

# EITI Candidature Application

*Niger*

*11 October 2019*

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# INTRODUCTION

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A government intending to implement the EITI is required to undertake a number of steps before applying to become an EITI Candidate country (see EITI Requirements 1-5<sup>1</sup>). When the country has completed the “sign-up” steps and wishes to be recognised as an EITI Candidate country, the government with the support of the multi-stakeholder group should formally submit a Candidate application in writing to the EITI Chair<sup>2</sup>. The application should describe the activities undertaken to date and provide evidence demonstrating that each of the five sign-up requirements have been fully met. Countries that have submitted a candidature application may wish to refer to the membership requirements set out in the Validation Guide<sup>3</sup>. The application should include contact details for government, civil society and private sector stakeholders involved in the sign-up process. Application materials will be published on the EITI website and be available for public comment.

The EITI Board working through the Outreach and Candidature Committee will work with the EITI International Secretariat to review the application and assess whether the sign-up requirements have been met. The Secretariat will contact stakeholders at the national level to ascertain their views on the sign-up process and seek comments from supporting governments, international civil society groups, supporting companies, and supporting organisations and investors. The International Secretariat will work closely with the senior individual appointed to lead on EITI implementation in order to clarify any outstanding issues. The Outreach and Candidature Committee will make a recommendation to the Board on whether a country’s application should be accepted.

The EITI Board will take the final decision regarding the request for EITI candidacy. The Board has stated a preference to take decisions on admitting a Candidate country at the regular EITI Board meetings. Where there is a long period between meetings, the Board will consider taking a decision via Board Circular. The International Secretariat will convey the decisions of the Board to countries that have submitted applications<sup>4</sup>.

When the Board admits a Candidate, it also establishes deadlines for publishing the first EITI Report and submitting a final Validation Report, endorsed by the multi-stakeholder group, to the EITI Board. A country’s first EITI Report must be published within 18 months from the date that the country was admitted as a Candidate. The final Validation Report must be submitted within two and a half years from the date that the country was admitted as a Candidate.

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<sup>1</sup> The rules are stated in the EITI Rules: <http://eiti.org/fr/document/regles>.

<sup>2</sup> Candidature applications should be submitted to the EITI International Secretary.

<sup>3</sup> EITI Rules: <http://eiti.org/document/rules>, p. 42-44.

<sup>4</sup> Applicant countries are reminded that the application review process may take up to 8 weeks from the date when the application is submitted.

**Box 1 – Main steps in the Candidature application process**

- 1. Country submits application for EITI Candidature.** The government should submit a formal application in writing to the EITI Chair via the International Secretariat.
- 2. The International Secretariat will review the application.** The International Secretariat will ensure that the application is complete and will contact stakeholders at the national and international level to ascertain their views and seek comments. The International Secretariat will publish the application on the EITI international website.
- 3. The Outreach and Candidature Committee will assess the application and will make a recommendation to the EITI Board.** The recommendation will stipulate whether a country's application should be accepted or not.
- 4. The EITI Board will take a decision on admitting the applicant as a Candidate country** in accordance with the EITI Standard.

# APPLICANT COUNTRY INFORMATION

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Applicant	NIGER
Government contract point	HAMADOU ADAMOU Souley Head of the Prime Minister's Office, Chair of the Multi-stakeholder Group BP 893 Niamey Tel : +227 90334142 Email:hamaadamou_souley@yahoo.fr
Date of Application	11th October 2019

# EITI SIGN-UP REQUIREMENTS

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The government is required to issue an unequivocal public statement of its intention to implement the EITI.

- a) The statement should be made by the head of state or government or an appropriately delegated government representative.
- b) Public statements can be made at a formal launch event, publicised through the national media, placed on a dedicated EITI website.
- c) Beyond endorsement of the EITI, the statement should also indicate the measures and actions the government intends to take to meet the EITI Criteria, including ensuring sustained high-level political support.

