



2022 Extractives Transparency Week

November 7, 2022 | Marco Polo Ortigas Manila

November 8-9, 2022 | The Manila Hotel + Sofitel Philippine Plaza Manila

Overview

Nearly a decade into its implementation, the **Philippine Extractive Industries Transparency Initiative (PH-EITI)**¹ continues to push good governance in the mining, oil, gas, and coal industries and provide a safe and inclusive platform for various stakeholders of the sector.

To date, the PH-EITI has produced seven publicly accessible country reports. They cover eight (8) fiscal years from 2012 to 2019 and over 100 extractive projects across the country, reconciling more than P362.5 billion in government revenues. These data are digitally accessible in machine readable format for public use.

With the Marcos administration banking on the potential of the extractive sector to drive long-term economic expansion, the inclusive and data-informed governance of the extractive industries becomes more critical than ever. To strengthen stakeholder commitments, the PH-EITI holds the **2022 Extractives Transparency Week (ETW)**, a series of meetings and forums on extractives resource governance and revenue management, which coincide with a mission to the Philippines of the **EITI Chair and former New Zealand Prime Minister The Right Honorable Helen Clark**.

ETW is part of PH-EITI's comprehensive Stakeholder Engagement Program that seeks, among others, to ensure inclusive multi-stakeholder participation both at the national and subnational levels.

For this year, the ETW also discussed how the PH-EITI can respond to the concerns on climate change and energy transition. This is in line with the global initiative to incorporate such concerns in the global reporting standards.

¹ The PH-EITI was formed in 2013 through Executive Order No. 147, s. 2013, pursuant to Executive Order No. 79, s. 2012, where the government committed to implement the Extractive Industries Transparency Initiative (EITI) – the global standard for the open and good governance of oil, gas and mineral resources.

Objectives

ETW aims to further strengthen government commitment, framework, and systems for transparency and accountability in the extractives and empower stakeholders to participate in resource governance. The framework to realize this will be the focus of exchanges in the series of events. Ultimately, the ETW targets to develop actionable recommendations to ensure that resource extraction contributes sustainably to inclusive economic growth and national development.

Extractive Transparency Week events

November 7, 2022 (Monday)	Constituencies meeting Marco Polo Ortigas Manila <i>Ballroom B</i>
	EITI mission
	Women leaders forum Marco Polo Ortigas Manila
November 8, 2022 (Tuesday)	FORGE PH: The 2022 PH-EITI National Conference The Manila Hotel <i>Centennial Hall A & B</i>
	Small group side meeting on beneficial ownership with Law Enforcement Agencies The Manila Hotel <i>Kamagong Room</i>
	Dinner engagement forum with legislators re prospects for BO legislative agenda Sofitel Philippine Plaza Manila
November 9, 2022 (Wednesday)	Post-Validation workshop The Manila Hotel

	EITI/OO/OE meeting with the SEC The Manila Hotel
	BO data use workshop for CSOs, academe, and members of the media The Manila Hotel <i>Sampaguita Hall A</i>

CONSULTATIVE CONSTITUENCY MEETING

7 NOVEMBER 2022
MARCO POLO ORTIGAS

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EVENT
DOCUMENTATION

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ETW



PH-EITI

Constituencies meeting
November 7, 2022 | 9:00 am to 4:00 pm
Marco Polo Ortigas Manila

Event Description

The government, industry, and civil society stakeholder constituencies of the PH-EITI gathers for a panel of Transparency Talks on pressing EITI related matters, including beneficial ownership transparency, transfer pricing, extractives integrity, energy transition, and civic engagement. This will be followed by a breakout session per constituency for a consultative discussion of priority extractive industries related issues that the MSG needs to address. Outputs of the breakout session shall serve as inputs to the breakout session the following day at the National Conference.

Objectives

To identify priority issues of the various stakeholders that need to be prioritized in the short or medium term.

Participants

A total of 181 participated in the consultative constituency meeting through different platforms. 139 people attended in person, and 42 via Zoom. It exceeded the target number of participants which is 130 participants.

Of the Zoom and in person participants, 16 are presenters and discussants, 28 from government agencies, 24 from LGUs and the legislative branch, 48 are from the industry sector, 36 are members of the civil society, 2 from academe, 1 from development partners and 26 are the event facilitators. 97 of the participants are men while 84 are women.

Sector	In person	Zoom
Presenters and Discussants	15	1
Civil Society Organization	33	3
National Government Agency	21	7
Local Government Unit	20	4

Industry	30	18
• Metallic mines	19	4
• Non-metallic mines	7	11
• Oil and gas	2	3
• Others	2	1
Academe	2	-
Development partners	1	-
Organizers	17	9
Total	139	42

Highlights of the event

Opening Remarks

Hon. Felix William Fuentebella

Undersecretary, Department of Energy

- a. Shared how the Department of Energy values transparency as a critical tool to shepherd policy and programs to achieve goals and objectives and create a business environment to entice investors in the energy sector
- b. Noted existing policies that aim to encourage investment schemes to explore and produce energy resources that will provide revenue generation for the government. These resulted into policies directed by the Energy Secretary and include, among others, the aggressive Renewable Energy (RE) and Energy Efficiency and Conservation (EEC) institutionalization programs, the moratorium on new coal power projects, a mechanism allowing foreign ownership on large-scale geothermal projects under financial and technical assistance agreement or FTAA, the resumption of indigenous oil and gas exploration, the introduction of liquefied natural gas (LNG) portfolio, establishment of strategic petroleum reserves and exploration of Hydrogen's potential.
- c. Reaffirmed the sector's mindfulness in putting consumers first and that energy must be equitable to all Filipinos. The crafted PEP 2020-2040 is the amalgamation of the envisioned transition and transformation resonated by the Administration. Under its Clean Energy Scenario (CES), the PEP provides for ambitious plans, policies and targets on renewable energy, natural gas, alternative fuels, and energy efficient technologies. To

make the country's low carbon energy transformation a reality, the following goals have been set for the medium to long-term planning horizon:

- Increase the production of clean and indigenous sources of energy to meet the growing economic development of the country;
 - Decrease the wasteful utilization of energy through the use of energy efficiency tools and strategies; and
 - Ensure the balance between the provision of reliable and reasonably priced energy services, support for economic growth, and protection of the environment.
- d. Believed that EITI implementation and emerging topics such as beneficial ownership disclosure, civic engagement and energy transition will provide an environment for fair competition, transparent system and open doors for more investment opportunities.

Message

Karabo Rajuili

Country Manager, Open Ownership

- a. Provided an overview of the Opening Extractives program. Shared that the Opening Extractives is a cross-sector partnership between the Extractive Industries Transparency Initiative (EITI) and Open Ownership (OO), supported by the BHP Foundation. The five-year, USD 7 million program aims to end the use of anonymous companies linked to corruption and mismanagement in the extractive sector. As countries around the world face the dual challenges of climate change and the economic impact of the COVID-19 pandemic, sustainable governance of natural resources is becoming essential. Funds are urgently required to address healthcare, economic, and social needs arising from the pandemic. In resource-rich countries, the extractive sector makes a key contribution to tax revenue.
- b. Shared that currently there are 10 countries who pledged support for the program – Argentina, Armenia, Ghana, Indonesia, Liberia, Mexico, Mongolia, Nigeria, Philippines, Senegal and Zambia.

The program offers three strands of support:

- The first is to enable governments as well as companies to disclose high quality and open beneficial information and practice. Research by OO and EITI shows that there is both high demand for technical assistance to achieve beneficial ownership transparency, and a need for tailored support to address the complex dynamics that give rise to reform.
- The second is capacity building. A key part of Opening Extractives is enabling the use of the data by governments, civil society, and companies. The program aims to improve transparency on the beneficial owners of companies and increase the chances that revenue from extractive projects will be used for development, rather than the enrichment of the few. As such, training is integral.
- The third strand of work includes regional as well as global peer exchanges.

Journalists and civil society organizations then have new concepts and knowledge to embed in their work, and can include this type of data analysis in their investigations and projects. To continue to build the network of data users with expert insight on BO, the Opening Extractives program has made two call-outs for investigative projects which we will support, and have recently sponsored 10 projects in different countries.

Acknowledgment of participants and Overview of the Program

Eastword D. Manlises

National Coordinator, PH-EITI

- a. Opened and welcomed the attendees of the Extractive Transparency Week.
- b. Acknowledged the partners and stakeholders who supported the Extractive Transparency Week.
- c. Provided the indicative program of the event and its goal.

Securities and Exchange Commission presentation

Oliver Leonardo

Director, Securities and Exchange Commission (SEC)

- a. Discussed the history and framework of beneficial ownership in the Philippines
- b. Presented the Financial Action Task Force (FATF) - a standard setting body based in Paris, France that prescribes international best practices. It has 40 recommendations and part of that recommendations is the recommendations # 24 which mandates the transparency of legal persons, corporations/entities, and beneficial ownership.
- c. Shared that in 2018 we are subjected to an exercise called mutual evaluation , the whole Philippine was measured against the international standards which are the 40 recommendations of FATF.
- d. Mentioned that during the mutual evaluation process, there was a comment from assessors that the Philippines do not have a fair understanding
- e. Shared the following issuances of Memorandum Circular: (i) MC 15, series of 2019 or the 2019 Revision of the GIS; (ii) MC 30, Series of 2020; and MC 1, Series of 2021 BO Transparency Guidelines
- f. Shared the following data collected on the Beneficial Ownership: (i) Name; (ii) Residential address; (iii) Nationality; (iv) Tin; (v) Percentage of ownership
- g. Shared that Beneficial ownership is widely recognized as an essential piece of information for tackling corruption, preventing and investigating tax evasion, protecting national security, and creating sustainable trading environments. The goal— increasingly shared by governments, businesses, and citizens— is that people can access accurate and high-quality information on the true owners of companies, and effectively use this

to increase the accountability of companies and governments to citizens, and reduce known risks such as corruption and tax evasion.

