**EITI Validation 2017-18 Final Report**

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In accordance with the [Validation procedure](https://eiti.org/sites/default/files/documents/validation_procedures_2017.pdf), at the conclusion of the assignment, ASI has prepared a short note summarising observations and assessments across all countries validated[[1]](#footnote-1), including recommendations for improving the quality assurance procedure for consideration by the EITI Board. What follows are practical improvement suggestions for the validation process going forward, both in terms of the overall process and to address confusion around specific requirements.

1. Overall process

In terms of process, there was some confusion about which document the MSG should comment on – the initial assessment or the draft validation report. In some cases, the MSG provided extensive comments on the initial assessment and paid less attention to the validation report. It would be better for the International Secretariat to signal to each MSG that the focus of their review should be the draft validation report, with the initial assessment providing additional secondary information.

As a supplementary text, we recommend that the International Secretariat signals any issues that arose in the preparation of the initial assessment to the Validator, as a separate note.

Fortunately, our team had both French and Spanish speakers/readers. However, a longer-term suggestion would be that there is a requirement that there is at least a summary version of EITI reports translated into English from all participating countries. This would provide a lingua franca across all EITI reports.

To further standardise the EITI Validation process and harmonise assessments and scoring, we also suggest that the International Secretariat develop a more detailed Validation Guide which includes all previous EITI Board decisions and cases for the MSG and Independent Validator to use as reference. In terms of further clarification required, the relevant requirements are 2.6, 3.2, 3.3, 4.1, 4.2, 4.3, 4.5, 4.6, 4.8, 4.9, 5.2, 6.3 and 7.3.

We recommend that the MSG's self-assessment is delivered to the International Secretariat prior to the start of the Validation process using the Initial Assessment Card, including relevant comments from the MSG. This self-assessment would then be delivered to the International Secretariat and also shared with the Independent Validator together with other key documents as supporting documentation during the validation process and review.

Finally, we recommend that there is guidance sent to each MSG ahead of (or alongside) receiving the draft validation report to help ensure that there is a more uniform approach to feedback. This guidance would also remind MSGs that both the Secretariat and the Validator are not mandated to consider developments subsequent to the commencement of Validation.

1. Commentary on specific requirements

In terms of commentary on specific requirements, an evaluation of specific progress on the Independent Administrator's recommendations from the most recent EITI Reports (and Validation where applicable) would also be helpful as part of the initial assessment, as an extension of requirement 7.3. The inclusion of a bit more ‘relative’ context for each country would be really helpful in the EITI Validation process, both for the country/MSG as well as the Validator. We realise that the Validation process is purposefully designed to take a ‘snapshot in time’ and that any actions taken by a country after this point cannot be included in the assessment. However, the Validation process could be further strengthened by including a little bit more information relevant to general progress made prior to the ‘snapshot in time’ - in particular, a brief summary of how the country addressed and implemented the Independent Administrator’s recommendations, ideally over the previous two years - for greater, country-specific context.

A key observation is that almost every country failed to meet the necessary level of progress for requirement 1.4. Most countries were assessed as having made ‘inadequate progress’ on this, while a smaller number were deemed to have made ‘meaningful progress’. This does raise questions around 1.4, which is a core requirement for the EITI process and is also one of the bigger EITI requirements (with 2 key subcategories and several subsections under each of these).  It’s interesting to note the general pattern of poor implementation of this requirement globally - partly relating to the composition and general tripartite functioning of MSGs, and partly related to insufficient attention to, and implementation of, MSG TORs. Why are so many countries failing to make progress on this? What lessons can be learnt from this? Could a different approach to this requirement be taken to support improved implementation across the board?  We believe it’s worth flagging as an important consideration for the future of EITI implementation globally.

Finally, there was confusion on requirement 2.4(b). In the EITI Standard, it states, “It is a requirement that the EITI Report documents the government’s policy on disclosure of contracts and licenses that govern the exploration and exploitation of oil, gas and minerals. This should include relevant legal provisions, actual disclosure practices and any reforms that are planned or underway.” This was often interpreted literally, with the Independent Administrator simply listing sections of the relevant law on commercial confidentiality. What is actually required is evidence of a substantive discussion with the MSG (at least) and an explicit government policy statement either way (at best). This may require an update on the text in the EITI Standard and, in the interim, a note from the International Secretariat.

1. Albania, Burkina Faso, Cameroon, Congo, Cote d’Ivoire, Honduras, Iraq, Kazakhstan, Madagascar, Mozambique, Niger, Philippines, Senegal, Tanzania, Togo, Ukraine, Zambia. [↑](#footnote-ref-1)