Niger joined the Extractive Industries Transparency Initiative (EITI) in 2005<sup>5</sup>. It was admitted as a candidate country in 2007 and declared a "compliant" country in March 2011. Niger produced 7 reports, including 2 consolidated reports (2005-2006 and 2007-2009). Niger's latest EITI report was for the 2014 fiscal year<sup>6</sup>.

The EITI Board meeting held on October 26, 2017 in Manila (Philippines) decided to suspend Niger<sup>7</sup>. This led to the country's withdrawal from the process<sup>8</sup>. Following frank and direct discussions between Niger and the EITI Executive Secretariat, which helped to overcome the misunderstanding, Niger decided to reintegrate the process.

As part of the process of its return to the EITI a conference on extractive sector governance was organized on 22<sup>nd</sup> and 23<sup>rd</sup> January 2019 in Niamey. At the opening of this conference, His Excellency the Prime Minister, Mr. BRIGI RAFINI declared **"I announce solemnly, from this tribune, the decision of the Government, to resume its place within the International EITI and to carry out its role in the governance of the extractive industries fully and in all respects, as, indeed, it has always done."** (Annex 1)

This decision of the Government was reaffirmed by the Minister of Petroleum during his address to the EITI Conference in Paris on 19<sup>th</sup> June 2019. (Annex 2)

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<sup>5</sup> Decree on creation of the EITI in Niger in 2005: [http://www.itieniger.ne/images/DOC\\_SITE\\_ITIE/Les-Textes-Reglementaires-1.pdf](http://www.itieniger.ne/images/DOC_SITE_ITIE/Les-Textes-Reglementaires-1.pdf)

<sup>6</sup> Niger EITI Report 2014: <https://eiti.org/document/2014-niger-eiti-report>

<sup>7</sup> Decision of the EITI Board to suspend Niger: <https://eiti.org/fr/node/9282>

<sup>8</sup> Press release on withdrawal of Niger from the EITI: <https://eiti.org/news/niger-withdraws-from-eiti-implementation>

This commitment by the Government was reiterated by the Head of the Prime Minister's Office during his address at the first meeting of the MSG held in Tillabéry on 9<sup>th</sup> September 2019. (Annex 3). Therefore Niger has complied in full with this requirement.

The government has appointed a Permanent Secretary and has established the MSG. This body will implement the actions which are necessary in order to meet the EITI Criteria. See EITI Requirement 3 for details.

<Provide a list and attach relevant documents >

1. Speech by His Excellency the Prime Minister at the Extractive Sector Governance Conference;
2. Speech by the Minister of Petroleum, Mr. Foumakoye Gado, at the Paris Conference;
3. Speech by the Head of the Cabinet Office and Chair of the MSG, Mr. Hamadou Adamou Souley, at the opening of the first meeting of the MSG;
4. TV news on 22nd January 2019.

## EITI REQUIREMENT 2

The government is required to commit to work with civil society and companies on implementation of the EITI.

- a) EITI implementation requires a sustained commitment to multi-stakeholder dialogue and collaboration. Companies and civil society organisations must be substantively engaged in the design, implementation, monitoring and evaluation of the EITI process, contributing to public debate.
- b) The government must ensure there are no obstacles to civil society and company participation in the process.
- c) The government must ensure that there is an enabling framework for civil society organisations and companies, with regard to relevant laws, regulations, and administrative rules as well as actual practice in implementation of the EITI.
- d) The government must refrain from actions which result in narrowing or restricting public debate in relation to the implementation of the EITI.
- e) Civil society and company representatives can speak freely on transparency and natural resource governance issues.
- f) Civil society and company representatives who are substantively engaged in the EITI process, including but not limited to members of the multi-stakeholder group, have the right to communicate and cooperate with each other.

*Applicant countries will also need to refer to Guidance Note 6 regarding the participation of society<sup>9</sup>*

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<sup>9</sup> EITI Rules, pp. 68-70

In Niger, individual and collective liberties are protected by the Constitution of 10th November 2010, notably Articles 9, 12, 30,31 and 32 (Requirement 1.3.b)<sup>10</sup>. Article 9 of the Constitution states: *"Under the framework of the freedom of association recognized and guaranteed by this Constitution, the political parties, groups of political parties, the trade-unions, the non-governmental organizations and other associations or groups of associations are formed and exercise their activities freely, within respect for the laws and regulations in force"*.