- h. Informed that the SEC has the power to impose financial penalties on the corporation, directors, trustees and other senior managing officials thereof for the failure to disclose beneficial ownership information. Law enforcement and other competent authorities have access to the beneficial ownership information; the information is, however, not made publicly available.

UN Office on Drugs and Crime (UNODC) presentation

Atty. Kirbee Tibayan

National Programme Officer, Anti-Corruption Programme

- a. Shared that the transparency of the beneficial ownership of corporate vehicles is increasingly regarded as an essential element in the fight against corruption and as a tool for preventing money laundering and countering the financing of terrorism. As numerous case studies have shown, corporate vehicles, including companies, trusts, foundations and fictitious entities, can be misused to conceal the identities of the people involved in large-scale corruption and to hide and transfer the proceeds of corruption. The impact of corruption on economic growth is serious, wasting some 20-40% of official development assistance every year.
- b. Mentioned that the United Nations Convention Against Corruption (UNCAC), Article 12, requires State parties to take measures to safeguard the integrity of private entities, by establishing measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities.
- c. Mentioned that the internationally accepted definition of beneficial ownership, originally developed by the Financial Action Task Force (FATF), defines beneficial ownership as the natural person or persons who ultimately owns or controls the customer and or the person on whose behalf a transaction is being conducted.
- d. Shared that the Financial Secrecy Index published in February 2020 ranks jurisdictions according to the scale of their financial transparency and their offshore financial activities. The index is composed of twenty indicators, which can be grouped into four dimensions. Ten of these relate to the dimensions of ownership registration and legal entity transparency.

Beneficial ownership registries in Southeast Asia:

- Indonesia is the only country in the region that so far has established a central registry of beneficial owners. The registry is hosted by the Ministry of Law and Human Rights, to which all types of corporations are required to report and regularly update information on their beneficial owners. The Presidential Regulation No. 13/2018 defines a corporation as any organized group of people or assets, whether or not established as a legal entity, including limited liability companies, foundations, associations, cooperatives, limited and unlimited

partnerships, and any other forms of corporations. Information on beneficial owners to be reported includes their full name, passport/ national ID registration number, place and date of birth, nationality, residential address, foreign residential address (if residing in a foreign country), tax identification number and the relationship between the legal person and the beneficial owners.

- In 2019, the Companies Commission of Malaysia issued the Guideline for the Reporting Framework for Beneficial Ownership of Legal Persons. The reporting framework introduces the requirement to hold accurate, up-to-date and verified information on beneficial owners. This requirement applies to all domestic and foreign companies incorporated or registered under the Companies Act 2016, all domestic and foreign limited liability partnerships registered under the Limited Liability Partnerships Act 2012 (LLPA 2012) and all government-owned or state-owned companies, unless exempted under Paragraph 17 or Annexure A of the guidelines. The following information on a beneficial owner must be obtained: full name, nationality, residential address, date of birth, passport / national ID number, type of beneficial owner (direct or indirect), category of beneficial owner, date of becoming / ceasing to be a beneficial owner, the date upon which the company/partnership received the beneficial ownership information and email address.
- The Philippines, also under the Extractive Industries and Transparency Initiative, has introduced a requirement for companies operating in the extractive industry sector to disclose their beneficial owners. Due to data privacy concerns, information on beneficial owners is not yet being reported under the Initiative. In 2019, the Philippine Security and Exchange Commission (SEC) issued a circular introducing an enhanced beneficial ownership disclosure form, under which all SEC registered stock and non-stock domestic corporations are required to report their beneficial ownership information. Beneficial ownership information has to be reported annually, within 30 calendar days of an annual stockholders' or members' meeting, or within seven working days since a change in the beneficial ownership information occurred. The information to be reported includes the owner's name, residential address, date of birth, nationality, tax identification number and percentage of ownership.
- Neither Cambodia nor Thailand have a mechanism to record or report on the beneficial ownership information of legal persons.
- In Vietnam, the Law on Anti-Money Laundering requires reporting entities to apply measures to know their customers, by keeping customer identification records for 5 years following transactions. When forming a company, information must be submitted for the National Business Registration Portal, and published on the website of the disclosing entity. However, it is unclear how consistently the information is published in a centralized format, rather than across disparate provincial and national registration authorities.

Open Ownership (OO) presentation

Louise Russel Prywata

Director, Policy & Advocacy

- a. Mentioned that beneficial ownership is widely recognized as an essential piece of information for tackling corruption, preventing and investigating tax evasion, protecting national security, and creating sustainable trading environments. The goal— increasingly shared by governments, businesses, and citizens— is that people can access accurate and high-quality information on the true owners of companies, and effectively use this to increase the accountability of companies and governments to citizens, and reduce known risks such as corruption and tax evasion.
- b. Shared momentum for transparency of company ownership has been rising since the first open beneficial ownership registers were launched around 2015-2016, and over the past two years the public focus on this has further accelerated due to: (i) COVID-19: the pandemic has highlighted role of beneficial ownership transparency in ensuring accountability of government spending in response to the virus, leading to a substantial increase in interest in using beneficial ownership data to identify the individuals behind companies that hold contract with governments; (ii) Invasion of Ukraine: Russia's invasion of Ukraine led to several countries quickly seeking to impose sanctions, and highlighted the need to know the identity of beneficial owners of companies in order to effectively sanction individuals and more broadly for governments to understand who operates in their country's financial system.
- c. Disclosed that to date, over 110 countries have committed to centrally collecting and publicly publishing data on the beneficial ownership of companies that operate in one or more sectors of the economy (for example extractives). However, implementation of public beneficial ownership registers lags behind, with many countries not yet having live registers. Where countries do have public beneficial ownership registers, there are commonly barriers to accessing and using the data. These factors are preventing beneficial ownership transparency from achieving its full impact.
- d. Stressed that open company ownership data can: (i) Tackle corruption and criminal activities by making it more difficult to use companies to hide the proceeds of crime, and helping to identify and recover stolen assets; (ii) Support sustainable economies and build market confidence by helping businesses understand who they are doing business with, supporting effective due diligence and risk management Run effective tax systems by helping combat tax evasion; (iii) Improving public spending by fighting corruption and fraud in public procurement; (iv) Improve trust in government by increasing accountability and public oversight of government spending
- e. Shared the following challenges: (i) Verification; (ii) Verifying the identity of the beneficial owner; (iii) Verifying their status as the BO; (iv) Latvia and Austria – risk based score assessment; (v) Balancing privacy and public access; (vi) Mitigating privacy concerns: layered access.
- f. Stressed that in order to improve the quality of data available and close the implementation gap, Open Ownership will continue to assist countries to implement beneficial ownership transparency according to the OO Principles, which draw on best

practices in open data. We also plan to use the GDB dataset for certain countries to gain a deeper understanding of what is required to improve implementation and raise global standards. For example, we will be analyzing the data from G20 countries to create an up to date snapshot of implementation across this group and provide evidence to support recommendations for advancing beneficial ownership transparency through the G20.

SGV presentation

Atty. Romulo Danao, Jr.

Partner and Country Leader, International Tax and Transaction Services, SGV & Co.

- a. Discussed the link of Transfer Pricing and Beneficial Ownership (BO)
- b. Mentioned that Beneficial Ownership could be considered a related party in transfer pricing perspective. Transactions with the BO, under controlled enterprises are subject to transfer pricing rules
- c. Shared that Beneficial Ownership information requirement will strengthen the accuracy of related parties in the audited financial statements.
- d. Presented the arm's length principle - the basic transfer pricing rules whereby a company dealing with related parties must set their price on a market price. It requires the transaction with a related party to be made under comparable conditions and circumstances as a transaction with an independent party.
- e. Presented the importance of transfer pricing rule: (i) Prevent avoidance of tax by shifting taxable income from high tax rate country to low tax rate foreign country; (ii) To prevent avoidance of tax by shifting taxable income from activities subject to regular tax to activities enjoying income tax holiday or preferential tax rate; (iii) To ensure that the tax authority receives the tax properly due to it and not erode its tax revenue base.
- f. Presented the Related Party Transaction that refers to the transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged. Shared some common related transactions in the extractive industries: Sale of minerals; Purchase or lease of equipment and other assets; Payment or royalties for the use of IPs; Payment of management, marketing fees and other service fees; Allocation or sharing of center headquarter costs; Intercompany loans and advances; Provision of guarantees or collateral; and Assignment of receivables/ payables.

5-minute comment from government, industry and CSO

Engr. Glenn Noble

Regional Director, Mines and Geosciences Bureau 13

- a. Talked about how these discussions will impact the government: (i) Identifying the qualified person, qualified person to be holders of mining rights, FTAA for foreign but

mineral agreements are reserved for Filipino owners. If we look at the first level for the company itself, probably a 60-40 corporation. But beneficial ownership looks down to the natural person who has ultimate control of the business; (ii) Peer through the business. With the SEC policy in place, the government hopefully will find out who will be the natural person; (iii) Get rightful share of the government from taxable transactions. Based on the discussion of the arm's length principle, a price difference in commodities, especially if we talk about tons of shipment, can have a significant impact on tax collection. Government has to get its rightful share of the resources, and of course, comply with what is provided with the constitution.

