

MEMORANDUM OF UNDERSTANDING – REVISED

THIS MEMORANDUM OF UNDERSTANDING (MOU) is revised this 2nd day March, 2017

BETWEEN

THE NATIONAL STAKEHOLDERS WORKING GROUP (NSWG) OF THE NIGERIA EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE herein referred to as **(NIEIT)** on one part.

AND

CIVIL SOCIETY ORGANIZATIONS IN NIGERIA herein referred to as **(C.S.O)** on the other part.

WHEREAS:-

On February 19, 2004, the Government of Nigeria demonstrated its commitment to the EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) principles by being the first African country to adopt the principles and launch a National process for its implementation through the establishment of the Nigeria Extractive Industries Transparency Initiative (NEITI).

Government's commitment was further manifested by the enactment of the NEITI Act 2007 being the first country to do so in the global EITI and the subsequent validation of Nigeria as a compliant country in 2011 having fulfilled all her obligations in accordance with the EITI principles.

By the NEITI Act 2007, the NSWG shall be appointed by the President and shall have 15 members including Civil Society and Labour Unions in the Extractive Industries Representatives.

This MOU is therefore made in furtherance of efforts to advance the Civil Society's participation in the NEITI process and institutionalize CSO working relation with the National Stakeholders Working Group (NSWG).

Definition of CSOs

The Civil Society is hereby defined in this MOU as intermediary institutions committed to bringing issues of public interest to the public domain through advocacy. By this context the Civil Society includes but not limited to grouping such as independent media, professional associations, labour unions, student unions, citizen's advocacy organisations, non-governmental organisations, religious groups, and community and town unions. Operators or participants with licenses in the mining, oil and gas sector do not qualify as civil society organisations by this MOU.

WHEREFORE: In furtherance of the vision of a Constructive Engagement.

The parties to this MOU share a common vision of engagement based on participation, transparency, accountability, inclusion, fairness and trust; Using commonly agreed benchmarks, signatories to this MOU will apply themselves to the most dynamic connotation of this vision. We affirm an engagement that is complimentary in purpose, constructively critical in method and transparent in motive resulting in positive impact on the lives of Nigerian citizens.

Common Principles:

The common principles that underpin this engagement are as follows:

- I. That this MOU is based on the EITI principles and NEITI process.
- II. NSWG and Civil Society working together through meaningful consultation and collaboration will enhance accountability and transparency in the Extractive Industries and in all tiers of Government.
- III. Civil Society Groups are important stakeholders in the upholding and implementation of EITI principles in the extractive industries leading to positive impact in the lives of the citizenry.
- IV. NSWG and Civil Society Groups have complimentary and distinct roles to play in the delivery of NEITI objectives.
- V. That sustaining an independent and vibrant collaboration of Civil Society actors and Groups on NEITI is critical for the delivery of the NEITI vision – "Promoting Transparency, Enabling Prosperity"
- VI. Civil Society groups that are signatories to this MOU are free to develop their own independent programs in the promotion of transparency in the extractive industries.
- VII. Building capacity of CSOs and citizens to respond to NEITI process is a joint responsibility of the CSO's and NSWG.
- VIII. NSWG and CSOs acknowledge the need to promote the equality of opportunity for all people in the NEITI process.
- IX. In recognizing that the NSWG and CSOs are united by the common purpose of entrenching transparency in the Extractive sector, any issue of disagreement will be mutually resolved.

WHEREBY THE NSWG AGREES AS FOLLOWS;

TO:

- I. Recognize and support the independence of CS groups in the NEITI process to elect their representatives at all levels and design their own programs, in line with the NEITI Transparency policies.
- II. Support the implementation of the Action plan for the capacity building of CSOs and citizens as developed by the CSO-Steering Committee on the NEITI process.
- III. Work with the NEITI-CSO Steering Committee to develop guiding rules for providing capacity building support to CSOs and citizens.
- IV. Organize at least a quarterly interactive forum with NEITI-CSOs Steering Committee to share information, develop new agenda and evaluate on-going processes.
- V. Guarantee the participation of the CSO Steering Committee members though without voting rights in the selection of an Executive Secretary for NEITI by the Board.

THE NSWG FURTHER AGREES TO:

- I. In drawing up the guidelines for hiring auditors and establishing ground rules for audit operations, the NSWG will consult with CSOs through their representatives in the CSO Steering Committee and other stakeholders.
- II. Timely disclosure of information on NEITI process.
- III. Involve CSOs in the continuous redefinition and improvement of the NEITI platform as a tool for reforming Nigeria's extractive industry.
- IV. Support the work of the NEITI-CSOs Steering Committee as one of several mechanisms for monitoring, evaluating and validating EITI Country implementation in Nigeria.

THE CSOs ON ITS PART AGREES TO:

- I. Meet with Civil Society representatives on the NSWG-NEITI platform to ensure proper consultation with members of this group.
- II. Ensure that civil society representation on the NEITI Board and CSOs-Steering Committee shall be based on election from identified constituencies or thematic areas relevant to NEITI process.
- III. Ensure that the elected representatives provide effective feedback to their respective constituencies on the outcomes of meetings and discussions not later than 1 week after such a meeting.

- IV. Ensure that capacity development support for the Civil Society and citizens under this engagement is appropriately targeted for efficient delivery of NEITI objectives.
- V. Support the work of the NSWG as one of several mechanisms for monitoring, evaluating and validating EITI Country implementation in Nigeria.
- VI. Ensure that the CSOs takes responsibility on wider dissemination of NEITI audit reports and constructive engagement on the remediation issues in collaboration with NEITI.

THE PARTIES FURHTER AGREED THAT:

- I. Any disagreements arising out of this engagement shall be tabled at the NSWG/CSO interactive forum for resolution.
- II. This MOU becomes effective the day it is signed by all parties to it. Any party wishing to withdraw from the MOU shall notify all other parties in writing stating the reason for withdrawal.

THIS MOU IS MADE THIS 2nd March, 2017

SIGNED BY:


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Executive Secretary, NEITI


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Civil Society Reps on NSWG


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SECRETARY, CIVIL SOCIETY STEERING COMMITTEE

8/03/17