Article 12 states: *"Each one has the right to life, to health, to physical and moral integrity, to a healthy and sufficient food supply, to potable water, to education and instruction in the conditions specified by the law. The State assures to each one the satisfaction of the essential needs and services as well as a full development. Each one has the right to freedom and to security within the conditions defined by the law."*

Article 30 states: *"Any person has the right to freedom of thought, of opinion, of expression, of conscience, of religion and of worship. The State guarantees the free exercise of worship and the expression of beliefs. These rights are exercised with respect for public order, for social peace and for national unity."*

Article 31 states: *"Any person has the right to be informed and to have access to the information held by the public services within the conditions determined by the law."*

Article 32 states: *"The State recognizes and guarantees the freedom of movement, the freedoms of association, assembly, procession and manifestation within the conditions defined by the law"*. These provisions are generally applied in exemplary fashion by the authorities, as evidenced by good collaboration between the State, the private sector and civil society.

ROTAB ("Network of organizations for transparency and budget analysis") organised a travelling show for awareness-raising on the EITI Standard and carried out a study on the retrocession of 15% of mining and petroleum revenues. The president of NIWO ("Niger's Women in Oil and Gas") gave a highly critical interview regarding management of the oil sector.

The Multi-stakeholder Group (MSG) within National Arrangements for Implementation of the EITI in Niger is a framework for tripartite dialogue between representatives of the State, extractive companies and civil society for implementation of the EITI.

Companies have created a WhatsApp group, through which the various members exchange their views on various topics concerning the EITI.

The civil society constituency has independently approved its own internal regulations and a code of conduct.

Also, organisations such as ROTAB, GREN ("Group for Reflexion and Action on the Extractive Industries in Niger") and many others have good experience of dialogue with the State on matters of transparency in the extractive industries and are free to work without limitations. ([www.rotab.net](http://www.rotab.net))

Following the suspension of Niger, which led to its withdrawal from the EITI in 2017, the Prime Minister created an ad hoc committee to consider redrafting of the EITI texts in order to correct the inadequacies that had been noted. Extractive sector companies and associations took part in this process on an inclusive and participatory basis. A draft decree was proposed and signed by the Prime Minister, structuring the MSG as three constituencies, including civil society and extractive companies.

<sup>10</sup> Constitution of the Republic of Niger: [https://www.constituteproject.org/constitution/Niger\\_2010.pdf](https://www.constituteproject.org/constitution/Niger_2010.pdf)



Civil society and businesses fully attended the first meeting of the MSG. They are part of the technical commissions set up by the MSG.

< Provide a list and attach relevant documents >

1. Decree on establishment of the ad hoc committee for review of EITI texts;
2. Decree 190 of the Prime Minister on creation of EITI National Arrangements in Niger;
3. Minutes of the first meeting of the MSG;
4. Screenshot of corporate constituency discussions on WhatsApp;
5. Reports on the awareness-raising travelling show on the 2019 Standard, organised by ROTAB;
6. Update on retrocession of 15% of mining and oil royalties to localities affected;
7. Information and promotion report on work by ROTAB;
8. Interview with the President of NIWO;
9. Code of conduct of the civil society constituency.

### EITI REQUIREMENT 3

The government is required to appoint a senior individual to lead the implementation of the EITI.

- a) It is recommended that this appointment is publicly announced.
- b) The individual leading EITI implementation should have the confidence of all stakeholders and be situated in relevant ministries or agencies.
- c) The appointee should have the authority and freedom to coordinate action on EITI across relevant ministries and agencies and be able to mobilise resources for country implementation.

By Decree No. 0044/PM of 29<sup>th</sup> March 2018, His Excellency the Prime Minister appointed Mr. Abdelkarim AKSAR as Permanent Secretary of EITI-Niger.

Following the establishment of the new national arrangements (replacing the previous arrangements), the appointment was confirmed by Decree No. 134 / PM of 13<sup>th</sup> September 2019.