Atty. Patricia Bunye

Senior Partner & Deputy Managing Partner, Cruz and Tenefrancia

- a. Shared that transparency is a pillar of good governance and is necessary to inform stakeholders of what is going on in the company, to build trust and confidence in it and its leadership, and to allow the sad stakeholders to buy into the decisions of management, particularly when the company is publicly listed.
- b. Encouraged companies to systematically disclose data at source however, public disclosure is not a current requirement. Dir. Leopoldo noted that amendments of the circular are under comment and with the current policy, SEC will accept the submission of any general information sheet without the declaration of beneficial ownership information.
- c. Stressed the requirement remains that any information submitted shall not be uploaded to the SEC's publicly accessible electronic database. It will never be made accessible or available in a timely manner. This is consistent with the very purpose of the Anti-Money Laundry Act and the Terrorist Financing Prevention and Suppression Act, the collection of the beneficial in ownership information. The information therefore needs to be safeguarded and only used for those are, and not be published or be made publicly available. Otherwise, this information could be improperly used.
- d. Shared that a number of the proposed amendments relate to increased penalties for late disclosure, failure to comply with orders of the SEC to disclose beneficial ownership information, the liability of directors, trustees, and officers, and false disclosures, understandably, the increased amounts, as well as the change in the basis for the penalty from rethink earnings.
- e. Explained that stock corporations or fund balance in the case of non-stop corporations through the total assets is also causing concern. As we continue to study where the gaps are in our current framework, and as we continue to compare the Philippines to other jurisdictions, perhaps the approach should be first, how to reduce available beneficial information rather than making the same public to ensure compliance with applicable loss and preventing financial crimes.
- f. Stressed that the key is not publication for access by the general public, but access by the concerned deputy and offices, which need misinformation to be able to act on the same.

Jeffrey Carin

Focal Person of Father Saturnino Urios University (FSUU)'s Office of the Development Centers (ODC), Community Involvement and Advocacy (CIA); National Service Training Program (NSTP), FSUU Foundation Inc., and Private Education Assistance Committee (PEAC)

- a. Shared the acronym STAR (Sustainability, Transparency, Accountability and Responsibility) alluding to the goal of the Philippines to aim for a stellar rating in terms of beneficial ownership.
- b. Shared Beneficial ownership will be helpful in reducing the likelihood of corruption and money laundering. Beneficial ownership details will help the government increase tax revenues as venture, excise, property business, annual income class, and all taxes in leveling the main field for investors.
- c. Expressed that Beneficial ownership disclosure will always aim in preventing conflicts of interest, particularly when politically exposed individuals or government officials help states in extractive industries or influence over how licenses are granted. This is where accountability comes. Mr. Carin agreed with the SEC that the financial system and the economy would remain strong and sustainable.
- d. Raised the challenge of data validity and reliability. He noted that there should be a mechanism for civil societies to verify beneficial ownership data. Stakeholders must come together, collaborate, and harmonize in order to pursue or at the least execute policy that would compel the disclosure of beneficial ownership information, not only for voluntary. As a CSO representative, it is our responsibility to exercise the right to access information held with the goal.
- e. Stressed that as stakeholders, they must encourage the adoption of legislation that makes beneficial ownership, transparency, and the Freedom of Information Act. With this, it promotes citizen involvement in urging the government to be open and accountable, which is essential for every Filipino. This can be accomplished by passing legislation of loss. The goal is to make government data more accessible and useful. Anyone can examine extractive industry transactions to determine profits from such operations and if possible for their effects.
- f. Shared that the sector and their communities provides users with a means to their own fact finding, for checking for data very occasionally, as well as engage in research and focus the activities based on reliable data and through people registry, it will PO to build trust, ensure accountability, improve investment.
- g. Explained that disclosure would be an eye opener for every Filipino to access government information. Through this, Filipinos would know where the taxes of mining companies, just and oil operators or operations go with this equitable, reasonable, and fair loyalty funds rather than just 1% cross income would be available for the indigenous peoples and others.
- h. Explained that the Beneficial Ownership transparency initiative is one of the tools that the government in particular must employ to direct a development trial in order to

realize our vision. In conclusion, enabling beneficial ownership, full disclosure, will significantly help all Filipinos in achieving the star.

Panel Discussion and Open Forum

Moderator:

Atty. Maria Karla L. Espinosa

Consultant, Opening Extractives Study

- a. On the issues raised towards SEC, Dir. Leonardo expressed appreciation for all the comments and perspectives on BO. He noted that BO disclosure requires a multifaceted approach from all stakeholders. SEC is deemed as supervisor of PH corporations but the direction will be shaped by democracy. Public disclosure has its pros and cons. One of the advantages is data verification. Civil society can easily verify records whether these are accurate or not. The primary disadvantage is data privacy. Regarding policy, this will be mandated by DENR/MGB regarding the 60-40 rule on qualified natural persons. SEC can provide the data needed to help them make a proper policy on how they want mining to move forward. Dir. Leonard also expressed their desire to help stakeholders by making sure that accurate data will be available to the competent authority in a timely manner.
- b. On striking the balance between data privacy and BO, Karabou Rajuili mentioned that it will depend on the inclusion and effect of various safeguards, limitations and exceptions to publishing ownership data. In other words, the debate is not just about why the data is published, but also what is published, and how it is published. Governments and companies should not collect and disclose data beyond the minimum that is necessary to achieve their aim, or data that poses a significant risk of harm. The risk associated with different types of information will depend on the context of both the individual and the country where they reside. Although there are strong arguments that disclosure should only apply to certain high-risk individuals, entities or sectors, it is impossible to predict which of the thousands of trusts and companies in existence may be of interest for investigators. A carefully designed and narrowly defined exemption process is created to allow individuals with legitimate security or privacy concerns to request that their details are not published on the open register.
- c. In the discussion of layered data access, Vincent Lazatin identified the minimum information on the identity of the natural person and the percentage of ownership as material information.

- d. On the discussion of policy issuances, Atty. Kirbee Tibayan noted that policy makers should have a clear understanding of the objectives of beneficial ownership disclosure – to fight corruption, illegal acts and money laundering. She noted that Open Ownership provides tools and technologies to allow disclosure.

Strategic Priorities of the Extractive Industries

Mark Robinson

Executive Director, EITI International Secretariat

- a. Mentioned that investment decisions in the extractive sector are increasingly informed by environmental, social and governance (ESG) metrics. Company commitments to transparency and accountability through the EITI, as well as EITI disclosures, can contribute to the evolving framework for ESG reporting and complement other data published by companies and investors.
- b. Shared that revenue mobilization is critical for supporting national development and public expenditure priorities, especially under conditions of economic crisis and commodity price volatility. The 2019 EITI Standard requires more detailed disclosures, which can help governments ensure that revenues are maximized for public benefit rather than private gain.
- c. Mentioned that the priorities include strengthening communications on the EITI's role in addressing corruption, identifying opportunities for industry engagement, enhancing implementation support, strengthening the capacity of multi-stakeholder groups to engage in corruption issues, and building partnerships with groups involved in anti-corruption activities.

Theory of Change

Ms. Aniceta Baltar

Vice Chair Concerned Citizens of Abra for Good Governance

- a. Presented the background, framework, and initial activities for Theory of Change.
- b. Shared that the Theory of Change that will be crafted would identify interventions that can be implemented to address the gaps, policies that can be pursued or reformed, other necessary inputs and activities to be able to achieve the desired change or changes, and the monitoring and evaluation system.
- c. Identified main problems: Report coverage Data utilization; Cost & benefits of extractives; Royalty fund management; Beneficial ownership; Accountability and commitment; Laws & policies; MSG role; Political environment.
- d. Presented the recommended pathway to craft the Theory of Change

Towards a Sustainable and Clean Energy Future: Energy Transition and the PEP 2020-2040

Michael Sinocruz, Director Energy Policy and Planning Bureau

Director, Department of Energy- Energy Policy and Planning Bureau

- a. Presented the two formulated scenarios under the Philippine Energy Plan (PEP), the clean energy scenario and reference scenario. To be able to achieve a clean energy scenario, we need to accelerate the penetration of renewable energy as well as the strict implementation of energy efficiency and conservation, together with the application of other energy technologies and energy resiliency.
- b. Shared that in 2019, the Department of Energy issued a moratorium on new greenfield coal-fired power plants except for those projects considered as committed projects.
- c. Informed that the National Renewable Energy Program (NREP) 2020-2040 set a target of at least 35% renewable energy share in the power generation mix (MWh) by 2030, and increasing further to 50% by 2040. Flexible fuel like natural gas will play a significant role to be able to support solar and wind energy. Share of gas will also be reduced from 40% to 27% under the clean energy scenario.
- d. Shared that to be able to meet such targets in increasing the renewable energy share, we need a total capacity requirement until 2040 of about 92 gigawatts, 80% of which will be renewable energy. Solar will provide greater share in terms of capacity addition followed by hydro and wind.
- e. Informed that we do have several policies, plans, and programs to be able to accelerate renewable energy. First, the Renewable Portfolio Standards that require electricity suppliers to source an agreed portion of their supply from eligible RE facilities. Second, the Green Energy Auction Program that sets the framework for the facilitation of immediate and timely investment for new and additional RE capacities to ensure provision of adequate supply under a competitive process. And third, the Green Energy Option Program that provides end-users the option to choose RE resources as their source of energy.
- f. Shared that in 2018, DOE initiated the Competitive Renewable Energy Zones (CREZ) that identified 25 strategic areas with high concentration of solar and wind resources throughout the country. 15,944 MW Solar and 18,692 MW wind potential capacities.
- g. Discussed the Republic Act 11286: Energy Efficiency and Conservation Act.
- h. Discussed the deployment of alternative fuels and technologies such as electric vehicles (EVs), hybrid electric vehicles (HEVs), and hydrogen fuel cells.
- i. Discussed Energy Resiliency Policies such as DC 2018-01-0001 and DC 2022-06-0028
- j. Stressed that moving towards energy transition, it is necessary to have system thinking that should involve interdisciplinary and cross-sectoral.

