

Quality at Entry report template



Quality at Entry Report for

Extractive Industries Technical Advisory Facility (EI TAF)

A: AidWorks details completed by Activity Manager						
Initiative Name:	Extractive Industries Technical Advisory Facility					
Initiative No:	tbc	Total Amount:	\$4.8m			
Start Date:	May 2012	End Date:	June 2016			

B: Appraisal Peer Review meeting details completed by Activity Manager					
Initial ratings prepared by:	Tanya Morjanoff				
Meeting date:	Wednesday 4 April 2012				
Chair:	'Alopi Latukefu (a/g ADG FSIMT Branch)				
Peer reviewers providing formal comment & ratings: - Belinda Costin (Anti-corruption unit) - Katrina Gosper (Africa) - Alex Park (Economics)					
Independent Appraiser:	Jill Howieson, Associate Professor, UWA law school (through IM4DC)				
Other peer review participants:	 Tanya Morjanoff (Mining) Andrew Schloeffel (Mining) Robert Tulip (Mining) Peter Lindenmayer (Africa) Daniel Boettcher (Africa) Katherine Vouzas (Africa) Daniel Kark (Quality performance and peace building, Africa) Michael Pilbrow (Cardno, Managing contractor—AAPF) 				

C: Safeguards and Commitments (completed by Activity Manager)				
Answer the followi	ng questions relevant to potential impacts of the activity.			
1. Environment	Have the environmental marker questions been answered and adequately addressed by the design document in line with legal requirements under the <i>Environmental Protection and Biodiversity Conservation Act</i> ?	n/a		
2. Child Protection	Does the design meet the requirements of AusAID's Child Protection Policy?	N/A		

D: Initiative/Activity description completed by Activity Manager (no more than 300 words per cell)

What is it? Contribution to the Extractive Industries Technical Advisory Facility (EI TAF), which is a multi-donor 3. Description of trust fund managed by the World Bank (WB). It facilitates rapid-response advisory services and the Initiative/ capacity building to resource-rich, developing country governments. The TA is exclusively for Activity extractive industry contract negotiations and associated policy reforms/frameworks. EI TAF also supports the production and dissemination of global knowledge products on extractive industry sector issues. 4. Objectives What are we doing? Summary This activity aims to assist resource-rich, developing countries to correctly structure El transactions and related sector policies from the outset, thus reducing the risk of costly or politically difficult remediation, or renegotiation at a later stage.¹ The focus is on rapid-response advisory services and capacity building for extractive industry resource policy frameworks and transactions, in response to high levels of demand expressed by partner countries. This includes: Contract negotiation for extractive industry transactions (and mutually-agreed dispute mediation, where feasible). Short-term capacity building for the members of the beneficiary country's negotiation teams, including studies in preparation for negotiations. Technical assistance proximate to a specific extractive industry transaction under review, to update the policy, institutional, fiscal, legal and regulatory frameworks of the El country concerned, including revenue management and benefits sharing across levels of government and community. Technical assistance on structuring extractive industry licensing rounds, public offerings (tender/auction), and competitive and transparent tender packages to help resource-rich countries optimise the value of national extractive industry resources.

Frankel, J. (2010) *The Natural Resource Curse: A Survey*, Discussion Paper 10-21, Harvard Environmental Economics Program.

