 1 March 2011.

The Chair invited Prof Humphrey Asobie back into the room and congratulated Nigeria for its achievement and Prof Asobie his long contribution to the EITI. Prof Asobie, in turn, praised NEITI's work, especially NEITI's Executive Secretary Zainab Ahmed for her enthusiastic and vigorous work in leading the completion of all remedial actions necessary to achieve compliance.

### **3.4 Secretariat review: Kyrgyzstan (Board paper 15-3-D)**

Julie McDowell advised the Board that in January and February 2011 the Secretariat had conducted a review of the corrective actions established by the Board. The review found that all remedial actions set by the Board had been addressed satisfactorily. The Validation Committee had assessed the report and concurred with the Secretariat's assessment. Accordingly the Validation Committee recommended that the Board designate Kyrgyzstan as Compliant.

The Board designated Kyrgyzstan as EITI Compliant country as of 1 March 2011.

### **3.5 Secretariat review: Niger (Board paper 15-3-E)**

Mr Askia recused himself from discussion of this matter.

Julie McDowell advised the Board that in January and February 2011 the Secretariat had conducted a review of the corrective actions established by the Board. The review found that all remedial actions set by the Board had been addressed satisfactorily. The Validation Committee had assessed the report and concurred with the Secretariat's assessment. Accordingly the Validation Committee recommended that the Board designate Niger as Compliant.

The Board designated Niger as EITI Compliant country as of 1 March 2011.

The Chair invited Mr Askia back into the room and congratulated Niger on achieving compliance.

### **3.6 Final validation report from Yemen (Board paper 15-3-F)**

Julie McDowell advised the Board that Yemen had completed Validation and submitted a final report endorsed by the MSG to the EITI Board on 29 January 2011. The validator had found that Yemen had met all of the validation indicators. In addition, the MSG had submitted a workplan for publication of its next reconciliation report covering 2008 by the end of 2011. The Validation Committee had assessed the report and concurred with the validator's

assessment. Accordingly the Validation Committee recommended that the Board designate Yemen as Compliant.

The Board noted progress made by the government, companies and civil society organisations in Yemen in implementing the EITI, noting the difficulties that had been experienced in achieving a consensus prior to the first EITI report.

The Board designated Yemen as EITI Compliant country as of 1 March 2011.

The Board requested an opportunity to review a draft of the letter to be prepared by the Secretariat to inform the YEITI Council and all stakeholders in Yemen of this decision.

### **3.7 Tanzania validation deadline extension request (Board paper 15-3-G)**

Julie McDowell advised the Board that the Validation Committee had discussed an application from the Government of Tanzania and MSG for extension of the validation deadline, which was submitted to the Secretariat on 10 February 2011.

The Committee agreed unanimously to recommend that the Board grant Tanzania an extension. The majority of the Committee supported the granting of the extension on the grounds that the facts demonstrated exceptional and unforeseen circumstances, specifically the cumulative effects of the national energy crisis, on-going mining sector reforms, and difficulties in securing funding. A minority supported the granting of the extension on the grounds that it would be inequitable and unreasonable to deny the short extension requested in view of the changes recently adopted to policy note #3 regarding validation deadlines.

The Board agreed to extend Tanzania's deadline to 15 May 2011 for submitting a final Validation report.

#### **Action**

The EITI Chair to write to Governments and Multi-stakeholder groups of Norway, the Central African Republic, Nigeria, Kyrgyzstan, Niger and Yemen informing them of the Board's decision for Compliant status and to Tanzania informing them of the granting of an extension to 15 May 2011 to submit the final Validation report.

### **4. Request by Guinea to lift voluntary suspension of candidate status (Board paper 15-4)**

Tim Bittiger introduced this paper which followed the discussion at the 14<sup>th</sup> Board meeting in Brussels in December 2010, following the request by the Government of Guinea submitted on 11 November 2010. The Guinean government and MSG had submitted a detailed workplan, with clear objectives, activities and timings, and a budget for achieving Compliance, including a schedule for Validation within one year of lifting suspension.

Edward Bickham proposed that in communicating its decision, the Board also encourages the Government of Guinea to embrace recent barter deals signed to exploit natural resources into EITI reporting. This proposal was not taken up by the Board.

The Board agreed to lift the suspension of Guinea's EITI Candidate status and gave Guinea until 29 February 2012 to complete EITI Validation.

