Development of the MSI Evaluation Tool and Evaluation Methodology

Background: Request to develop a public tool for measuring the effectiveness of MSIs

The International Human Rights Clinic at Harvard Law School (IHRC) first began research into MSIs in 2010 after receiving comments from different stakeholders involved in multi-stakeholder initiatives (MSIs) that it was difficult to determine the effectiveness of an MSI. They noted that it was particularly difficult to make this assessment prior to joining a proposed or existing initiative, leading stakeholders to make poorly informed decisions regarding whether to support a given MSI. The stakeholders separately emphasized that it would be useful if a framework was developed to enable actors to better understand the effectiveness of various MSIs. The Clinic recognized the value of developing a publicly available framework that could help inform the decisions of external organizations regarding whether to join or fund an MSI, helping MSIs themselves evolve into more effective human rights instruments, and shedding light on the critical question of whether MSIs are effective human rights instruments.

Research was undertaken to develop an evaluation framework that:

- Could be used by actors inside and outside of MSIs
- Focused on understanding the effectiveness of MSIs from a human rights perspective

This led to a five-year iterative process of research, consultation, testing, and engagement with MSIs to develop the MSI Evaluation Tool and Evaluation Methodology, which also led to the incubation and launch of the Institute for Multi-Stakeholder Initiative Integrity (MSI Integrity). Below is a summary of the five stages of the development of the tool and methodology. For more details on each of the stages, please do not hesitate to contact MSI Integrity.
Stage One: Initial Development (September 2010 – January 2011)

Collating current research and understanding about the effectiveness of MSIs

The development of the MSI Evaluation Tool first began with an extensive academic literature review regarding MSIs, particularly those related to the business and human rights context. This review found that there had been no systematic study of the effectiveness of MSIs or even a reliable assessment of the human rights impact of an individual MSI. Most research was either in the format of a case study into a particular MSI, or drew on theoretical frameworks relating to voluntary initiatives and/or human rights instruments more broadly. Nonetheless the literature review highlighted the basic structural similarities amongst many MSIs, and some key qualities for those structural features, as well as the common origins and development paths of many initiatives.

Focusing the MSI Evaluation Tool on objective measures of institutional design, structure, and procedures of an MSI

IHRC recognized that ideally researchers and stakeholders would eventually measure the effectiveness or impact of MSIs by examining the changes to human rights protection and other impacts experienced by rights-holders and affected communities on the ground. In the interim, the convergence of literature regarding the importance of particular procedural or structural aspects of an MSI suggested that it would be possible to develop a tool to help stakeholders better understand the likelihood or potential for an MSI to have impact by first
looking at the institutional design, structure, and procedures of an MSI. The premise was that poorly designed MSIs—such as those that do not have reliable systems for checking if members are complying with an MSI’s standards—may struggle to achieve positive human rights impacts. By comparison, MSIs with robust procedures that meet international good practice are more likely to have positive impacts. By systematically and comprehensively examining an MSI’s institutional framework, the Tool enables individuals, organizations, and MSIs themselves to better understand and evaluate the capacity of an MSI to affect change.

IHRC considered the possibility of a Tool that also examined the qualitative aspects of an MSI, such as the level of trust among stakeholders or the commitment of members. However, measuring these factors would require significant additional time and resources to access an MSI’s members in order to conduct interviews or surveys and to interpret the qualitative outcomes of those methods. As a result, IHRC elected to first focus on the design and structure of an MSI—which could start with a desk-based evaluation of the charters, structures, and procedures of an MSI. IHRC noted its future aim to also develop a qualitative assessment framework to supplement the initial Evaluation Tool for those interested in further exploration of the impact of a particular MSI. This would be important, as even a “perfectly” designed MSI could fail to have an impact on human rights while an “imperfectly” designed MSI could overcome its shortcomings to still have an impact. An assessment of the qualitative aspects of an MSI would be a step closer to better understanding the factors that make MSIs effective.

The MSI Evaluation Tool was developed using a framework adapted from the established political science measurement validity model devised by Robert Adcock and David Collier.1 This model uses defined comparable indicators to quantitatively measure and analyze subjects that have qualitative features and differences. The process employs four hierarchical levels of measurement (see Box A), which IHRC applied to measure the effectiveness of MSIs from a human rights perspective (see Box B). Importantly, it utilizes objective measures rather than subjective measures to avoid the risk of evaluators being influenced by their own biases or the biases of others. IHRC specifically designed the tool so that it could be used without relying on subjective analysis or materials (e.g., articles, research reports, or interviews) about the MSI under evaluation.