E: Quality Assessment and Rating (no more than 300 words per cell)							
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Criteria	Assessment Assessment Assessment	Rating (1-6) *	Required Action (if needed) ‡				
1. Relevance	 Why are we doing this? All participants agreed that the proposal is relevant to the mining for development strategy and that it supports the Aid policy. Links to the AAPF aren't as clear, but it was agreed that the proposal suitable addresses the goals of the AAPF. The provision of advisory services is demand-driven, generated by: direct requests from governments, dialogue between World Bank (WB) staff or other donors and countries eligible for assistance, or through other WB commitments. This ensures that the support is relevant to the needs of recipient countries. The EI-TAF co-ordinates closely with the following development partners, in order to harmonise assistance: AfDB's Legal Support Facility, IMF TTF Managing Natural Resource Wealth (MNRW), UNDP's Africa Regional Project for 'Capacity Development for Negotiating and Regulating Investment Contracts', and the Norway/Revenue Watch/ACET partnership in support of legal advisory services in Africa. The activity does not directly address AAPF's objective to 'build effective partnerships that contribute to sustainable achievement of targeted development priorities in African countries'. However, the partnership between the WB and AusAID and substantial support to African countries meets the objective. 	5	Mining Section Senior Policy Officer: to review all new activity proposals for relevance (to AusAID strategy and AAPF activities). All proposals also to be forwarded to Africa section for comment (ongoing). Mining Section Senior Policy Officer: to develop a set of criteria for evaluating proposals (in consultation with Africa Section) (by June 2012). Mining Section Senior Policy Officer and Africa section: to determine whether the countries supported through the EI TAF are adequately aligned with AusAID priorities. Second year funding can be withheld if not deemed suitable (March 2013).				
	EI-TAF's priority regions for future support are East Asia & Pacific and Latin America. This future geographical focus is not aligned with AusAID's priority countries. However AusAID will also encourage support to other M4D country programs (e.g. Philippines, Indonesia, Solomon Islands, PNG, and East Timor). This change in geographical focus may see a lack of benefit/change in the Africa region, which has implications for ongoing AAPF funding. However, this also presents an opportunity for AusAID to provide assistance, through the EI-TAF, to countries (including African countries) who would otherwise receive no/limited M4D engagement.						
	EI-TAF projects have predominantly been focussed on the Mining sub-sector, which aligns with Australia's M4D initiative. However the WB has indicated future expansion into oil & gas projects. This has the potential to dilute support to the Mining sector. However, AusAID's M4D contributions to other multi-laterals (EITI and IMF TTF MNRW) also incorporate oil & gas projects.						

E: Quality Assessment and Rating (no more than 300 words per cell)

2. Effectiveness

Will it work?

Participants generally agreed that the EI TAF's approach was sound, but that it desperately needs a formal theory of change and a monitoring and evaluation framework. Without these, it will be difficult to assess the effectiveness of the EI TAF.

It was also noted that there are few alternative options for delivering assistance to developing countries to strengthen their capacity to negotiate mining contracts.

- The objective of EI TAF is clear, however there is no detail on how achievements are measured, outputs are not followed up and there is little detail about expected outcomes, let alone their measurement.
- An AusAID contribution to the El TAF would allow its activities to be expanded through to 2016, noting all existing commitments have already been allocated to pipeline activities. However, where new projects are identified and are ready for implementation (or more urgent) then can be moved ahead of others in the pipeline.
- Participants discussed the scope of the EI TAF. The
 narrow scope of the EI TAF could be considered a
 weakness as it misses opportunities for longer term
 capacity building. The EI TAF does not consider how the
 funds collected by recipient countries are spent. There is a
 role for other AusAID programming to address these
 concerns, e.g. support to EITI, GPF, PFM activities, and
 the EISDP will endeavour to address some of these
 concerns.
- WB consultants are well placed to identify other issues in recipient countries, however, the EI TAF has a narrow mandate and requests for assistance are based on the knowledge that assistance will be short term only. The WB triages other requests and provides valuable linkages to other support available (e.g. WB GPF, IMF TTF MNRW, IM4DC courses). AusAID seeks to fund the EI TAF to complement other support provided around the extractive industries.
- The independent appraiser questioned the model of negotiation promoted in delivering TA. It was advised that an interest or principle based model is preferable to a positional based model, particularly where indigenous land owners are involved or affected.
- The Australian government has committed to significantly increase funding to multilateral organisations that are effective and relevant to AusAID's objectives. The DSID incorporates reference to the recently released Australian Multi-lateral Assessment (AMA), which rates the WB as a 'top performer'.