Mr. AKSAR holds a degree in Geological Engineering from École Polytechnique de Montréal and has more than 30 years of experience in research and in mining operations and administration. He served as Head of Operations of the Société Minière du Niger (SMDN, "Niger Mining Company"), Technical Director of the National Office of Mineral Resources (ONAREM) and Director of the uranium deposit research project of Niger Uranium SA, before assuming the post of Technical Advisor to the Prime Minister. His appointment was well received by stakeholders, including civil society and companies.

The Permanent Secretary is currently in contact with donors to mobilise the necessary resources for EITI implementation in Niger.

<Provide a list and attach the relevant reference documents>

1. Decree No. 0044 / PM of 29<sup>th</sup> March 2018;
2. Decree No. 0134 / PM of 13<sup>th</sup> September 2019;
3. Letter from civil society organisations;
4. Letter from corporate constituency.

## EITI REQUIREMENT 4

The government is required to establish a multi-stakeholder group to oversee the implementation of the EITI.

- a) It is a requirement that implementation of the EITI is overseen by a multi-stakeholder group comprising appropriate stakeholders, including – but not limited to – the private sector, civil society (including independent civil society groups and other civil society, such as the media and parliamentarians) and relevant government ministries (including government leads).
- b) EITI implementation requires an inclusive decision-making process throughout implementation, with each constituency being treated as a partner.
- c) Each stakeholder group should have the right to appoint their own representatives, bearing in mind the desirability of pluralistic and diverse representation.
- d) Civil society groups involved in the EITI as members of the multi-stakeholder group must be, in operational and policy terms, independent of government and/or companies.
- e) Members of the multi-stakeholder group should have the capacity to act freely, without constraint or coercion, including in contracts with the groups in their constituency.
- f) Members of the multi-stakeholder group should carry out their duties.
- g) The multi-stakeholder group is required to agree clear public Terms of Reference (TORs) and keep written records of their discussions and decisions. These TORs should, at a minimum, include provisions on the endorsement of the Country Work Plan and allow for revisions to the Country Work Plan following comments by the MSG, as well as procedures for choosing an organisation to undertake the reconciliation. Once the group has been formed, members should agree internal governance rules and procedures. This might include voting procedures.
- h) In establishing the multi-stakeholder group the government should:
  - i. ensure that senior government officials are represented on the multi-stakeholder group;
  - ii. ensure that the invitation to participate in the group was open and transparent;
  - iii. ensure that stakeholders are adequately represented (this does not mean that they need to be equally represented);
  - iv. ensure that there is a process for changing group members which does not include any suggestion of coercion or attempts to include members who will not challenge the status quo.

The government may also wish to:

- v. undertake a stakeholder assessment;
- vi. establish the legal base for the group.

*Applicant countries will also need to refer to Guidance Note 6 regarding the participation of society*<sup>11</sup>

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<sup>11</sup> EITI Rules: pp. 68-70

The Prime Minister set up a committee of 10 members to analyse the causes of suspension of Niger by the EITI Board. This committee sought the opinion of civil society and corporate actors. The committee concluded that the causes lay in a malfunction of EITI-Niger. The Prime Minister proposed a new mechanism called National Arrangements for Implementation of the EITI in Niger. The draft decree was shared with all stakeholders, who provided comments. A meeting of civil society organisations was held. The various observations were discussed and incorporated in the draft decree. The draft decree was signed by His Excellency the Prime Minister on 19th November 2018 under as Decree No. 190 / PM.

The process of appointing the members of the various constituencies was carried out in a fully transparent and independent manner. Two approaches were used for formation of the various MSG constituencies:

For extractive sector companies, the Ministers of Petroleum and of Mining were asked to make the necessary arrangements for companies in their respective sectors to appoint their representatives to the MSG.

The Minister of Mines wrote to mining companies and convened a meeting on 5<sup>th</sup> June 2019, at which the representatives and their stand-ins were appointed.

The Minister of Petroleum invited petroleum companies to a meeting on May 21<sup>st</sup> 2019, at which the MSG representatives and their stand-ins were appointed.