1 Robert Adcock & David Collier, Measurement Validity: A Shared Standard for Qualitative and Quantitative Research, 95 AM. POL. SCI. REV. 529 (2001). Approaches for applying this model to measuring human rights are discussed in Todd Landman and Edzia Carvalho, Measuring Human Rights (2009), pages 31-44.
Box A: Robert Adcock & David Collier’s Levels of Conceptualization and Measurement

Reproduced from the original paper that proposed this model: Robert Adcock & David Collier, Measurement Validity: A Shared Standard for Qualitative and Quantitative Research, 95 AM. POL. SCI. REV. 529, 531 (2001).

FIGURE 1. Conceptualization and Measurement: Levels and Tasks

- **Level 1. Background Concept**
  - The broad constellation of meanings and understandings associated with a given concept.
  - **Task: Conceptualization**
    - Formulating a systematized concept through reasoning about the background concept, in light of the goals of research.
  - **Task: Revisiting Background Concept**
    - Exploring broader issues concerning the background concept in light of insights about scores, indicators, and the systematized concept.

- **Level 2. Systematized Concept**
  - A specific formulation of a concept used by a given scholar or group of scholars; commonly involves an explicit definition.
  - **Task: Operationalization**
    - Developing, on the basis of a systematized concept, one or more indicators for scoring/classifying cases.
  - **Task: Modifying Systematized Concept**
    - Fine-tuning the systematized concept, or possibly extensively revising it, in light of insights about scores and indicators.

- **Level 3. Indicators**
  - Also referred to as “measures” and “operationalizations.” In qualitative research, these are the operational definitions employed in classifying cases.
  - **Task: Scoring Cases**
    - Applying these indicators to produce scores for the cases being analyzed.
  - **Task: Refining Indicators**
    - Modifying indicators, or potentially creating new indicators, in light of observed scores.

- **Level 4. Scores for Cases**
  - The scores for cases generated by a particular indicator. These include both numerical scores and the results of qualitative classification.
Content Validity Testing: November-December 2010

The Tool was first tested for content validity in November 2010. Content validation is a means of assessing the degree to which a test measures what it claims, or purports, to be measuring. This ‘adequacy of content’ can be assessed by examining whether elements are omitted from the indicator or if inappropriate elements are included in the indicator. In addition, the Tool was tested to measure the objectivity and comparability of indicators by examining whether multiple people provided the same answer to the same question. In the content validity testing phase, 18 students from Harvard Law School used the Tool to evaluate six MSIs. Three individuals were assigned to use the Tool to evaluate each MSI separately and independently from each other. The results of the tests were compared to determine any discrepancies arising from ambiguity in the questions, and the testers also gave feedback about aspects of each MSI that the Tool did not cover. The issues highlighted during content validation were addressed in the second revised version of the Evaluation Tool, which was completed in January 2011.

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Box B: The MSI Evaluation Tool as developed under the Robert Adcock & David Collier Model

The italicized text denotes the changes to each level in subsequent stages of the development of the Tool.

1. **The background concept that is to be measured.** The MSI Evaluation Tool measures the key design elements of an MSI from a human rights perspective.

2. **The systematized concept, which specifies the narrower sub-issues to be measured.** Initially, five issues were identified through research into the academic literature and analysis of prominent MSIs:
   a. The internal governance structure of an MSI;
   b. The standards adopted by the MSI;
   c. The implementation of those standards;
   d. The overall transparency of the MSI and its processes; and,
   e. The level of community involvement with the MSI.

   The systematized concepts were later referred to as “core areas” of the MSI in the MSI Evaluation Tool. Following consultation and internal revision (see Stages Two – Four below), two additional concepts were added:
   f. The format of the MSI and its capacity to evolve; and
   g. The scope and human rights mandate of the MSI.

3. **Indicators to measure the systematized concepts.** Over 150 indicators or proxy-measures of MSI design were developed to assess the five initial systematized concepts. There are now over 200 indicators in the Tool. The indicators measure the seven systematized concepts, and are also supplemented by informational data-collection points. The indicators are classified into three levels of importance (See Stage Two below for more details).