#### **Action**

The EITI Chair to write to the Government and multi-stakeholder group of Guinea informing them of the lifting of the suspension and the new validation deadline.

### **5. Implementation and Outreach Progress Report (Board paper 15-5)**

Jonas Moberg provided an update on progress on EITI implementation in the 33 implementing countries. He highlighted that 62 reports had been published in 27 countries. While recognising the usefulness of the

Implementation and Outreach Progress Reports, both Ingilab Ahmadov and Anthony Richter suggested that the format be revised to focus on the most recent and significant developments in each country rather than a comprehensive review. Jonas confirmed that the Secretariat would revisit the format. The Secretariat provided a brief update on Côte d'Ivoire and Peru. Tim Bittiger informed the Board that the Rapid Response Committee continued to monitor the post-electoral deadlock and that the Chair had written to the national EITI chairman on 9 February to express concern that EITI Principles and Criteria could be at risk. Tim confirmed the continued stakeholder commitment in the country, and that some activities were being conducted while it was difficult for the MSG to meet. The Board agreed to ask the new Board to continue to closely monitor the situation in Côte d'Ivoire, recognising that suspension may soon be inevitable.

Francisco Paris reported that, after discussions with industry and civil society, the Government of Peru had drafted a decree renewing the mandate of the National Commission to continue implementing the EITI.

### Action

The Secretariat to revise the format of the Implementation and Outreach Progress Report.  
The new Board to continue to closely monitor the situation in Côte d'Ivoire.

## 6. Candidate applications

### 6A. Candidature assessment: Guatemala (Board paper 15-6-A)

Francisco Paris introduced the Candidate application by Guatemala. The Secretariat's assessment was that Guatemala had met the four sign-up requirements and therefore recommended that the country be admitted as an EITI Candidate.

The Board declared Guatemala an EITI Candidate country as of 1 March 2011, and would be required to complete Validation by 28 February 2013.

### 6B. Candidature assessment: Trinidad and Tobago (Board paper 15-6-B)

Francisco Paris introduced the candidate application by Trinidad and Tobago. The Secretariat's assessment was that Trinidad and Tobago had met the four sign-up requirements and therefore recommended that the country be admitted as an EITI Candidate. While agreeing with the assessment that all sign-up indicators had been met, the Board expressed concerns about indications of civil society not being adequately represented in the multi-stakeholder group. The Board agreed to stress the need for adequate representation of all stakeholders on the MSG in its letter to the Government advising the Board's decision.

The Board declared Trinidad and Tobago to be an EITI Candidate country as of 1 March 2011, and would be required to complete Validation by 28 February 2013.

### Action

The EITI Chair to write to the EITI Champions of Guatemala and Trinidad and Tobago, informing them of the Board's decision for Candidate status.

## 7. Update on evaluation of the EITI Report (Board Paper 15-7)

Jonas Moberg provided a brief update on the evaluation being conducted by Scanteam. He informed the Board that Scanteam's final report is due at the end of April 2011 and that the Board will have an opportunity to comment on the draft report.

## 8. Approval of 2010 Audited accounts and Audit Report

Ingilab Ahmadov introduced both the report from the Audit Committee (Board paper 15-8-B) and the final signed

accounts – 2010 (Board paper 15-8-A). He confirmed that the Committee understood that the auditors were satisfied with the audited accounts and the financial probity and management of the Secretariat.

The Board accepted the report of the Audit Committee.

## 9. Amended Budget proposal 2011 (Board paper 15-9)

Anthony Hodge introduced this paper from the Finance Committee. He first commended the members of the Committee for their dedication and support and the Secretariat for its diligent collaboration with the Committee. On behalf of the Committee he proposed that the Board approve an amended budget of \$3.8m for 2011. He also noted that the Committee was concerned with the growing demands on the Secretariat. He proposed that the Finance Committee of the new Board undertake a revenue review in 2011.

The Board approved the amended budget of \$3.8m for 2011 and recommended that the Finance Committee of the new Board undertake a revenue review in 2011.

### Action

The Finance Committee to undertake a revenue review in 2011.

## 10. Preparations for Members Meeting and Conference

Jonas Moberg introduced the programme of the 5<sup>th</sup> EITI Conference and invited questions from the Board. He explained the procedures for the Members meeting in accordance with the Articles of Association. Alfred Brownell suggested that Members should receive regular updates from the Secretariat on general EITI matters. Jonas Moberg suggested adding all Members, not yet included, to the distribution list of EITI Newsletters.