It should be noted that the civil society constituency was formed with the facilitation of a consultant recruited by the World Bank using a three-stage methodology: an initial stage, in which active and recognised civil society organizations were mapped; a second stage, in which a platform for action by CSOs in the extractive industries was drafted; and a third stage, concerning support for the appointment of civil society members to the MSG. Exchanges took place with all stakeholders involved in extractive sector issues. A workshop was then held in August 2019, bringing together all civil society organisations.

The MSG is constituted in a non-parity manner and consists of thirty members, with twelve (12) representatives of government, including two representatives of the national assembly (annex) and two representatives of the association of local elected representatives, nine (9) representatives of mining and petroleum companies, and nine (9) representatives of civil society including the press, trade unions and associations

The participation and selection of members from civil society and private companies has been democratic and without any state influence (annex). Various segments are represented at the level of civil society and of companies (Requirement 1.3.f). The government has also committed to facilitating the participation of MSG members who do not live in the capital, by covering their transportation and accommodation expenses when they take part in MSG meetings (Requirement 1.3.c). In general, it should be noted that Niger's multi-stakeholder group includes high-level representatives from state, civil society and the private sector (Requirement 1.3.g). It should be remembered that Decree No. 190 / PM defines the missions assigned to the MSG in its Article 7, which states that the MSG within the National Arrangements for EITI implementation in Niger is a tripartite framework for dialogue between representatives of the state, extractive companies and civil society for implementation of the EITI. Its missions are:

- to serve as a framework for consultation between the different actors in EITI implementation and to inform and raise awareness of all stakeholders in the process on the issues, and on the importance of

preparation, implementation and monitoring-evaluation of the initiative;

- to approve the reporting forms for declaration of revenues obtained by the Government from the extractive industries;
- to approve the reporting forms for payments made by the extractive industries to the Government of Niger;
- to approve the terms of reference for engagement of an Independent Administrator to prepare the country report;
- to approve the selection of the Independent Administrator to prepare the EITI country report;
- to validate the EITI country report and forward it to the Supervisory Committee
- to ensure that disclosures required as part of the EITI are better integrated with government systems and accessible to the public in open format.
- to ensure the publication and broad dissemination of the country report and activity report by the Permanent Secretary of the National Arrangements for Implementation of the EITI in Niger through the most appropriate channels;
- to engage all stakeholders to participate actively in public debate on the results of the initiative;
- to ensure the contribution of the initiative to sustainable development and poverty reduction in Niger, in accordance with the policies and strategies defined by the Supervisory Committee;
- to make the necessary arbitrations as part of actions to be programmed for the implementation of the Initiative and make proposals to the Supervisory Committee;
- to identify obstacles to the implementation of EITI principles and propose measures to the Supervisory Committee to overcome such obstacles;
- to validate the action plan and budget as well as the progress report.

The Decree also states that the MSG has the support of a permanent secretariat with specific roles and responsibilities.

In September 2019, the MSG met in Tillabéry, under the chairmanship of the Head of the Prime Minister's Office, to review the main documents for the National Arrangements and also to agree on broad outlines of the plan. This meeting enabled members of the national committee to carry out exchanges regarding the terms of reference that had already been specified (annex), and regarding operating procedures of the MSG, through the adoption of internal rules of procedure, a copy of which is attached (Requirement 1.3.g). Pursuant to Requirement 1.5 of the 2019 Standard, the MSG drafted the action plan for 2019-2021, fully costed and compatible with reporting deadlines and sustainable management of the extractive industries.

<Provide a list and attach the relevant reference documents>

1. Decree on creation of the ad hoc committee responsible for review of the EITI texts
2. Decree No. 190/PM for creation of the National Arrangements;
3. Minutes of the MSG meeting at Tillabéry ;
4. Correspondence between the Minister and mining companies;

5. Correspondence between the Minister of Petroleum and companies in the petroleum sector;
5. Minutes of appointment of mining companies representatives;
6. Minutes of appointment of petroleum companies representatives;
7. Minutes of appointment of civil society representatives;
8. Terms of reference of the MSG;
9. Rules of Procedure of the MSG;
10. Action plan for the period 2019-2021.