4. **The scores generated by the indicators.** Initially it was thought that each of the systemized concepts would be weighted based on their relative importance to produce a total weighted score for each MSI using the Tool. Following feedback during the global consultation, it became clear that there was insufficient evidence about MSIs to calculate a reliable weighting system amongst the various systematized concepts. Therefore, the only scoring is confined to the proportion of Essential Elements met by an evaluated MSI in each systematized concept (see Stage Four below for more details).
Stage Two: Targeted Consultations (January 2011 – April 2011)

The second revised version of the Evaluation Tool was shared for consultation and feedback with a small group of practitioners who had previous or ongoing involvement in MSIs. This included various individuals from civil society and government, an investment company engaged in MSIs, as well as staff from an MSI. Each was asked to assess whether the Tool sufficiently addressed the indicators or factors that they considered important to the effective design of an MSI, and to provide general feedback on the value of the Tool. The targeted expert consultations acted as a second level of content validation.

The practitioners all gave feedback that the MSI Evaluation Tool was important and robust. The five systematized concepts (standards, internal governance, implementation, community involvement, and transparency) were supported as the areas of greatest importance to MSI design. Some practitioners highlighted the importance of the formation process of the MSI and its capacity to evolve and/or respond to changing circumstances. As a result, a new systematized concept was added: Development of the MSI. The consulted practitioners also identified some specific new indicators for the systematized concepts and suggested language modifications to increase the accessibility and usability of the Tool for different audiences.

The consulted practitioners also noted that certain indicators appeared more important than others and that the Tool would benefit from classifying indicators based on their relative importance. As a result, different categories were established according to the type of supporting evidence available for each indicator. The classification process followed established good practice in the social sciences and included consultation with experts at the John F. Kennedy School of Government at Harvard University. Due to the absence of empirical research into what aspects of MSI design increase an MSI’s capacity to protect and promote human rights (see Stage One, above), other sources of support were required to qualify the classification of indicators. In the MSI Evaluation Tool, academic research and the outcomes of expert consultation were used to analyze each indicator and determine its category. Three bases of supporting evidence were identified for qualifying an indicator: (i) academic theory, (ii) practitioner or expert empirical input, and (iii) a normative basis from a human rights or governance perspective.

Three classifications were created:

(1) Minimum Standards (now Essential Elements) identify the conditions that are necessary, but not sufficient, for an MSI to operate effectively and have the potential to protect and promote human rights.
(2) Good Practices identify the features that will enhance the MSI’s effectiveness and potential to protect and promote human rights.
(3) Innovative Practices identify novel features of MSI Design that have been employed by at least one MSI, or are based on expert theory, and are anticipated
to improve or optimize the capacity of an MSI to protect and promote human rights.

Where an indicator was supported by all three bases of evidence, it was classified as a Minimum Standard (now Essential Element). As explained further below, in Stages Three and Four, answers to the Essential Elements generate a score for each of the seven systematized concepts (known as “core areas” in the Tool) of the MSI. Where only one or two of these three bases were met, the indicator was classified as a Good or Innovative Practice. Some strictly informational questions are also included in the Tool. The informational questions are designed to either guide evaluators towards critical contextual information or to collect data for longitudinal studies. Answers to these questions are not related to the effectiveness of the design of an MSI. They have been included so that, over time, researchers will be able to use data collected on these indicators to analyze if they do in fact indicate the effectiveness of an MSI, and also to help evaluators better understand the context in which the MSI operates.

The third version of the Evaluation Tool, which included six systematized concepts and comprised over 200 indicators, was completed in April 2011.

Request to create a home for the MSI Evaluation Tool

In addition to comments on the Tool itself, the consulted experts strongly recommended that the Tool should not simply be released as a stand-alone document. Instead, they all felt it should be housed by an independent research organization that could use it to:

1. Conduct independent evaluation of MSIs;
2. Ensure it was continuously updated; and,
3. Facilitate ongoing research and learning into the field.

Based on this feedback, and following further external consultations, IHRC began incubating MSI Integrity as an independent nonprofit organization. IHRC then also turned to developing a methodology for how the Tool could be used to evaluate MSIs.