### Action

The Secretariat to update the EITI newsletter distribution list to include all Members of the EITI association.

## 11. Governance review – update (Board paper 15-11)

As a point of information, Jonas Moberg noted that the recommendation of the Governance Committee in December 2010 on Board turnover was not agreed. The Chair suggested that the new Board address this issue in due time.

## 12. EITI Rules revision – update

Jonas Moberg reminded the Board that the new rules were approved by Board Circular 93. Stuart Brooks and Baiba Rubesa praised all involved in the review and drafting process, noting that significant improvements had been made in a very short period.

## 13. Any other business

Mark Pearson announced on behalf of the Government of Australia their commitment to provide funding to the Secretariat (AUD \$1 million over three years) and the Multi Donor Trust Fund (AUD \$9 million over three years).

## 14. Winding up of outgoing Board; Thanks to Board Members

Anthony Hodge on behalf of the Board thanked the Chair for his contribution to the EITI. He stressed that Peter had sown, planted and nourished a remarkable change in the development of the EITI. Updated rules, vibrant multi-stakeholder processes, and growing reporting activity, all testified to Peter's stewardship of the EITI in the



previous 5 years. Following a standing ovation, Peter expressed his deep gratitude and satisfaction with his time leading the EITI.

## Observers

**Ms Zainab AHMED**, EITI Nigeria (NEITI) National Coordinator, Nigeria  
**Mr Tawfiq ALBODIJI**, Branch Manager, Human Rights Information & Training Center, Yemen  
**Dr Saeed AL-ALIRIQI**, Alamal Centre for Transparency & Labour Issues, Yemen  
**Mr Manpreet ANAND**, Chevron  
**Ms Gro ANUNDSKAAS**, Assistant Director General, Ministry of Petroleum and Energy, Norway  
**Mr B. ARIUNSAN**, Vice Minister for Mineral resources and Energy, Mongolia  
**Mr Franklin ASHIADEY**, GHEITI, Ghana  
**Mr Sabit BAGIROV**, Centre for Economic & Political Research, Azerbaijan  
**Mr Michael BARRON**, Policy & Corporate Affairs Manager, BG Group  
**Ms Karla BASSELIER**, Attaché Analyst, Department of Foreign Trade & Development Cooperation, Belgium  
**Ms Diana CORBIN**, Operations Officer, Donor Relations Extractive Industries Transparency Initiative (EITI), WB  
**Mr Wouter BIESTERBOS**, Senior Policy Officer, Good Governance Division, The Netherlands  
**Mr Kassongo BIN NASSOR**, Director, Business and Government Relations, FreeportMcMoran DRC  
**Mr Andrew BONE**, Director, International Relations, De Beers  
**Ms Delphine CLERC-TOURÉ**, Ministère des Affaires étrangères et européennes, France  
**Ms B DOLGOR**, Senior Advisor to the Prime Minister, Mongolia  
**Mr Frank De CONINCK**, Special Envoy Great Lakes, Ministry of Foreign Affairs, Belgium  
**Ms Page DYKSTRA**, Program Associate, Revenue Watch Institute  
**Mr Manuel ADAMINI**, Head of ESG research, SNS Asset Management  
**Mr Farid FARZALIYEV**, State Oil Fund, Azerbaijan  
**Mr Eelco De GROOT**, Cordaid, The Netherlands  
**Mr Moctar OULD MOHAMED EL HACEN**, Technical Adviser, African Development Bank  
**Ms Shelly HAN**, U.S. Helsinki Commission, Finland  
**Ms Sophia HARDING**, Programme Officer, Publish What You Pay (PWYP)  
**Mr Ali IDRISSE**, Réseau des Organisations pour la Transparence et l'Analyse Budgétaire, Niger  
**Ms Mora JOHNSON**, Department of Foreign Affairs & International Trade, Natural Resources, Canada  
**Mr Jean Claude KATENDE**, Association Africaine de Défense des Droits de l'Homme, DRC  
**Ms Carine KHAWAM**, Canadian International Development Agency  
**Ms Magali KREITMANN**, Financial Governance Unit, Ministry of Foreign Affairs, France  
**Dr Stephen LUCAS**, Assistant Deputy Minister, Science & Policy Integration, Natural Resources, Canada  
**Mr Geir LØKKEN**, Ministry of Foreign Affairs, Norway  
**Mr Ron LYEN**, Director, International Affairs Division, Natural Resources, Canada  
**Mr Christian MAMBU MA BINKUBULA**, National Coordinator, EITI Democratic Republic of Congo  
**Mr Carlo MERLA**, Africa Coordinator, Publish What You Pay (PWYP)  
**Mr Mohammed MOTIWALA**, Energy and Natural Resources Division, US State Department  
**Mr Ridaya La Ode NGOWE**, Coordinator, PWYP Indonesia  
**Ms Marta Pedrajas HERRERO**, Head of Economic Development Unit, Ministry of Foreign Affairs & Dev., Spain  
**Ms Hanna OWUSU-KORANTENG**, Wassa Association of Communities Affected by Mining, Ghana  
**Mr Russell PICKARD**, Acting Head of International Advocacy, Open Society Foundations, USA  
**Mr Erik Bering POULSEN**, Senior Adviser, Department for global Cooperation & Economy, MFA Denmark  
**Mr Anwar RAVAT**, Program Manager, EITI, Oil, Gas and Operations Unit, World Bank  
**Mr Merico J. Dos REIS**, Luta Hamutuk Institute, Timor-Leste  
**Mr Paulo de SA**, Manager, Oil, Gas and Mining Policy Division, World Bank  
**Ms Clare SHORT**, Chair Candidate, EITI  
**Mr Epifanio Baca TUPAYACHI**, Grupo Propuesta Ciudadana, Peru  
**Ms Katherine TWOMEY**, Department of Foreign Affairs and Trade, Australia  
**Dr François VALÉRIAN**, Head of Private Sector Programmes, Transparency International, Berlin  
**Ms Kristel VERHOEF**, Research Analyst, SNS Asset Management, The Netherlands  
**Ms Bente WEISSER**, Senior Advisor, Ministry of Foreign Affairs, Norway  
**Mr Joseph WILLIAMS**, Information and Advocacy Officer, Publish What You Pay (PWYP), UK  
**Mr Sayon Henry YAIDOO**, Head of Secretariat, Liberia Extractive Industries Transparency Initiative (LEITI)  
**Mr Kunihiko YOSHIDA**, Researcher, Ministry of Foreign Affairs, Japan  
**Ms Gabriele ZÖLLER**, Federal Ministry for Economic Cooperation and Development, Germany



