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Mrs. Janet West
Organisation for Economic Co-operation and Development
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Paris, 3rd of February 2009

Dear Mrs. West,

Thank you for informing us about the enhanced peer review process agreed on by the ECG in November 2008.

Referring to your letter from Dec. 5th 2008, the ECA Watch Network regrets that ECG did not see fit previously to inform ECA Watch of discussions on an enhanced peer review process or to invite comment on them. We believe that consultation with relevant stakeholders prior to decisions being made by ECG is essential if the public is to have confidence in ECG's policy of "constructive engagement" delivering improvement to its policies and practices. The case for consultation is all the stronger where the decisions under discussion arise from proposals made by a given stakeholder and on which the stakeholder would be in a position to offer clarification and expertise.

ECA Watch notes the measures announced by the ECG under its enhanced peer review process to make transparent its members' self-assessments of their compliance with the Common Approaches. We wish to emphasize, however, that the OECD's "Policy Brief on Peer Review" envisages peer review as a process which goes beyond self-assessment and involves "each country's policy in a particular area [being] examined by fellow members on an equal basis".¹ Indeed, this is why the process is called "peer review" rather than "self-assessment."

We would ask that ECG informs us on the following questions:

- (a) How will such examination of member states by fellow members be operationalised under the new ECG procedures?
- (b) What documentation will form the basis of the examination?
- (c) When do national ECAs expect to be examined under the new procedures?
- (d) Will NGOs be invited to give evidence to the examiners?

¹ OECD, Policy Brief: Peer Review - A Tool for Co-Operation and Change, January 2007,
<http://www.oecd.org/dataoecd/9/41/37922614.pdf>.

(e) When will the examiners' report be made public?

(f) If none of the above procedures are envisaged under the new procedures, does ECG intend to press for their adoption?

Finally, we regret that ECG chose to announce its enhanced peer review process as a fait accompli at the November meeting, rather than first consulting with stakeholders on its content. This reinforces our concerns about ECG's failure to understand, let alone implement, acceptable good practice on consultation. In ECA Watch's view, consultation meetings should be used to consult, not to impart decisions that have already been made. If the ECG has information it wishes to relay to NGO colleagues, we would suggest that it considers using email or the internet for this purpose.

Nevertheless, we welcome ECG's decision to begin to enhance its peer review process and hope that this decision will lead to a peer review process consistent with the basic, internationally accepted principles of peer review set out in OECD policy statements and documents on the issue. Part of such a process entails improved good practice on consultation transparency towards civil society.

Yours Sincerely

Sébastien Godinot, Les Amis de la Terre

On behalf of:

Berne Declaration – Switzerland

Both Ends – Netherlands

Campagna per la Riforma della Banca Mondiale – Italy

Counter Current – Germany

ECA Watch Austria - Austria

Environmental Defense Fund – USA

Pacific Environment – USA

The Corner House – UK

Urgewald – Germany