Stage Three: Pilot Testing of Tool and Evaluation Methodology (May 2011 – May 2013)

IHRC (and later, MSI Integrity) consulted with various design and measurement experts at Harvard University, including the Institute for Qualitative Social Sciences at Harvard University, to devise a methodology for using the MSI Evaluation Tool to evaluate MSIs. Numerous objectives were weighed when devising the methodology, including that the final methodology should:

- Lead to accurate and comprehensive results;
- Highlight the transparency and accessibility of information about the MSI; and,
- Be consultative and engage the MSI directly.

An evaluation methodology was devised and piloted that follows five steps:

1. Research and data collection;
(II) Analysis and preparation of a draft long-form evaluation report;
(III) Independent expert review;
(IV) Engagement with the evaluated MSI staff and secretariats; and,
(V) Revision of the draft reports.

The following discussion of each step outlines how the process was developed.

(I) Research and data collection

Pilot-testing the applicability of the MSI Evaluation Tool on ten MSIs

Building on the content validity testing conducted in Stage One, the MSI Evaluation Tool was pilot tested by evaluating ten MSIs. To ensure the Tool and methodology applied in different settings, MSIs were selected that addressed different human rights issues, involved different industries and regions, and reflected both new and established MSIs. Consistent with the ultimate purpose of the Tool, all the MSIs selected were global standard-setting initiatives that were considered prominent in the business and human rights field. The selected MSIs were:

- Better Cotton Initiative
- 4C (Common Code for the Coffee Community)
- Extractive Industries Transparency Initiative
- Fair Labor Association
- Fair Trade Labelling Organizations International
- Global Network Initiative
- Kimberley Process
- Roundtable on Sustainable Palm Oil
- Roundtable on Responsible Soy
- Voluntary Principles on Security and Human Rights

Two individual pilot testers ran the MSI Evaluation Tool separately and independently to ensure that data about the MSI was compiled accurately. During the initial research period, the testers only used material released publicly by the MSI—such as their standards, statutes and bylaws, and financial accounts—to answer the questions in the Tool. The decision to rely only on publicly released material was necessary in order to evaluate the MSI’s transparency—one of the seven systematized concepts—and was also intended to provide the MSI with an opportunity to reflect on its transparency and accessibility by learning how outside observers perceive and interpret its operations. MSI Integrity recognized the limitations of relying solely on publicly released information, and developed processes to engage with independent experts and staff in the MSI to ensure that the final results reflected an accurate depiction of the MSI’s actual operations (see (III) and (IV), below).

The testers submitted their results to an independent third-party reviewer. The reviewer compared the two sets of results and clarified any discrepancies before producing a final set of audited results. The audited results were used to calculate the proportion of Essential Elements met by the MSI with regards to its standards, internal governance, implementation, development, transparency, and level of affected community involvement. Due to the
complexity of each MSI’s operations, this process of collecting data and verifying its accuracy involved approximately 100–150 hours per MSI.

Feedback from the pilot testers on the usability of the Tool resulted in some minor modifications to the Tool to improve its clarity. In addition, using the Tool to evaluate different MSIs from different sectors and industries highlighted the importance of evaluating the scope and mandate of the MSI based on its history, industry context, and the human rights issues relevant to the industry. This led to developing the Scope and Mandate as a systematized concept (see (iii) below for more details).

Selection of five MSIs for a full pilot evaluation

Out of these ten MSIs, five were selected for a full piloting of the evaluation methodology. A range of different MSIs were included to highlight the comparability of MSIs in different industries, to encourage MSIs to learn from the approaches taken in other sectors, and to ensure the applicability of the Tool for differing MSIs. The factors considered were:

- Formation year and stages of development;
- The targeted industry;
- The human rights issues addressed and/or which prompted its development;
- The perceived importance and effectiveness of the initiative.

This resulted in the selection of the following five MSIs for the full pilot evaluation:

- 4C (Common Code for the Coffee Community)
- Extractive Industries Transparency Initiative
- Global Network Initiative
- Kimberley Process
- Fair Labor Association

External research into history, scope, and mandate of the MSIs

IHRC and MSI Integrity also conducted external research focused on the human rights issues relevant to each industry, and the events that led to the MSI’s formation. This external material, which relied on both secondary and primary research sources, was used to assess the MSI’s scope and mandate. It is the only use of external or subjective sources that was allowed during the research period. This exception was made because it is necessary to conduct external research to fully understand the context and industry, as few MSIs themselves sufficiently detail their origins or industry context. Since the research occurred after the initial evaluation of objective questions, the risk of it tainting evaluators was minimized.