**EITI International Secretariat**

**Mr Sam BARTLETT**, Regional Director

**Mr Tim BITTIGER**, Regional Director

**Ms Marie-Ange KALENGA**, Regional Director

**Mr Anders Tunold KRÅKENES**, Communications Manager

**Mr Jonas MOBERG**, Head of Secretariat

**Mr Francisco PARIS**, Regional Director

**Mr Eddie RICH**, Deputy Head of Secretariat

**Mr Jürgen REITMAIER**, Special Advisor

**Mr Mike WILKINSON**, Special Advisor

# ANNEX: SUMMARY OF BOARD DECISIONS ON VALIDATION – PARIS, 1 MARCH 2011

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This annex sets out the decisions taken by the Board with regard to the validation of Norway, the Central African Republic, Nigeria, Kyrgyzstan, Niger and Yemen (Board Papers 15-3 A - F).

## Board decision on Norway

The EITI Board designates Norway as EITI Compliant as of 1 March 2011. In accordance with the EITI Rules:

- Norway must be revalidated within 5 years (i.e., by 29 February 2016);
- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of Norway for its commitment and leadership in both supporting and implementing the EITI. The Board also congratulates the government, companies and civil society organisations represented in the Norwegian multi-stakeholder group for its strong collaboration and effective oversight of the EITI implementation process.

Further, the Board wishes to congratulate the validators and all involved in the validation on an impressive report. The validation report provides a comprehensive review of EITI implementation in Norway, and provides a sufficient basis for establishing Norway's compliance with the validation indicators.

The Board calls on the government and multi-stakeholder group to ensure that the validator's recommendations are implemented in full, and tasks the International EITI Secretariat with providing regular progress reports to the EITI Board.

## Board decision on Central African Republic

The EITI Board designates the Central African Republic (CAR) as EITI compliant as of 1 March 2011. In accordance with the EITI Rules:

- CAR must be revalidated within five years (i.e., by 29 February 2016);
- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of CAR for its sustained commitment and leadership of the EITI process. The Board also congratulates the CAR multi-stakeholder working group for its strong collaboration and effective oversight of EITI implementation.