## EITI REQUIREMENT 5

The multi-stakeholder group, in consultation with key EITI stakeholders, should agree and publish a fully costed work plan, containing measurable targets and a timetable for implementation and incorporating an assessment of capacity constraints.

a) The work plan is the foundation for the implementation of the EITI. The sixth EITI Criterion requires that a work plan be produced that is agreed with key EITI stakeholders, including government, extractive companies and civil society. The MSG should endorse the work plan.

b) The work plan must:

- i. be made widely available, for example, published on the national EITI website and/or other relevant ministries and agencies websites, in print media or in places that are easily accessible to the public;
- ii. include measurable and time bound targets and objectives, and set out the specific actions that are required to meet these objectives;
- iii. incorporate an assessment of any potential capacity constraints in government agencies, companies and civil society that may be an obstacle to effective EITI implementation and set out how these will be addressed (for instance through training);
- iv. establish the scope of EITI reporting and include a list of all operating oil, gas and mining companies. The multi-stakeholder group may wish to extend EITI reporting to other sectors.

c) During this phase, due consideration should be paid to identifying domestic sources of funding for timely implementation of the agreed work plan. Sufficient funding for Validation should be budgeted. The government should also formulate strategies to access technical and financial assistance from donors and international partners. The MSG is encouraged to address this issue as soon as practicable and to take account of the administrative requirements and lead times in mobilising funding from external sources.

d) In addition to the five sign-up requirements, governments should review the legal framework to identify any potential obstacles to EITI implementation. The EITI should fit comfortably within the legal framework alongside fiscal control mechanisms. The EITI should not involve extraordinary demands on the government. However, in some cases it may be necessary to incorporate EITI requirements within national legislation or regulation.

e) Implementing countries are required to produce their first EITI Report within 18 months. Thereafter, implementing countries are required to produce EITI Reports annually. EITI Reports should cover data no older than the second to last complete accounting period (e.g., an EITI Report published in calendar/ financial year 2010 should be based on data no later than calendar/ financial year 2008). Should the MSG wish to deviate from this norm, this should be clearly indicated in the EITI work plan and the reasons for this communicated to the EITI Board. Countries that have not produced a report for more than two years may be subject to the temporary suspension mechanism set out in Policy Note #5. In the event that EITI reporting is significantly delayed, the multi-stakeholder group should take steps to ensure that EITI Reports are issued for the intervening reporting periods so that every year in the series is subject to reporting.

f) MSGs are encouraged to update the work plan on an annual basis. Implementing countries should inform the Board if there are any material changes to the scope of EITI implementation. Where it is manifestly clear that the EITI Principles and Criteria are not in a significant aspect adhered to and honoured by an implementing country, the EITI Board may temporarily suspend or delist that country.

The EITI-Niger action plan is designed to address concerns expressed by government, civil society and extractive companies. These concerns can be summarized as follows:

The work plan is built around a number of orientations and axes that take into account:

a) the implementation objectives that have been defined by the MSG based on the EITI principles, the national priorities of the extractive Industries and innovative approaches.

b) the outcome of consultations with key stakeholders, endorsed by the multi-stakeholder group.

c) response to certain specific information needs of stakeholders, such as:

- Monitoring the social and environmental impact of extractive operations
- Issues of transparency and governance in the growing petroleum sector
- Transparency of state enterprises and trading in raw materials
- Transparency of mining and petroleum contracts.

d) measurable activities with clear deadlines intended to achieve agreed objectives.

e) wide dissemination to the public through print media and websites of EITI-Niger, the government, the Ministry of Mines and the Ministry of Petroleum as well as posting in places with

convenient public access.

f) annual review and update of the present plan: during these exercises, the MSG will expand the level of detail and scope of EITI reporting, particularly in order to address issues related to Requirements: 2.4 (contracts); 2.5 (beneficial ownership); 4.4 (transportation revenues); 5.2.b (discretionary or ad hoc subnational transfers); and 5.3 (revenue management and expenses). The MSG will also document its discussions and decisions in accordance with Requirement 1.4.b.viii.

g) an implementation schedule consistent with the reporting and validation deadlines set by the EITI Board (see provision 8) and taking account of administrative requirements such as the recruitment process and funding.