Corruption in the Artisanal and Small-scale Mining (ASM) sector

Matthieu Salomon

Acting Governance Programs Director, Natural Resource Governance Institute

- a. Shared that around 45 million people are engaged in ASM globally and around 120 to 150 million people depend indirectly from ASM.

- b. Presented the ASM main factors of informality: Geography; insufficient capacities of the state to regular, monitor and enforce rules; and poverty and lack of economic alternatives. These informalities feed corruption that materializes through smuggling, money laundering/IFF, rent-seeking collusion concealing.
- c. Shared that often, decisions to extract, licensing, and contracting, operations, and trade are the main cause of corruption.
- d. Summarized the risks factors and anticorruption approach in ASM.
- e. Recommended some possible anti corruption efforts: (i) Close cooperation between government actors and miners; (ii) Introduce Fair Trade Standards; (iii) Adding an outside radar to ASM.

Selection of Civil Society Organization (CSO) in the Multi-Partite Monitoring Team (MMT) and Provincial Mining and Regulatory Board (PMRB)

Forester Enjie Canete

Sr. Environmental Research Specialist, Mines and Geosciences Bureau 13

- a. Shared MMT ensures that the participation of the local communities are at the forefront because they are the one who are affected most.
- b. Gave background how the MMT and PMRB has been organized in Caraga Region. This region is the mining capital of the Philippines- home of 34 large-scale mining companies with full MMT.
- c. Enumerated environmental laws: (i) Republic Act 7942; (ii) DENR Administrative Order 2010-21; (iii) Presidential decree 1586; (iv) Presidential decree 705; (v) Republic Act. 6969; (vi) Republic Act 9003; Republic Act 8749; (vii) Republic Act 9275; (viii) DENR Administrative Order 2017-15; (ix) DENR Administrative Order 2018-18
- d. Shared that MMT is an independent entity whose membership represents primarily the stakeholders/public that is intended to assist the DENR in monitoring environmental impacts and compliance with the Philippine EIS System requirements and other environmental laws as a third-party entity to enhance participation and transparency.

IP wealth management framework

Atty. Geroncio Aguio

Director

Socio-Economic, National Commission on Indigenous Peoples

- a. Shared that Region 11 is working with Bantay Kita since 2018 in formulating an Indigenous Peoples wealth management framework.
- b. Shared that there are some issues on who owns the wealth and who will get what, questions on transparency and accountability of IP wealth management.
- c. Expressed their concerns regarding hundreds of millions in royalty payments from extractive and non-extractive industries with CPs and other income have flowed to

ancestral domains but this income stream has not led to fair redistribution and smart re-investments. He also shared that there is an urgent challenge to improve governance and management but, the NCIP needs to enhance its policy guidance and technical support first.

- d. Stressed that there is no wealth management plan and sustainable plan do not correlate with FPIC guidelines.
- e. Presented the proposed IP Wealth Management framework.

Environmental, Social and Governance initiative

Martin Antiono G. Zamora

President and CEO, Nickel Asia Corporation

- a. Shared the Environmental, Social and Governance initiative and sustainability journey of Nickel Asia Corporation that was launched in 2022 which is quite new for the mining industry.
- b. Shared that NAC also engaged ERM and Sustainalytics for the purpose of exploring a green bond for our RE subsidiary, Emerging Power Inc. (EPI). They also received an SPO from Sustainalytics giving its imprimatur on their green bond proposal.
- c. Enumerated the awards that NAC have been receiving for years, some of these are Titanium Award, Presidential Mineral Industry Award, First ASEAN Mineral award, and Platinum achievement award.
- d. Presented some of the Environmental, Social and Governance initiatives of NAC. They established a computer laboratory at a school in Bataraza, Palawan. They are also developing a significant renewable energy business.

BREAKOUT SESSION

Plenary presentation and discussion

Synthesis

Agustus Cesar A. Navarro

OIC Director

Financial Services, Department of the Energy

- Thanked all the presenters, speakers, and all the stakeholders present in the Consultative Constituency meeting.
- Summarized what was discussed in the event.

Closing Remarks

Hon. Governor Dakila Carlo E. Cua

Governor, Province of Quirino

National President, Union of Local Authorities of the Philippines

- Congratulated PH-EITI for the success of the Consultative Constituency Meeting during the Extractive Transparency Week 2023.
- Shared that the significant progress of PH-EITI has led to determine important policies that would utilize the potential of extractive industries in terms of revenue collection, etc.
- Enumerated the presented topics from the event such as beneficial ownership transparency, transfer pricing, extractives integrity, energy transition, and civic engagement.
- Shared that priority issues that were identified and organized to actionable recommendations are important to all stakeholders .
- Thanked all the stakeholders who attended the event.



Women Leaders Forum

7 NOVEMBER 2022

EVENT DOCUMENTATION



Women Leaders Forum
November 7, 2022 | 12:00 nn to 4:00 pm
Marco Polo Ortigas Manila

Overview

The importance of extractives is seen through employment generation, taxes and foreign exchange earnings, and contribution to local economic development². Considerably, it also uncovers deep and broad economic, social and environmental impacts³. These impacts are intrinsically spatial and are experienced differently across various sectors of the extractive host and neighboring communities. Interest to examine and trace the benefits from the extractive industries had received wider attention, putting the issue of gender in the extractives at the very margin⁴.

The EITI refined Standards in 2019 included provisions that encourage implementing countries to include elements of gender and other social aspects in the report⁵. Parallel to this, the PH-EITI published a scoping study on Women & Large-scale Mining in the Philippines⁶ that examined and unveiled the factors by which women are differentially impacted by mining, including their participation in mining activities, the position they occupied in the mining-related job, their involvement in the decision-making process, their livelihood outside the mining sector, and how it is challenged by the extraction activities. The study also concluded that gender principles are nowhere to be found in the provision of laws and regulations related to extractives.

Recognizing the importance of multi stakeholder dialogue in strengthening women's participation in extractives initiatives, particularly at the subnational level, PH-EITI works with Bayi Inc.⁷, a non-profit organization that works to contribute to the full meaningful participation

² Godio, M.C. (2012). Transforming Extractive Industries in the Philippines: Locating Spaces for People's Participation in Mining Policies. United Nation Research Institute for Social Development. <https://www.unrisd.org/en/library/blog-posts/transforming-extractive-industries-in-the-philippines-locating-spaces-for-peoples-participation-in-m>

³ Eftimie, A., Heller, K., & Strongman, J. August, 2009. Mainstreaming Gender into Extractive Industries Projects. The World Bank. Extractive Industries and Development Series # 9. <https://openknowledge.worldbank.org/bitstream/handle/10986/18235/511150NWPOextr10Box342018B01PUBLIC1.pdf?sequence=1&isAllowed=y>

⁴ Lahiri-Dutt, K. (2022). New directions in research on women and gender in extractive industries. *The Extractive Industries and Society*. Vol 9. pp. 1-9

⁵ Rogan, D. (2016). Improved Standards for improve sector governance. Extractive Industries Transparency Initiatives. <https://eiti.org/blog-post/improved-standard-improved-sector-governance>

⁶ Ursua, E.G., Baquirin, A. M. V., Real, M. J. N., & Villalba, M. A. (2019). Women & Large-scale Mining in the Philippines: A Scoping Study

⁷ <https://angatbayi.com/home-page/our-story>

of women in decision-making **in all spaces**: home, community, educational institutions, work places, media, public sector, and regional/ international formations.

The partnership will take off with the women leaders forum through an exchange of perspectives on building the capacity of women to reshape initiatives in extractives and natural resources governance. The key messages in the exchange will be shared with other stakeholders in the PH-EITI National Conference.

The highlight of the forum is a mentoring session with its first global mentor, Former Prime Minister Helen Clark, on the role of subnational women leaders on resource management governance and furthering Open Government Partnership (OGP).

Objectives

The Women Leaders Forum aimed to enable the participants to:

- a. Define the concept of women empowerment in natural resource management from the perspective of the subnational women leaders;
- b. Articulate comments on the framework for a gender-principled initiatives in natural resources governance;
- c. List key roles of women leaders for furthering open government partnership at the subnational level; and
- d. Identify areas for collaboration between PH-EITI, Bayi Inc., and other resource governance advocate women groups.

Participants

PH-EITI and Angat Bayi convenes women local chief executives from local government units that host extractive operations to discuss opportunities for subnational EITI implementation and strengthening gender inclusion in the extractives. A total of 42 participated in the Women Leaders Forum, 6 are presenters and discussants, 2 are from national agencies, 24 are from local government units, 1 from industry sector, 1 from EITI international and 8 are Organizers of the event. Most attendees came from LGUs, which were the main target participants. We also exceeded the target number of attendees which is 30 participants.

Highlights of the event

The Women Leaders Forum was moderated by Dr. Natalie Africa-Verceles, the Executive Director of Bayi, Inc.