(II) Preparation of draft long-form evaluation reports and analysis

MSI Integrity and IHRC prepared draft long-form reports based on the reviewed results from the Tool evaluation and the research related to the MSI’s scope and mandate. The reports
contain objective, factual descriptions of the MSI’s structure. These descriptions are followed by evaluative analysis, which highlights innovations as well as any recommendations for the MSI in order to meet relevant Essential Elements of MSI design. Members of the MSI staff were notified during August–November 2012 that a draft report was being finalized, and in subsequent steps both the MSI and independent experts reviewed the draft reports to provide comments and to ensure accuracy (see below).

(III) Independent expert review

Two independent experts who had an understanding of human rights issues relevant to the industry or issue addressed by the MSI reviewed each draft report. To ensure balance and depth of knowledge of the human rights issues addressed by the MSI, two different experts reviewed the reports. One expert was required to have been involved or affiliated formally with the evaluated MSI. The other expert was required to have an intimate knowledge of human rights issues presented by the industry and MSI at a local level, but to have had no involvement with or participation in the MSI. Each expert was required to disclose any real, potential or perceived conflicts of interest. One of the experts, Mr. Smillie, disclosed a perceived conflict based on being the Chair of the Board of an organization with observer status at the Kimberley Process. After MSI Integrity reviewed the facts, this position was deemed not to affect his ability to provide independent expertise.

The experts were asked to review the report section that examines the scope and mandate of the MSI, and to review the accuracy of the description of the MSI throughout the report. The experts were asked not to provide their own independent or subjective evaluation of the effectiveness of the MSI, nor to give any feedback on the evaluative analysis or recommendations. Therefore, the expert review is not an endorsement of the report’s evaluative conclusions.

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3 Given the small community of actors involved in many MSIs, it was unfortunately not possible to find a human rights expert who had previous affiliation to the Fair Labor Association to conduct the review. To address this, three human rights experts, two of whom have closely researched the Fair Labor Association, were asked to review the Fair Labor Association report.

4 MSI Integrity’s Terms of the Expert Review defined a perceived conflict of interest as existing “when there is a reasonable apprehension, which a reasonably well-informed person could reasonably have, that an expert has a conflict of interest, even if, in fact, there is neither a real nor a potential conflict. This requires disclosure of any other activities or interests that affect or appear to affect the Expert’s objectivity or fairness.”

5 The facts of Mr. Smillie’s disclosed perceived conflict of interest included that Mr. Smillie does not receive any compensation from the organization or any parties connected with the Kimberley Process, had not attended any Kimberley Process meetings since his resignation from his previous organization (Partnership Africa Canada), and that he continued to publish subjective critiques on the Kimberley Process in a personal capacity. Based on an assessment of these facts, it was deemed his involvement did not create a conflict of interest.
The experts and their institutional involvements (at the time of the review) were:

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<thead>
<tr>
<th>MSI</th>
<th>Former involvement or affiliation with the MSI</th>
<th>No involvement or affiliation with the MSI</th>
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<tbody>
<tr>
<td>4C</td>
<td>Frank Mechielsen, Oxfam Novib</td>
<td>Christopher Bacon, Santa Clara University</td>
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<tr>
<td>EITI</td>
<td>Diarmid O’Sullivan, Open Society Initiative Fellow (previously Global Witness)</td>
<td>Brendan Schwartz, RELUFA</td>
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<tr>
<td>FLA</td>
<td>None available.</td>
<td>Li Qiang, China Labor Watch</td>
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<td></td>
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<td>Susan Farbenstein, Harvard Law School</td>
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<td>Kate Macdonald, University of Melbourne</td>
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<td>GNI</td>
<td>Morten Winston, College of New Jersey and Honorary Chair of Amnesty International USA</td>
<td>Eric King, Privacy International</td>
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<tr>
<td>KP</td>
<td>Ian Smillie, Board of Directors of the Diamond Development Initiative (previously Partnership Africa Canada)</td>
<td>Dewa Mavhinga, Human Rights Watch</td>
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</table>