Thus, starting from the specific context of Niger, dominated by development of the petroleum sector, and taking account of the EITI requirements, notably the new 2019 standard, the Technical Secretariat has submitted a provisional version of the work plan to the MSG. This version was widely discussed during the first meeting of the MSG held in Tillabéry in September 2019.

The main objective of Niger's action plan for 2019-2021 is to contribute to the improvement of transparency in the extractive industries.

This work plan has the following objectives:

1. To produce the various reports, which are part of the framework of the EITI mission in Niger. The context of implementation of this objective is characterised by Niger's commitment in recent years to a global governance approach, notably through the accession to the EITI in 2005 and the Constitution of 2010 (see Title VII, Section 2, Articles 148 to 153).

2. To integrate the EITI into national systems. By "national systems" are meant all state structures that handle data, which are suitable for use by the EITI. This objective aims at better appropriation of EITI requirements and principles in the operations of public administrations. The EITI can therefore serve as a catalyst for reforms, particularly for organisational reforms, and for the strengthening of national systems in order to achieve timely, systematic, and open production of reliable data on the extractive sector and to reduce the time required to produce EITI (towards N + 1) and the cost of producing EITI reports.

3. To fuel "responsible" public debate on the extractive industries. This objective aims to strengthen (i) control by society over natural resource management and corporate and government accountability to citizens and communities. This approach exists in the context of provisions made by the Constitution on governance of the extractive industries, taking account of concern for public information, accountability, protection of the environment, protection of the interests of present and future generations, and local development.

4. To identify beneficial owners of mining and oil companies. This objective aims to (i) create the conditions for effective governance of the extractive industries and (ii) to prevent corruption. The EITI Board has noted the importance of transparency of beneficial ownership both for effective governance of the extractive industries and for combatting corruption. The EITI Standard

recommends "that implementing countries maintain a publicly available register of the beneficial owners of the corporate entity (ies) that apply for or hold a participating interest in an exploration or production oil, gas or mining license or contract, including the identity (ies) of their beneficial owner(s), the level of ownership and details about how ownership or control is exerted" (Requirement 2.5a).

5. To improve governance of EITI-Niger. This objective aims to revisit the governance mechanism in order to comply with Requirement 1.4 of the EITI Standard. The context for implementing this objective is characterised by the representativeness and functionality of the MSG.

6. To reinforce the monitoring and evaluation of Niger EITI and prepare the pre-validation exercise. This objective aims to raise the awareness of stakeholders regarding the challenges of EITI implementation and to adopt a monitoring and evaluation mechanism in order to ensure regular and effective monitoring of the implementation of recommendations made in EITI reports and in the course of validation.

The action plan takes account of all the requirements, particularly the identification of constraints, capacity building of the stakeholders, publication of reports within deadlines and their dissemination throughout the country (Requirement 1.4.c).

Analysing the constraints, it can be seen that the major challenge to be met concerns capacities for implementation of the initiative. The action plan provides for a series of actions to resolve or overcome each of these weaknesses or constraints.

The action plan thus submitted will be reviewed annually and supplemented by new indicators as necessary (Requirement 1.4.f). EITI activities are mainly financed by the national budget. However, some technical and financial partners provide support for implementation of the EITI process in Niger. The estimated budget of the present action plan (2019-2021) is estimated at 798 million FCFA. In addition, the World Bank, AfDB and other partners have committed to provide financial and technical support for the implementation of Niger's EITI action plan and discussions will continue on the basis of request documents in order to specify the modalities.

<Provide a list and attach the relevant reference documents, including the work plan adopted by the multi-stakeholder group>

- Minutes of the first meeting of the MSG held in Tillabéry in September 2019

- EITI Action Plan (2019-2021)