The Board welcomed the Government of CAR's commitment to further strengthen implementation by providing more detailed data in the 2007-2009 reports. The Board calls on the government and multi-stakeholder working group to ensure that the validator's recommendations are implemented in full, and tasks the EITI International Secretariat with providing regular progress reports to the EITI Board.

The validator concluded that the Central African Republic met all the validation indicators, noting progress in the draft EITI reports for the period 2007-2009 which at the time of submitting the validation report on 18 November

2010 were not yet published. The reports were published on 6 December 2010. Following an analysis of these reports the Board also concludes that all indicators have been met.

### Board decision on Nigeria

The EITI Board designates Nigeria as EITI Compliant as of 1 March 2011. In accordance with the EITI Rules:

- Nigeria must be revalidated within 5 years (i.e., by 29 February 2016);
- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of Nigeria for its commitment to the EITI process. The Board also congratulates the Nigerian multi-stakeholder working group (NSWG) and the Secretariat NEITI for its strong collaboration and effective oversight of EITI implementation, especially in the past few months to respond to the concerns of the Board.

The Board also welcomed the Government of Nigeria's commitment to further strengthen implementation by incorporating the revenues from the Joint Development Zone with Sao Tome and Principe and the solid mineral sector to the EITI reporting, and to revitalise the Inter-Ministerial Task Team. The Board calls on the government and multi-stakeholder working group to ensure that these actions are implemented in full and these important reports are completed in the next year. The Board noted the richness of the observations and recommendations for further improvement of the management of extractive revenues both in the Validation Report, and in the 2006-2008 EITI reconciliation report. The Board urges the government and multi-stakeholder group to act upon those findings. The Board tasks the EITI International Secretariat with providing regular progress reports to the EITI Board.

### Board decision on Kyrgyzstan

The EITI Board designates the Kyrgyz Republic as EITI Compliant as of 1 March 2011. In accordance with the EITI Rules:

- The Kyrgyz Republic must be revalidated within 5 years (i.e., by 29 February 2016);
- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of the Kyrgyz Republic for its commitment and leadership of the EITI process. The Board also congratulates the EITI Supervisory Board for its strong collaboration and effective oversight of EITI implementation. The Board also welcomed the government's commitment to applying lessons learned from EITI implementation to energy sector reforms.

The Board calls on the government, national council and multi-stakeholder working group to ensure that the validator's recommendations are implemented in full. The Board recommends that the Supervisory Board continues to monitor compliance with the agreed procedures for the auditing of government data and regularly reviews the effectiveness of the capacity building initiatives in this area.

The Board tasks the EITI International Secretariat with providing regular progress reports to the EITI Board.

### Board decision on Niger

The EITI Board designates Niger as EITI Compliant as of 1 March 2011. In accordance with the EITI Rules:

- Niger must be revalidated within 5 years (i.e., 29 February 2016);

- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of Niger for its sustained commitment and leadership of the EITI process. The Board also congratulates the Comité National de Concertation (CNC) for its efforts and effective leadership in EITI implementation.

The Board also welcomes the Government of Niger commitment to further strengthen implementation by incorporating revenue transparency requirements in Niger's new constitution.

The Board calls on the government and multi-stakeholder working group to ensure that the Board's recommendations are implemented in full, and tasks the EITI International Secretariat with providing regular progress reports to the EITI Board.

### **Board decision on Yemen**

The EITI Board designates Yemen as EITI compliant as of 3 March 2011. In accordance with the EITI Rules:

- Yemen must be revalidated within five years (i.e., by 29 February 2016);
- Stakeholders in the process may call for a new validation at any time within that period if they think the process needs reviewing; and
- Where valid concerns exist that a country has become EITI Compliant, but its implementation of the EITI has subsequently fallen below the standard required for Compliance, then the Board reserves the right to require the country to undergo a new validation or face delisting from the EITI.

The Board congratulates the government of Yemen for its commitment and leadership of the EITI process. The Board also congratulates the YEITI Council for overcoming its challenges and its effective oversight of EITI implementation.

The Board wishes to emphasise the importance of the timeliness of EITI reporting. Yemen's last report covered financial data from 2005, 2006, and 2007. The Board noted the agreed plan for the second report to cover 2008 to be published this calendar year. The Board also encourages the reconciler's and validator's recommendations to be implemented including more direct Ministerial engagement in the YEITI process.