Overview of the Program

Ms. Mary Jane I. Baldago

Managing Specialist for Stakeholder Engagement, PH-EITI

- a. Shared that the Women Leaders Forum was conceptualized because PH-EITI seeks alliance with like-minded institutions like Bayi Inc. to expand the space for women to voice their perspectives in the realm of resource governance, and it is an opportunity for women leaders to hear the Right Hon. Helen Clark's journey as a leader in a male-dominated industry which is the extractives.
- b. Shared the objectives of the Women Leaders Forum.
- c. Informed the attendees that the forum is divided into two segments. First, a series of talks on extractives and the significance of integrating gender principles to ensure empowerment and sustained efforts, and second, a talk with the EITI Chair, the Right Honorable Helen Clark on her journey as a leader in a male dominated industry, and how open government approaches can foster transparent governance of resources.
- d. Shared the flow of the program.

Introduction

Ms. Maya Tamayo

Executive Director, Bayi Inc.

- a. Greeted the Angat Bayi fellows and expressed thanks to the feminist and women leaders present, Usec. Cielo Magno, Usec. Goddess Hope Libiran of the Department of Budget and Management, DOF Assistant Secretary Valery Joy Biron, Prof. Ladylyn Mangada, VP of Diwata Women in Resource Development, Inc. Eleanor Layug. Sisters from the academe, CSOs, and government agencies, the Philippine Commission on Women, DBM, DOF, Mines and Geosciences Bureau GAD FPS, Pilipina Inc- Benguet Chapter, and UP Tacloban.
- b. Requested Councilor Kyla to teach the participants the improved Angat Bayi cheer.
- c. Introduced Angat Bayi, the video was shown https://youtu.be/4m18gl2ar_I, highlights were: "After years of implementing the program, we realized that working closely with our AB fellows in their journey as feminist leaders meant seeing the problems of their own localities and creating solutions with them";
 - Transforming Women Leadership;
 - Sisterhood, solidarity, and AB's dream to achieve gender justice;
 - Ready to answer age-old issues with gender-transformative solutions
 - AB development is owed to the brilliant minds of the women leaders involved ← in eagerness to change communities → collaborative gender processes
 - The beauty of the program is the hands-on knowledge that would be continuously passed on and systemically integrated by the fellows into and by others in their purview = effecting change through the passage of ordinances and creation of flagship programs that empower women

Gender Talks

Speaker 1: Prof. Ladylyn Mangada

Speaker 2: Eleanor Layug

Speaker 3: Usec. Goddess Hope Libiran

The resource persons for this series of talks are

1. Prof. Ladylyn Mangada, UP Visayas, Tacloban, PH-EITI MSG member and Chair of the PH-EITI TWG on Gender
2. Ms. Eleanor Layug, Vice-President, Diwata: Women in Resource Development and Senior Partner, SGV
3. Undersecretary Goddess Hope Libiran, Department of Budget and Management

Dr. Verceles: (As an introduction to the TWG on Gender, she asked the participants if they are aware that among the TWGs in PH-EITI, the TWG on Gender⁸ is the busiest. Having various initiatives that promote the integration of gender principles in mining rules and policies. She asked the Chair of the TWG on Gender, Professor Ladylyn Mangada). You also have a framework now that ensures that all women's voices are heard in the extractive space. Share the highlights of the GIP or the Gender in Extractives Program of PH-EITI, as well as the gender in sustainability in the extractives framework.

Prof. Ladylyn Mangada: Presented the context and background of the TWG on Gender. PH-EITI adheres to certain standards set by the EITI board. It is like being in school, there are requirements to be able to pass or maintain EITI. Evaluation every 3 years in accordance with the standards

Gender is a new requirement in the standard. The requirements are classified as:

- **Requirement 1.4 - member countries should have adequate.** Adequate representation in the MSG; balance on the representation; Keep gender balance in mind.
- **Requirement 6.3 - contribute to the economy.** The Philippines must provide data in order for the women's impound stamps to help the extractive industries

⁸ Ms. Andrea Samson - rbagacay@finance.gov.ph (synthesize Asec. Val speech) final speaker
jbesmonte@finance.gov.ph - tech person

- **Requirement 7.1 - inclusion in public debate.** The data should be easy to get, accessible, and comprehensible, people are able to understand and use these data in debates/discussions.
- **Requirement 7.4 - extensive documentation looking into gender activities in extractive industries.** The need for industries to bring more women involvement especially in male-dominated fields (equal opportunity = increasing women participation through developmental programs)

On Gender and Sustainability in the Extractives Framework

- Locally, there is no gender framework that can guide the gender activities in extractive industries
- If results management approach w/ 2 guiding principles:
 - One end for the industry and the other end for women
- Industries should provide equal opportunities for women in the extractives
- Women express concerns issues natural resource governance-related (ex. Mining, etc..) = genderized ordinances
- Helps to capacitate more women on the ground
- Ground workers will enjoy the fruits of their decisions
- Rather than “equal”, “equitable” is proper

Dr. Verceles:

Ms. Len Layug, share to us how the gender principles were concretize and practice at the community level, into your complete programs but before that, tell something about DIWATA.

Eleanor Layug:

Shared that DIWATA was established in 2012, as support or advocate for the responsible development of the Ph’s wealth and resources through extraction and processing;

- mining, lifting oils and gas, and processing of these raw resources
- Tanging Tanglaw (2014): the flagship of DIWATA
- Collaboration between and among several partners (DIWATA + others)
- Solar Training Candidates: Aeta Community where lolas are the targets
- Remote communities in Bambang, Tarlac
- The project aims to empower specifically Aeta women (Low-income indigenous older women: vulnerabilities are defined) to help the community
- Online shopping: solar lamps sold for cheap despite thousands of pesos spent making it
- Imperfect but a good start [to empowering these women]
- Vulnerabilities were targeted based on their identities
- How can we patronize? It's solely for the community, not commercial

Dr. Verceles:

Help us understand the role that open government partnership plays in transforming leaders and communities.

USec Libiran:

Shared that OGP aims to harness citizen partnership and participation in nation-building particularly in good governance and transparency;

- OGP champions work to make the government more accountable, responsive, and felt;
- Eventually create a community of champions from govt and NGO organizations to strengthen the PH OGP;
- *There is strong support from Sec. Pangandaman*, who happens to be the lone Muslim and woman member of the country's economic team, and the first female lead minister of the OGP in the Philippines;
- She has underscored achieving bureaucratic efficiency and transparency, and OGP helps in advancing her vision;
- Trust must always be in any relationship hence transparency; leadership without trust and transparency is doomed to fail;
- The DBM (Department of Budget and Management) and DOF (Department of Finance) came up with a Joint Circular No.2016-1 on January 4, 2021 which design and implementation of LME system for the allocations to LGUs;
- The Department (DBM) maintains and releases updated status on the release of funds of LGUs in the DBM portal;
- The 2022 WEF shows that more women in the Philippines are being hired in leadership roles—⁵/₈ DBM undersecretaries are women.
- Despite the successful policies that uphold women's rights, there are still gaps that OGP must tackle:
 - Gender mainstreaming and inclusion indicators are integrated into the 5th PH-OGP national action plan commitments to ensure gender responsive and inclusive implementation of commitment activities. It aims to ensure the representation of women in other vulnerable sectors in conducting engagements with stakeholders esp in NGOs.
 - Research of feminist open government in the Philippines ← Commitment workshop by DBM attended by 26 women's rights organizations.
 - Research put emphasis on the succeeding action plans on the country to engage more women's rights orgs and gender experts in the process to consider the findings of the research in conducting the action plan, the 6th PH OGP National Action Plan.
 - Opportunity for the Philippines to advance gender focus commitments.
- Trust towards digital transformation will ensure that gender will be included in the discussions to not perpetuate qualities and discriminatory inputs to policies.
- DBM believes that "closing the gender gap is key to a nation's progress".

Dr. Verceles: For Prof. Deyen. From the data gathered by the PH-EITI, can you inform us if there's a strong indication of women empowerment among the employees in the extractive companies, if not, what are the gaps and what contributes to these gaps?

Prof. Ladylyn: The data shows unequal employment opportunities in the extractive industries. We see extractive industries solely for males and women are being hired for not-so-technical positions. Lack of gender officers in many companies (gap).

Dr. Verceles: For Len Layug. What lessons have you drawn from working with the older indigenous women community? What are the drivers or facilitating factors that can amplify their voices and participation?

Eleanor Layug: The Patriarchal community there admittedly made it difficult to introduce some changes so the approach should be deliberate.

- Respect for cultural dynamics must still be intact.
- Despite the challenges, if you are sincere in helping then everything can be achieved, just put your heart into all your efforts and share.
- The women are slowly becoming vocal because of all the community building efforts by Tanglaw.

Open Forum

1. These partnerships, open government, if we have to apply to the LGUs, what particular programs/activities can be introduced? There are problems in our LGUs like whenever we ask for data, the governor will have to approve it otherwise the heads of the departments will provide us the data. There is a law about data-keeping but he has his own process of keeping the documents from us.

USec Libiran: Freedom of information as long as you submit the necessary documents/requirements then they should be transparent enough to provide documents to you.

Prof. Mangada: Civil Society Organizations help desk - any person whether they come from LGUs or private sectors, if they have concerns, suggestions, petitions against any official from the govt., they can launch there and the secretariat and even the community members will help address.

USec Libiran: Fiscal planning of DBM allows to learn more on PH OGP and help empower the community to work for building a bigger coalition.

2. How can we elevate more women leaders in our extractive company? At the moment, 20% of our workforce are women, out of the 17 managers, 7 are women but there is no data or reference to say whether the ratio of women is enough. What is our best indicator?