4 Mining Section Director of Programs: to request a time line for ToC and MEF to be developed and applied (April 2012).

Mining Section Director of Programs: to discuss models of negotiation with WB staff and encourage an interest or principle based model if not already employed (April 2012).

Mining Section Senior Policy
Officer: to check each new activity
proposal for a sound concept and
criteria for success. Each project
should consider local context and
sustainability of the intervention.
(ongoing)

Mining Section Senior Policy Officer: to consider a metric for measuring the EI TAF's achievements against AusAID's objectives (August 2012).

E: Quality Assessment and Rating (no more than 300 words per cell) and assessment and Rating (no more than 300 words per cell) and assessment and Rating (no more than 300 words per cell)

3. Efficiency

How will we do it?

Participants felt it was difficult to definitively say that the proposal is efficient without details of staffing and costs. It was agreed that delivering this support through the WB is ideal for avoiding perceived conflicts of interest and avoiding duplication of existing work.

- The implementation arrangements were outlined (AusAID staff requirements likely to be significant to engage on policy and to have involvement with each activity proposal). No issue was raised with this as the WB is a key partner in delivering the Mining for Development Initiative.
- It is likely that WB advisors are paid more than the ARF rates. This is partly due to the sector in which they will operate and the difficulty of competing with mining companies for quality advisors. However, where the advisors have experience and expertise, the higher rates should not preclude their engagement (as occurs with other consultants engaged through M4D, e.g. Strongman).
- A lack of direct AusAID engagement at the project implementation level is appropriate to the context.
- Efficiency is demonstrated by supporting the WB's existing mechanism, thus avoiding additional administrative burden and overhead expenses.
- The Mining for Development Section will manage the relationship and administer the arrangement with EI TAF. AAPF, as a co-funder, will be consulted at each decision point and will comment on each new activity proposal.
- The Mining Section will create a co-funding agreement with the AAPF in order for AusAID to enter into one agreement with the WB. The Mining Section will maintain an ongoing oversight and reporting role, and will consult with individual country programs. AAPF will liaise with the Mining Section regarding identifying/engaging demand within Africa. In order to avoid duplication of effort, Cardno (AAPF's managing contractor), will not have a role under co-funding arrangements.

How will we know?

Participants agreed that the lack of a monitoring and evaluation framework (MEF) is disappointing. It is encouraging that the WB has identified the need and is progressing towards developing an MEF.

- The EI-TAF is still is the process of establishing a formal MEF. WB is learning from the Extractive Industries Transparency Initiative (EITI) MEF, and is therefore still adapting/thinking about EI-TAF's MEF. The recent EI-TAF annual report states that 'A robust, results-based performance framework, including qualitative and quantitative indicators, will be used to evaluate EI-TAF interventions' and 'Independent evaluations of activities will be incorporated into the EI-TAF results framework'. Informally, the WB has acknowledged that it is facing difficulties with how to appropriately measure EI-TAF outcomes as well as the attribution dilemma. The WB will take a modest approach to the expected impact of its projects.
- The DSID outlines AusAID monitoring arrangements, based on three existing mechanisms (annual progress reports, review of all new activity proposals, & reporting of outputs at activity completion). It also highlights the option to commission an independent review, in consultation with the WB, if AusAID is not satisfied with the performance of a particular project.

4 Mining Section Senior Policy
Officer: to check advisor rates are
not exorbitant when examining each
new activity proposal (ongoing).

Mining Section Director of Programs: to attend each donor meeting and consult with Africa Section in advance (annually).

Mining Section Director of Programs: to request that an MEF is developed within 6 months, and ensure that this is agreed before funding commitment is made (April 2012).

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Africa Section: to ensure that reporting meets the requirements of the AAPF and to copy reports to Cardno (ongoing).