(IV) Engagement with the evaluated MSI staff and secretariats

To ensure the accuracy of the evaluations, MSI Integrity provided each MSI with an opportunity to comment on the draft evaluation report. Staff members of the MSI were asked during the August–November 2012 notice period (see step (II)) to schedule a four-week comment period for December 2012–February 2013 in order to review the drafts and offer any input. During the comment period, the MSI was encouraged to submit written comments on the draft, as well as MSI-related documents or other materials that might have helped the evaluators better understand the MSI or which relate the operation of the MSI. Staff from MSI Integrity and IHRC also travelled to meet with the MSI staff to discuss the report findings and answer questions. These meetings included:

- An afternoon meeting with two staff members from GNI on December 13, 2012 in Washington, DC.
- An afternoon meeting with then-Ambassador Milovanovic, who at that time was the Chair of the Kimberley Process, along with two staff members on December 14, 2012 in Washington, DC. This was followed up by disseminating copies of a working draft report with attendees at the Kimberley Process Annual Plenary from November 19 - 22, 2013 in Johannesburg, South Africa, and one-on-one conversations with various members of the initiative throughout the plenary period.
- Two-day meeting with over ten staff members of the EITI Secretariat during December 10-11, 2012 in Oslo, Norway.
- Two-day meeting with three staff members from 4C during February 7-8, 2013 in Bonn, Germany.
- Day-long meeting with four staff members from FLA on February 25, 2013 in Washington, DC.
After these meetings, additional correspondence continued with those MSIs interested in providing more information or clarifying details on the evaluations. For some MSIs, this extended as far as August 2014, with various back-and-forth correspondence and revisions to the report to ensure its accuracy. Some of the feedback received from the MSIs included views on how to improve the methodology and comments on the MSI Evaluation Tool itself, which was considered in the global consultation regarding the MSI Evaluation Tool and Evaluation Methodology (See Stage Four, below).

(V) Revisions to the draft reports

Finally, the reports were updated based on the information gathered in the engagement process. In order to clearly state the source of all material, information provided by the MSIs that was not publicly available on their websites was noted as coming directly from the relevant MSI. Information that was publicly released after the data collection phase had been completed was marked as an update. Each MSI was given the opportunity to review and comment on the revised versions of the reports, which incorporated feedback from the comment period and expert reviews. While all the piloted MSIs commented on the reports, they were not asked to endorse the findings. Their input should not be viewed as an endorsement of the findings.

Stage Four: Global Consultation on Tool Indicators and Evaluation Methodology (April 2013 – March 2014)

Expanding upon the targeted consultations held in 2011, MSI Integrity conducted an official global consultation and review process from May 1 – August 31, 2013 to seek feedback on the Tool indicators and proposed methodology, as well as MSI Integrity’s mission and future activities. EITI and 4C agreed to have reports released as working drafts to allow commenters to understand the outputs from the Tool. MSI Integrity also published and widely circulated a summary of the Minimum Standards (now Essential Elements) criteria, the draft MSI Evaluation Tool, and Overview of the Methodology proposed for evaluating MSIs. These historic documents are all available on the MSI Integrity website.

The consultation involved in-person meetings in Asia, Africa, Europe, North America, South America, and Oceania, and a public comment period that lasted four months. Host institutions coordinated consultation meetings that brought together different stakeholders. These consultations included:

- The Center for Business and Human Rights at NYU Stern Business School organized a meeting in New York, NY, on May 2, 2013.
- Netherlands Embassy organized a meeting in Washington, DC, on May 7, 2013.
- The World Bank organized a meeting in Washington, DC, on July 17, 2013.
- The Center for Applied Legal Studies at Witwatersrand University organized a meeting in Johannesburg, South Africa, on July 22, 2013.
• The Southeast Asia National Human Rights Institutions Forum included discussions of the methodology and evaluation criteria in their meetings on July 24, 2013.
• La Trobe University School of Business organized a meeting in Melbourne, Australia, on August 13, 2013.
• The Law, Governance and Development Initiative at the Australian National University College of Law organized a meeting in Canberra, Australia, on August 14, 2013.
• The Australian Human Rights Centre at the University of New South Wales Law School organized a meeting in Sydney, Australia, on August 15, 2013.
• Jindal Global Law School organized a meeting in Sonipat, India, on August 21, 2013.
• Jorge Tadeo University organized a meeting in Bogotá, Colombia, on August 26, 2013.
• The Netherlands Ministry of Foreign Affairs organized a meeting in Den Haag, Netherlands, on August 29, 2013.