Prof. Mangada: “Maganda na ang numero niyo, but we should aim for the desirable number, if kaya natin ng 50% (more women) why not?”.

Ms. Layug: Start with the formation of a women’s group, attend seminars and orientations then branch out to capacitate the women in the company. *Outside forces being integrated helps generate more women's participation.*

Prof. Mangada: Public speaking workshops, how to negotiate conflict management, discuss different ideas and strategies.

3. For DIWATA, are you just committed to working in communities that’s being affected if there’s an existing mining by companies

Ms. Layug: Members of DIWATA came from the sector and some came from the academe, some have taken courses in geology, engineering, and in the legal professions but DIWATA projects are not located in the mining community.

4. You want online platforms accessible even to stakeholders– does it also include laws and mining-related policies?

Prof. Mangada: The PH-EITI ORE Tool or Online Reporting in Extractives include mining information, contracts, and resource prices, available at pheiti website. Numbers are presented and extensive documentation.

Short message

Usec. Cielo Magno

Undersecretary, Fiscal Policy and Monitoring Group
Chair and Focal Person, PH-EITI

- Talks about gender mainstreaming as part of the EITI Standards.
- Gender has been included since the first EITI report which the Philippines is proud of, as it was done even before the EITI International board included gender in the requirements.
- “The Philippines has been a star” in the gender-responsive narrative in EITI. “We want to include gender activities in the EITI and not just complying to the minimum requirements, but to make it relevant to the country”.
- What PH- does for gender, is just a disclosure of how many women are working in the extractive sector”.

- On the earlier question “When do we say we have enough?”. Gender should not be reduced to statistics, it is not just about numbers but creating opportunities and evaluating the impacts.
- The gender efforts that are not seen in the data are those seen through collaboration.
- Gender will not be presented as mere case studies, not as extraordinary stories, but the main narrative that this is what we are doing, this is what gender mainstreaming in the extractive sector is in the Philippines.
- Challenged everyone to do more about gender mainstreaming

The role of women leaders in resource governance and fostering open government

Partnership

Rt. Hon. Helen Clark

Chairperson, EITI

Former Prime Minister, New Zealand

Greeting Remarks

- Expressed her joy to be back in the country as It’s her 7th official visit to the Philippines and to come as the board chair of EITI.
- Words for EITI’s work with and for women, looking at the gendered dimensions of mining and what can be done around women’s full participation in the extractive industry governments space.

Inputs

- First principles: *More women in leadership anywhere on any subject is a good thing but the extractives sector is one where we haven’t traditionally seen a lot of women involved*
- “Needs to change; more women are necessitated in the extractives; because there are important decisions being made on who can extract resources, on what terms they can do it, where do revenues from extractors go, and how mineral wealth can be used for good purposes or for bad. So women leaders in this sector as in all sectors have the potential to influence success in the governments, in this case, it's the extractive sectors and to shape government commitment, influence, and draw annexes to information to encourage public debate.”
- “EITI processes a lot of information which is very important for societies to have to understand what’s happening in the extractive sector in the country, having said that women involved are not just a good thing, it's essential. We have to acknowledge that there are a lot of structural barriers that always stay in the way of women fully participating and benefitting from this sector and addressing those barriers was behind EITI deciding that it would add to the EITI standard

which is like a conventional treaty implemented by countries like the PH to revise, to give attention to gender issues, and so the standard now includes provisions to promote diverse participation of all the stakeholder groups; All the stakeholder groups don't have very many women, we want to propose women to be much higher globally in these groups which lead the implementation of EITI in the country level. We promote through the standard gender-sensitive dialogue disclosures and outreach and dissemination activities to foster more dialogue and accessibility to data for women and we have to strengthen the gender provisions on this standard when it is revised next year.”

- d. “What we understand about the Philippines is that only about 12% of the mining sector workforce is female and that fewer women are occupying positions in leadership—this is an important starting point for debate and we thank EITI and the stakeholder groups here in the PH for its work to use this kind of data to foster more inclusivity in the sector.”
- e. “What is also highly possible is that as the PH goes into an energy transition for climate action = with the energy transition comes more sustainable energy and what we have seen internationally is that the rise in renewable energy production leads to improvement in the gender balance in the energy sector”
- f. “In the energy sector, 32% of jobs probably in renewables are women → In renewables have more potential for women’s involvement”
- g. “EITI now requires extractive industry companies to disclose the gendered disaggregated employment data to make much more aware of what gendered roles in employment business and we should ask the same for renewable energy companies, we have just amended the EITI Articles of Association to allow us to cover energy companies board not just extractives so that will lead to us being able to hopefully bring in members from such companies and employ standards.”
- h. “I think it’s really important to have this focus on gender for so many reasons; equal participation of women in decision-making is a good thing but also when we think of extractives and we think of impacts on communities, we think of the poorest communities where women and girls bear the main burden of collecting water and what are minings coming in the community in a way which destroys the water supply, what does that do to the lives and the burden of women and girls in these communities”
- i. “We can come up with many examples but We have to put a gender lens in tackling these issues.”

Open Forum

1. *Describe your personal leadership journey, how did you manage to assert your ideas in a room that's usually full of men?*

"In the last week or two, the New Zealand parliament has actually achieved gender equality, 50% women and 50% men. When I was in the NZ parliament, I was one of 8 women out of 92 members of the parliament. That was 9% and that was in 1981, 40 years ago so you can see a lot has changed in 40 years and this changed because of the persistent efforts of women to break into the system...but the story for me goes back much further and I think, I had a bit of luck, my bit of luck was to be born into a family with no brothers and I was born into a farming family and my observation of when I grew up in the 1950s, 60s in New Zealand was if there were boys in the family, they did get favoured. They were the ones who were gonna take over the farm, the girls were not as important, but my father had no sons, only 4 daughters, so my parents invested all their hopes and aspirations in their daughters, and because I've never had boys in the family, it never occurred to me that girls would not be treated well and then I was sent to an all-girls school for my secondary education so again, no boys getting in the way of life, of girls aspirations and then I went onto university from school and girls would go into university in the same number as boys when I went."

"What I've begun to become aware of then was that in all the university staff, there were hardly any women teachers. You see, I come out of an all-girls high school where all teachers were female so I thought this was very strange to me, and then when I began to get involved in politics, there were not many women and this was very strange because it never occurred to me there'd be a barrier in my life because my background was my parents doing everything to support their daughters being in the all-female environment." they fostered an environment that's all-female "then it was clear I thought everyone thought that way. So I think, in a way, it was good to go into that having come from a background where there are no barriers because they couldn't accept barriers and I say to a woman who strives to break down these barriers in their own careers and journeys, I say, so don't expect anyone to open the door for you, you're gonna have to knock it down. Don't expect anyone to put out the red carpet, you're gonna have to roll it out yourself because people who have power aren't usually willing to give it up and men have a lot of power, and women who are coming in can be very threatening and you'll find that even in countries like in New Zealand which there are very high levels of gender equality, prominent women are still targeted in a very sexist and misogynist way."

"In a way, it's even worse than when I was there because, with social media, the trolls and the haters have a lot more possibility to parade their immoral views so it's been kind of an interesting journey for me. I went into power when I was 31 years old as one of the 9%. No one had any expectations that I would achieve anything much.

Because only 3 women had ever led the ministers (?)

"..and to go from there to New Zealand having had 3 woman prime ministers [are now 50% gender equity], it's been a battle that's been won by women. Of course, bringing men in support

of the journey because they are 50% of the population they have to, if they're all going to close, you are not going to get far. but this one being prepared to stand up and take it on this supported by other women and their families and colleagues to get there"

"It wasn't easy, there's a lot of gender criticism at every level, but you just have to stick with it believing its the right thing to do. Your place is at that table, and when you sit in the chair at that table, that got your name on, you go out there..."

"You have as much right to be there as anyone else"

Dr. Verceles quickly summarised the main points. In her time, women are undermined more than men and in the academe, she noticed that there were few female educators. The gender situation motivates her and others to work their way through the inequalities. It was not easy but you have to power through because "you have the right to be there as much as everybody else".

2. *Question from Mayor Trina: We've talked about the status of women within the extractive industry sector, this comes from the perspective of the community or the local government, What would be your advice for women in communities who have issues about mining in their area, but have leaders who are not responsive to the people's sentiments and or who don't want to be perceived as going against the national government?*

"Firstly, in my opinion, there are areas where these should never be mined. In my country, if some are to mine a national park, there will be an outrage. The national park, the conservation park, wilderness area, or scenic reserve...off limits. There are areas which shouldn't be touched."

"Secondly, there are communities who say of course we'd like more income. But what's the downside here? What is mining going to mean for us? Is it going to mean that we'll lose our natural resources or lose our fishing ground or lose our fresh water? Will it take away the forests which provide so many things for us from food, to stopping landslides, etc. So there is a lot of legitimate questions that communities have to write and I think your question incorporates the point about what about people or community leaders who have been bought off by mining companies, I mean this happens right, and it's corruption, and it's wrong, and should be exposed. and it's also not unknown for companies to support and be like sham community organisations because who don't really speak for the community.

Going back to basics, what communities need is full information about what's proposed, they need to know the environmental and social standards are going to have a full impact because if concerns are too serious, they can't be mitigated, and then mining shouldn't proceed. But if concerns can be mitigated and there's an overall benefit, then the community will look at it seriously.

So the key thing to me is communities have information that rigorous environmental and social government responses are enforced and that there's clear one or two community development and opportunities, and that packages it there when you have enormous opposition to mining.