4. Monitoring &

Evaluation

5. Sustainability	Will benefits last?		Mining Section Senior Policy
5. Sustainability	 Without an MEF, participants questioned the sustainability of EI TAF interventions. It was highlighted that the program targets the start of the life cycle of mining projects so that countries benefit over the length of the project (up to 30 years). EI-TAF provides short-term assistance, however its objective is to assist with the correct structure of EI development projects and related policies in order to reduce the risk of costly or politically difficult remediation at later stages. Therefore an explicit aim of the EI-TAF is for the activity to have enduring benefits. DSID makes the case that providing assistance only for long term capacity building neglects contracts being negotiated today or over the next decade or more, which in turn leads to long-term ramifications for the development prospects of resource rich developing countries. Noting the lack of an MEF, and the short time frame EI-TAF has been in operation, sustainability is difficult to assess at this stage. 	4	Officer: to assess the sustainability of interventions when information becomes available (ongoing). Mining Section Director of Programs: to encourage WB to measure uptake of advice (April 2012).
6. Gender Equality	How will we achieve gender equality? The project does not directly address gender; however the WB makes the effort not to exclude women from participating in activities. Participants debated the merits of increasing the focus on gender in this activity, and most agreed that the involvement of a gender focal point to ensure women are not excluded is sufficient. World Bank's broader Gender and El program seeks to better understand the gendered impact of El, create & share information on how to minimise risks and maximise community empowerment, & to ensure that El projects include a gender perspective.	3	Mining Section Gender Focal Point: to review each new activity proposal for gender considerations (ongoing). Mining Section Gender Focal Point: to request further informatior from the WB on its standardised package of assistance/workshop covering cross-cutting issues such as gender, and this information should be shared with AusAID's Gender section (September 2012).
7. Analysis and Learning	Have well have we thought this through? Participants noted that the absent MEF/theory of change made it difficult to assess learning and analysis the fed into the design of the EI TAF. It was also noted that no reference was made to the lessons learnt through delivering other TA. Conducted analysis of partnerships (i.e. with WB, participating countries). Lessons learned from previous experience (included in EITAF annual reports and discussed at annual donor meetings) have been discussed with WB. Political (i.e. conflict of interest issues) and economic (i.e. economic analysis of the link between EI-TAF's work and generating optimal returns on extractives) analysis has been sufficiently addressed.	5	Mining Section Senior Policy Officer: to examine evidence of the success of other TA activities and encourage EI TAF to adopt lessons learned (September 2012).

* Definitions of the Rating Scale:				
Satisfactory (4, 5 and 6)		Less than satisfactory (1, 2 and 3)		
6	Very high quality; needs ongoing management & monitoring only	3	Less than adequate quality; needs to be improved in core areas	
5	Good quality; needs minor work to improve in some areas	2	Poor quality; needs major work to improve	
4	Adequate quality; needs some work to improve	1	Very poor quality; needs major overhaul	

[‡] Required actions (if needed): These boxes should be used wherever the rating is less than 5, to identify actions needed to raise the rating to the next level, and to fully satisfactory (5). The text can note recommended or ongoing actions.

Provide information on all steps required to finalise the design based on Required Actions in "C" above, and additional actions identified in the peer review meeting	Who is responsible	Date to be done
Review all new activity proposals	Tanya Morjanoff with comments from Katrina Gosper	Ongoing
2. Develop a set of criteria to evaluate proposals against	Tanya Morjanoff with input from Katrina Gosper	June 2012
 Evaluate progress of EI TAF and alignment with AusAID priorities (halt second payment if not adequate) 	Tanya Morjanoff with input from Katrina Gosper	March 2013
 Meet with WB staff and discuss a timeline for MEF and ToC, model of negotiation, and uptake of advice 	Simon Cann- Evans	April 2012
5. Review evidence on the effectiveness of TA	Tanya Morjanoff	September 2012

G: Other comments or issues	completed by Activity Manager after agreement at the APR meeting					
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H: Approval	completed by ADG or Minister-Counsellor who chaired the peer review meeting	e .
On the basis of	f the final agreed Quality Rating assessment (C) and Next Steps (D) above:	
QAE REP	PORT IS APPROVED, and authorization given to proceed to:	
(a)	FINALISE the design incorporating actions above, and proceed to implementation	design 1
<u> </u>		
	12/1	
	signed:	1/2012,
	(Chair)	

When complete:

- Copy and paste the approved ratings, narrative assessment and required actions into AidWorks and attach the report.
- The original signed report must be placed on a registered file

Quality Criteria - Consider these questions when assessing:

Relevance - "Why are we doing this?"