Over 100 people participated in the worldwide consultation meetings or submitted individual comments for review. These participants represented views from: corporate social responsibility consultants, business, trade and labor unions, civil society organizations, non-governmental organizations, governments, national human rights institutions, international human rights organizations, MSIs, and academic researchers in fields such as law, business, and human rights.

Advisory Group review and recommendations

An independent multi-stakeholder Advisory Group of experts in MSIs and business and human rights reviewed the comments received during the consultation process in September and October 2013. The terms of reference for the Advisory Group is available on MSI Integrity’s website. Each Advisory Group member received the materials under review, the summary notes from consultation meetings, and the individually submitted comments. Staff from MSI Integrity and IHRC were also available to answer questions. The group discussed and debated the comments during telephone and in-person meetings, and participated in drafting and editing a final report outlining the key recommendations and considerations for MSI Integrity from the consultation process.

In the Advisory Group Recommendations and Considerations Report, the Advisory Group broadly agrees that the methodology and standards proposed by MSI Integrity are sufficient and appropriate to conduct rigorous evaluations of MSIs. The full recommendations in the Advisory Group report reflect the general support for MSI Integrity and its proposed methodology and standards for evaluating MSIs, which the Advisory Group intended in reflection of the very supportive tone of consultation meetings and feedback. Some of the core recommendations include: (1) continuing to review and develop the methodology and

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6 The Advisory Group members included: Greg Asbed, Brad Brooks-Rubin, Deval Desai, Alexandra Guáqueta, Mariëtte van Huijstee, and Tu Rinsche. Adam Greene and Steve Hitov were originally involved in the Advisory Group and participated in early meetings, but were unfortunately unable to contribute to the drafting of the report due to external commitments.

indicators over time; (2) publishing the criteria for selecting MSIs to evaluate; (3) developing terms of reference to engage with MSIs for evaluations; (4) expanding engagement with stakeholders within MSIs during evaluations; and, (5) postponing developing weighted “scores” for MSI Evaluation Tool results, and instead reporting evaluation results as the proportion of Essential Elements met by the MSI in each section of the Tool.

The Board of MSI Integrity reviewed and adopted all the core recommendations from the Global Consultation Advisory Group final report in a statement released in March 2014. Implementing these recommendations prompted the fifth and final stage of the development of the MSI Evaluation Tool and evaluation methodology.

**Specific comments on MSI Evaluation Tool indicator criteria**

There were 35 specific comments received regarding the MSI Evaluation Tool’s criteria. Of these comments:

- Eighteen proposed new criteria to add to the Tool;
- Eight suggested substantive changes to existing criteria; and
- Nine suggested technical changes to criteria (e.g., clarifying terminology).

Each individual comment, and MSI Integrity’s response to the comments, can be found in the Global Consultation Comments and Resolutions. They resulted in 16 modifications.

Comments also raised topics that require further examination and research, which will be a focus of MSI Integrity’s future research and consultation initiatives. A list of these research topics are contained in the Global Consultation Comments and Resolutions.

**Stage Five: Revision and Release of MSI Evaluation Tool, Methodological Guidance Notes, Pilot Reports, and MSI Essential Elements (March 2015 onwards)**

During stage five, MSI Integrity has been working to implement the recommendations of the Advisory Group. In 2017, MSI Integrity will release a report that provides analysis of trends across the five evaluated MSIs as well as selected pilot evaluation reports. The MSI Essential Elements and other tools will also be released to allow for more preliminary evaluations of MSI design. Over time, MSI Integrity will release methodological guidance outlining the rigorous process for conducting a comprehensive evaluation using the MSI Evaluation Tool, including lessons learned during the pilot evaluation and global consultation. These guidance notes may address good practices such as: how to select MSIs for evaluation; how to establish terms of reference for conducting evaluations with the MSI; how to gather information from public sources; how to engage with the MSI, including MSI staff and stakeholder members, over the course of evaluations; and, generating scorecards for MSIs.

In keeping with MSI Integrity’s commitment to strive for engagement and reflexive consultation with all stakeholders, public global consultations will be held every three to five years to seek feedback on the major components of MSI Integrity’s work, including the MSI Evaluation Tool.