One of the things I've been speaking of over the last week is new research from the extractive industry transparency initiative commission from the University of Queensland which looks at the risks the governments with the energy-transition. The Philippines has deposits of a number of key minerals of the energy transition, you have cobalt, nickel, and copper, and the world's going to need a lot more; other countries would have those or a range of other important minerals." As the demand grows, it is accompanied by risks (full social and environmental impacts considerations not being accommodated or they're not being pulled [with] consultation with communities, of being backhanded corruption)

So there are risks and I think you know the EITI process in the PH is very well aware of this and I can only wish Cielo and a the multi stakeholder group all the strength as they monitor what happens as energy transition accelerates and Philippines has more opportunity to extract more of the strategic minerals but hopefully always protecting the interests of communities as this happens.

As renewable energy is slowly upheaving, the Ph has many opportunities to extract these natural resources but "hopefully all of us protect the interests of communities as this happens"

3. *How do we ensure that communities can participate in decision-making processes, especially the marginalized groups?*

The consciousness that standards must be seen to be applied where communities face the prospect of mining.

There are also opportunities for the multi-stakeholder group on how to support the most marginalized groups.

In the local context challenge might be the best personal question, but my understanding is of course the multi stakeholder group which is formed here in the middle has good representation from civil society as opposed to companies as opposed to form of government and in a sense I was thinking of the reaction and the expectations in line with the EITI's requirements for how these things should be done. The Philippines is judged if you like technical terms, but this judgement against health needs these provisions of the standard and that it doesn't get done particularly with civil society engagement then they have very serious consequences for example with suspension from the initiative which is embarrassing for the Philippines to decide the least.

Now we're also conscious that these standards need to be seen to be applied right down to the local level, where a community is facing the prospect of mine and and I understand that there

are mechanisms in the Philippines to deal with issues that that role and make some countries which are sort of more federal and have similar to the Philippines have simple multi stakeholder groups operating at lower levels of government national levels but the Philippines structures are different from that but from what I understand there are opportunities, and I think for the multistakeholder group and it would be particularly conscious of how to support the most marginalized, because the most marginalised will most likely be the problem over in in the process as so you know we can't assume that people have information or launch even about what's happening sometimes things will happen too fast for it to be digested by the community to know what is really going on and of course you know if this isn't done well it's the cause of significant social conflict which ends up being everybody.

4. *During your term as PM of NZ (1999-2008), your vision then was to make NZ an ecologically sustainable nation describing this as "essential to New Zealand's unique national identity". In reference to this, what was your greatest challenge in terms of ensuring ecological sustainability, and very importantly, how did you manage to balance conflicting interests and values of various actors (government, investors, business, and community) to achieve this vision?*

In NZ, GHG 50% is produced by farmers, when she was PM, the most difficult thing was the farming community.

Dissemination of information helps identify the issues and detect the need to tend to these issues.

In New Zealand, the greenhouse gas emission profile is 50% generated by farmers, particularly from animals, and micro oxide, **now the emissions from animals are not (?)**. It's not a quick fix right you have to change the animal dyes and physiology and research. It is also that, and the application of fertilizers and formalizing ... and it's also associated with farming which goes beyond grass fit and farming.

The President's party is trying again, it will be a huge election issue. I found one large issue with other sectors that has to be changed, and what they most want for the government is some sort of predictability and certainty about this particular challenge. They might need to know what is going to happen so they can then factor in what they have to do, and that's the way that schools not only Zealand's public. The main obstacle was investors' interest fighting to the last minute trying to protect the sector.

Recognition of Rt. Hon. Helen Clark as Angat Bayi mentor

Bayi Inc. presented the Certificate of Recognition to the Right Hon. Helen Clark as the first

Angat Bayi Global Mentor.

Bayi Inc. also presented other items and explained what they meant.

1. The Angat BAYI Pin

Angat Bayi Logo Meaning

- The main graphic at the middle of the logo represents every woman. Her fists up, she is strong and ready to accomplish anything. Her fist breaks through the glass ceiling, showing that there are no limits for her and what she can do. The fist also symbolizes, smashing of power relations that discriminate, exploit, marginalize, oppress, and subordinate.
- The two woman silhouettes behind her represent that all women are connected and recognizes the importance of people having a voice in decision-making with the belief of their power to locate their own appropriate solutions. They also represent the organization (and other women) ready to back up and support other women. The Angat Bayi leadership ensures that no one is left behind. Empowerment means empowerment of the whole community not just select individuals or leaders. The Angat Bayi brand of leadership is evident when our strength serves to lift each other up and our power is committed to enable the disempowered.

2. Weaved Coat

- In dream interpretation, a coat suggests warmth and love, and protection. This protection can be either physical or emotional. Bayi Fellows hereby present this Inabel Coat to Angat Bayi Global Mentor Helen Clark representing the Angat Bayi solidarity and sisterhood that we Angat Bayi family offers to kindred spirits and fellow feminist leaders.
- We would like to thank Candon City Joanne Valdez for connecting us with women weavers of Ilocos Sur thru Amian. Amian's aims to uplift the weaving community and to promote their locally produced INABEL fabrics. These fabrics are native to the Ilocos Region in the Philippine Islands. They are distinct in that it showcases the rich history of Ilocos Culture. Woven into these intricately made handicrafts are the hopes and dreams of many generations of people.
- INABEL fabric is made from pure cotton yarns, locally known as "sagut." It is intricately designed unto the woven fabric. Local women artisan has been handcrafting INABEL for many generations. It's history dates back to the beginnings of the Spanish colonization of the Philippines in the 1500s. The word INABEL originated from the term of "Panagabel", which means "to weave." INABEL is a cultural jewel produced by a formidable and challenging technique. It usually takes a lot of time to finish one full yard of each Inabel fabric.

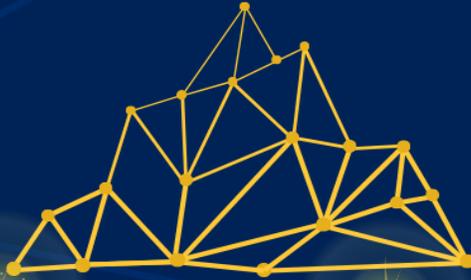
- Through the eccentricities of the modern times, the archaic INABEL livelihood is in slow decline. This has affected many families. The craft that has been passed down from their forefathers is in danger of extinction. Amidst this current pandemic and economic plunge, Amían aims to help even in preserving this beautiful heirloom tradition by actively promoting the craft, introducing its products to an array of markets all over the world.

Synthesis and Closing Remarks

Atty. Valery Joy Brion

Assistant Secretary, Domestic Finance Group

Alternate Focal Person and Chair, PH-EITI



FORGE PH

PH-EITI NATIONAL CONFERENCE

8 November 2022 | 9:00 AM - 4:00 PM
Centennial Hall, The Manila Hotel

EVENT DOCUMENTATION

FORGE PH: The 2022 PH-EITI National Conference
November 9, 2022 | 9:00 am to 4:00 pm
The Manila Hotel

Overview

FORGE PH served as a venue for stakeholders to openly articulate viewpoints on issues and concerns affecting the extractives and natural resource governance. EITI Chair and former New Zealand Prime Minister Rt. Hon. Helen Clark graced the conference as the keynote speaker. Senator Joel Villanueva also attended and led the stakeholders recommitment ceremony, which is a ceremonial pledge of recommitment to the pursuit of transparency and accountability in the extractive industries through the PH-EITI. The PH-EITI also presented the key findings of the FY2020 country report to extractive industries stakeholders. During the conference, stakeholders co-created recommendations to address priority issues in the extractives sector.

Objectives

FORGE PH aimed to enable the participants to:

- a. Articulate viewpoints on issues and concerns affecting the extractives and natural resource governance.
- b. Co-create actionable recommendations to ensure that priority extractive industries issues are monitored and acted upon.

Participants

A total of 445 participated in the FORGE PH: The 2022 PH-EITI National Conference. 266 people attended in person, 45 via Zoom, and 174 via Facebook Live. Only those who attended in person can be identified and categorized. Of the 266 in person participants, 18 are presenters and discussants, 63 are from national government agencies, 56 are from local government agencies, 32 are from the industry sector, 24 are members of the civil society, 2 are from academe, 1 from media and 22 are the event facilitators.

Sector	In person	Zoom	FB live
Presenters and Discussants	18	-	
Civil Society Organization	24	2	
National Government Agency	63	10	
Local Government Unit	56	3	
Industry	32	25	
<ul style="list-style-type: none"> ● Metallic mines 	25	7	

● Non-metallic mines	2	13	
● Oil and gas	2	5	
● Others	3	-	
Academe	2	-	
Development partners	4	-	
International Org	4	-	
Media	1	-	
Organizers	22	5	
Total	226	45	174

Highlights of the events

Welcome remarks

Hon. Benjamin E. Diokno

Secretary, Department of Finance

- Explained that FORGE PH is the annual assembly of the extractive sector that updates stakeholders on progress in achieving greater transparency and accountability in the extractive industries. This year, the national conference focused on how the PH-EITI can respond to concerns on climate change and energy transition, which is in line with the initiative to incorporate sustainability concerns in the global reporting standard.
- Cited the importance of improving the inclusive and data-informed management of the extractive industries in driving long-term economic expansion as he cited its PHP 363-billion contribution to government revenues from 2012 to 2019.
- Said that the Marcos administration is banking on the potential of the extractive sector to drive long-term economic expansion, the inclusive and data-informed governance of the extractive industries becomes more critical than ever.
- Advocated the PH-EITI as a platform for data transparency and multi-stakeholder participation in extractives governance and called on our participants to actively and constructively engage one another and develop concrete actions to improve the management of this very important sector.
- Said that the government will take necessary steps to strengthen and broaden the space for inclusive multi-sectoral engagement. As such, local government capacity to govern extractive activities, specifically small-scale mining sectors, will be improved through the

subnational implementation of EITI. Moreover, the EITI platform will be used to ensure equitable government revenue share from resource utilization, which is demonstrated in PH-EITI's contribution to the crafting of a new fiscal regime for mining.