- Is the specific role of Australian aid (aid objectives) in contributing to a Partner's priority development outcomes clearly articulated?
- Does the activity contribute to higher level objectives of the Australian aid program as outlined in a Partnership for Development, and/or relevant country, regional and thematic strategy?
- Does the activity target priority needs not addressed by other development partners, and/or how is Australia otherwise seeking to harmonise its assistance?
- If working with/through another partner (e.g. UN, WB, PIFS), consider *both* the clarity and relevance of Australian *objectives for the partnership*, (why we chose to work this way) and the partner's aid objective(s) *vis a vis* the development context, partner priorities and beneficiaries' needs.
- Is the design relevant to the context specific analysis and lessons? i.e. does contextual analysis clearly inform:
 - the proposed approach to addressing the identified development issues?
 - the modality and financing arrangements selected?

Effectiveness - "Will it work?"

- Are the objectives for this activity (aid objectives), clear, measurable and achievable within the stated timeframe?
- Is it clear how we think change will occur (theory of change) i.e.:
 - are the relationships linking analysis, objectives and our approach clear and plausible?
 - are the underlying assumptions clearly outlined?
- · Are main risks and plans to prevent or mitigate them identified?
- Does the design identify key partnerships which may contribute to achieving objectives?

Efficiency - "How will we do it?"

- Are proposed technical solutions and associated implementation arrangements high quality, appropriate to the context and good value for money?
- Where appropriate, are implementation arrangements harmonised with other donors and aligned with partner government systems?
- Are roles and responsibilities of all development partners and all actors involved in activity implementation clearly identified?
- Is the activity adequately and appropriately resourced to achieve the desired objectives?

Monitoring and Evaluation - "How will we know?"

- Will proposed monitoring and evaluation help us to know how it is all working? Do proposed arrangements clearly support management, accountability and lessons-learning needs (including ongoing quality and performance reporting)?
 - is it focused on priority information needs and not overly complex?
 - is it clear what will be assessed, by whom, when and how (including baselines where appropriate)?
 - can this also inform analysis and judgement of contribution to/achievement against higher level objectives of the program?
- Will data be gender-disaggregated to measure impact on men and women, boys and girls?
- Will monitoring and evaluation arrangements use or contribute to strengthening local monitoring and
 evaluation systems and/or capacity? If strengthening the capacity of partner performance
 management is an objective of the activity, will this be tracked and managed accordingly? (Note this
 would then need to be identified in the Objectives summary and assessed against "Effectiveness".)
- · Is monitoring and evaluation adequately resourced?
- Where we are jointly implementing with other partners and/or funders, are there AusAID specific objectives for engagement in the activity/partnership, and do monitoring and evaluation arrangements address this?

Sustainability - "Have we planned for benefits to last?"

- Is it clear what sustainable benefits/change the activity aims to generate? Is sustainability in fact an aim of, or reasonably achievable by, the activity? Benefits may be assessed in terms of either or both:
 - objectives/outcomes what the activity itself is aiming to achieve (Australian aid objectives), and what would result for that in terms of immediate or longer-term shared development outcomes; and
 - processes how the activity will operate.
- Have specific constraints to sustainability, in the context of the proposed activity, been identified and addressed?
 - this should include consideration of financial, human resource and political constraints
- Are the strategies for achieving sustainability explicit?
 - are they integral to the activity objectives, approaches and monitoring and evaluation?
- How likely are beneficiaries and/or partner country stakeholders to have sufficient ownership, capacity and resources to maintain desired activity outcomes after Australian Government funding has ceased?
- How well are any emerging environmental, climate and disaster challenges (e.g. extreme
 weather events, resource degradation, pollution, disasters and climate change related impacts) or
 opportunities (e.g. for Disaster Risk Reduction or adaptation) being addressed in activity design?
- Does the activity aim to build resilience to cope with changing conditions and future uncertainties?
- How is the design ensuring no significant negative environmental impacts are likely (including complying with the Environment Protection and Biodiversity Conservation Act) and does it pursue opportunities to enhance the environment?

How will monitoring and evaluation be used to assess and report on environmental sustainability of the activity?

Gender equality – "How are we going to achieve it?"

- How will the activity contribute to advancing gender equality or support women's and men's equal engagement in, and benefit from, the activity?
- How well does the design integrate gender equality into objectives and the consideration of risks and sustainability?
- Does the design identify how the activity will work to develop capacity on gender equality objectives of program staff, counterparts, development partners, and/or the broader community?
- Is the monitoring and evaluation framework able to assess and report on progress towards gender equality results?
- Does the design propose gender expertise be accessed during implementation?
- Does the design provide for gender equality considerations and impacts at the policy level and with counterparts at the program level?
- Will the monitoring and evaluation assess and report on progress towards desired gender equality objectives, outcomes and impact?

Analysis and Learning - "How well have we thought this through?"

- Does analysis takes into account (as appropriate) political, institutional, economic, financial, organisational and human resource issues?
- Are lessons from previous experience in the sector and/or country taken into account?
- Does sufficient analysis underpin the theory of change?
- Does the analysis appropriately address and integrate other agency commitments and safeguards including gender equality, disability, environment, anti-corruption and child protection?
- Does the analysis take into account which partnerships are going to be critical in achieving the objectives and why?

Safeguards and Commitments

As part of activity design and implementation, attention is typically given to the risk **posed to** the success or effectiveness of an activity, and less often on the risk of potential harm **caused by** an activity. Policies and procedures that address the potential risk of harm that can result from an aid activity are known as **safeguards**. Cross-cutting policies and procedures aim to improve aid quality and effectiveness, while safeguards policies and procedures aim to "do no harm". Cross-cutting issues often have "safeguard" implications, but not all safeguard issues will be cross-cutting issues. In AusAID, the following areas have both cross-cutting and safeguard implications. This section will be progressively added to as further guidance on safeguards issues is developed along with corresponding questions that must be addressed before commencing and initiative in AidWorks.

Environment (see the Guideline, Integrating Environment into Activity Design)

If there are environmental impacts that need to be considered, appropriate action needs to be taken from the very beginning in the design. Assess whether the design has answered and addressed the following questions:

- 1. Is the activity in an environmentally sensitive location or sector?
- 2. Is there potential for the activity to have an impact on the environment?
- 3. Is the explicit, or implicit, aim of the activity to have a positive environmental impact?
- 4. Is the activity relevant to multilateral environmental agreements?
- 5. Could the activity have significant negative environmental impacts?

Consider both the impact of the design and implementation phases, and of the ongoing activity, and what, if any, action is required to comply with the EPBC Act.

For additional information see AusAID's Environmental Management Guide for Australia's Aid Program or contact the Sustainable Development Group on +61 2 6206 4174.

Child Protection - AusAID's Child Protection Policy provides a clear framework for managing and reducing risks of child abuse by persons engaged in delivering Australian aid program activities. This policy applies to all AusAID staff, including those based overseas, and to all contractors and non-government organisations funded by AusAID. See guidance, *Child Protection Procedure Manual* (page 4), and the *Child Protection Policy*.

Choose N/A if the activity does not involve working with children or if the activity is to be implemented by one of the following:

- 1. Partner Government
- 2. An Australian Whole of Government Partner
- 3. Multilateral organisations
- 4. Donor governments

For additional information contact the Child Protection Officer on +61 2 6206 4184 or email CPO@ausaid.gov.au

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