- Shared that EITI data will be utilized to inform the public and stakeholders of initiatives towards climate change mitigation and adaptation, and the transition to low-carbon energy. With this, Secretary Diokno urged stakeholders to continue using PH-EITI data in their research work and policy advocacy.
- Acknowledged the work that PH-EITI has been doing for the last 10 years. He reiterated that the Philippines will commit to making implementation more inclusive, more meaningful, and responsive to the needs of the stakeholders.

Opening message

H.E. MaryKay Carlson

US Ambassador to the Philippines

- Believed that transparency and engagement are crucial for improving governance in the extracted industry sector worldwide. The EITI's global transparency campaign is significant for several reasons. First, EITI is a platform that government citizens increase accountability in the management of natural resources. Second, EITI restores and strengthens trust among key stakeholders including government, businesses, civil societies, and local communities. Third, EITI helps mitigate practices that are outside the norms of good governance by aligning goals among industry players. Finally, the EITI approach enables the government to collect the right amount of revenues and they help ensure that profits reach the broadest segment of beneficiaries.
- Praised Sec. Diokno's commitment and decision to rejoin the EITI. That is encouraging news in the industry. She recognized the achievement of the PH-EITI in 2017 as the first country to meet requirements of the 2016 EITI standard. It showed that good policy plus strong leadership equals achievements and milestones.
- Emphasized the commitment of the US government in supporting initiatives towards better resource management. She noted how the Philippines and the USAID had been working closely to build the capacity of local governments in implementing the EITI standard at the local level. USAID programs enabled local governments to fully participate in policy dialogues on issues affecting their lives and ancestral lands, and the partner of the government in society to manage standards in and our collaboration helps develop and the environmental sustainability and preserve biodiversity align. It also builds capacity to ensure transparency and revenue, flood soils and the use of social development expenditures, derive and extract the amount of activities. The US Embassy also helps mobilize the private sector to the EITI initiatives and the steps required to implement the EITI that attract foreign direct investments and the EITI is crucial to extract industry's growth, including development of extractive value chains. With a good

government regime of the extractive sector, the Philippines will be able to attract new investments. The generated data can help inform the development of strategic investments, enabling local communities to engage directly in the economic activities to improve their life

- Stressed that accountability and meaningful participation will help the government become more open, engaging, effective, and responsive to the needs of all citizens. Amb. Carlson applauded PH commitment to transparency, accountability in natural resource governance.

Introduction of Keynote Speaker

Atty. Francis Ballesteros

Head of Public and Regulatory Affairs, Philex Mining Corporation

Keynote speech

Right Hon. Helen Clark

Chairperson, Extractive Industries Transparency Initiative

Former Prime Minister, New Zealand

- Hoped that the Philippines will continue to be an innovative and a leader on EITI implementation, particularly as its multi-stakeholder group now begins those conversations around energy transition, so critical for Philippians around beneficial ownership and anti corruption work. She noted how the MSG demonstrated significant progress in these areas.
- Shared that the Philippines is one of the most vulnerable countries in the world to climate change. You need the world to have an energy transition and if at the same time, the Philippines shows its own commitment to just energy transition, has very good governance around the extraction of the strategic minerals, that's the spirit needed to be cultivated.
- Shared that the process is underway for economic recovery and in ensuring adjusted energy transition. She expressed confidence with the level of contact capacity here in the Philippines around the processes that can really make a new contribution that the government's support the agenda to set opportunities for EITI to create a space for meaningful consultation and in governance around just energy training transition. Just transition means a lot of stakeholder engagement and looking at what other possibilities for people, communities as being the future.
- Noted the PH government targets on energy increase: 35% of the energy mix renewable by 2030 and 50% by 2040. It is looking to achieve a 12% production in its greenhouses solutions in its nationally determined contribution. These targets will require engagement and meaningful consultations, communities, and a lot of awareness raising on the potential social and economic impact of the transition.

- Shared that at the subnational level, the EITI live data can inform communities on the potential impact of decarbonization on the local economies. She also noted that as countries transition to a greener economy, there are opportunities for the Philippines to be a big player globally in the electric vehicle and battery supply chains due to this vast resource.
- Stressed that any critical minerals you have to put the largest reserves of in the world, and maybe the second largest producers globally, you have potential reproducers from that. However, as seen in other countries, opportunities for boom come with government risks. There is a need to assess the risks that come when speeding up the transition demand to fast track license approvals, which go through necessarily boost.
- Shared that there may be side contracts, there may be expedited negotiations, social environmental obligations, which don't probably have been take into account the needs of communities. The EITI standard can provide the tools to address those risks. There are ongoing disclosures that beneficial ownership of companies could help identify corruption risks as Philippians brings more investment in the mining sector, contract transparency, and environmental reporting through EITI, citizens can monitor contractual terms for account purposes.
- Recognized PH participation in the open extract program and how it could complement ongoing forms of things on beneficial ownership and corruption litigation. She encouraged the multi stakeholder group to keep playing a role in addressing these issues as your country faces a potential era of mining boom as a result of the energy transition.
- Shared that domestic resource mobilization capacity is one the highlights of the 2019 EITI Standard. It outlined more ambitious and detailed disclosures to strengthen the relevance of EITI data. The requirements can help ensure that the extract, the revenues are maximized, the public benefit.
- Touched on the recent result of the PH Validation. She acknowledged the success of the PH EITI implantation and highlighted areas for improvement particularly in beneficial ownership reporting, stakeholder engagement, licensing and subnational payments
- Ended with a reiteration of the direction of the EITI International towards energy transition. She challenged the MSG to keep pushing the boundaries and on EITI .

Transparency Talks (T-Talks): Preparing for Just Transition

Right Hon. Helen Clark	Chairperson, Extractive Industries Transparency Initiative Former Prime Minister, New Zealand
Felix William Fuentesbella	Undersecretary, Department of Energy Energy transition and the extractives

Glenn Marcelo C. Noble	Regional Director, Mines and Geosciences Bureau Regional Office No. IV-B Climate and disaster resilience in the extractive industries
Vincent Lazatin	National Coordinator, Bantay Kita
Arnulfo Robles	Executive Director, Philippine Chamber of Coal Mines, Inc.
Moderator: Atty. Joann Adaci-Cattiling President, OceanaGold Phils. Inc.	

Just energy transition has opportunities and risks. First, PH generates the majority of its energy from coal. Coal companies extracting, there's revenues to that going to the government and companies presumably making profit. There's jobs and life in the community.

Coal globally is absolutely critical to reaching the carbon zero project of Paris, and this is vital for the Philippines. How do you plan toward this transition?

Questions about government revenue opportunities, companies' diversification toward renewables, effect on the community.

She cited Spain's support to companies who diversify. In New Zealand, to stop logging on forests, a big package is provided to the community to find new economic opportunities and to upscale workers different ways

In the Philippines, an exit to coal may open opportunities in quality investment for nickel and copper, which are relevant minerals for energy transition. This opens opportunities for communities. Yet, stakeholder engagement when mining expands is crucial. There will be issues and risks particularly in environment impact and social development.

Usec. Felix William Fuentesbella

- Noted that the Department of Energy is always looking at the demand side of the energy spectrum. The Department needs a holistic approach or more comprehensive approach because everything always starts first with the demand.
- Shared that one of the pillars of energy transition is energy efficiency. This means looking at our individual energy consumption before shifting to solar or other renewable energy sources. That's why it's very important that we have this transparency initiative so that you can really feel the needs of our consumers. The department listens to the oil

sectors, even the suppliers, but even again, it's the consumers that come for the department and again, look at energy transition from the perspective of the consumers.

MGB IV – RD Engr. Glenn Noble

- Noted that energy transition will require increased demand for nickel, copper, steel, cement, cobalt, and rare earth metals. These are needed to build windmills, turbines, solar panels, and lithium ion batteries. The high demand for these metals and minerals will put a pressure on extractive industries. Mining companies need to produce more to support the demand for energy transition.
- Stressed that as mining operations expand, there's a need to look at its impact on the environment, economy and community.

Engr. Arnulfo Robles

- Shared that countries have their respective challenges and needs in transitioning their energy systems to become more sustainable. The existing energy structures and systems, from infrastructure to established organizational systems, should be continuously transformed and readjusted to respond to global challenges and support the process of the energy transition.
- Shared that the just transition towards sustainable energy will require huge amounts of financing.
- Stressed that a just energy transition will require changes and shifts in technologies, jobs, and other economic opportunities. New skills, capacities, and expertise should be domestically developed to support the transformational processes.
- Expressed that in this transition, there are also opportunities to attain sustainable recovery towards a green and inclusive economy. If a just energy transition is to be achieved, new opportunities such as jobs and other prospects will need to be created to support global economic recovery.

Mr. Vincent Lazatin

- Shared that people prepare for this part of the increasing activities. CSOs are there to sort of remind them, especially their communities, of the transition to renewable energy. When we talk about transition, we have to talk about public institutions and organizations that are really stretched in and maybe already dealing with capacity and resource constraints.
- Stressed that license, permit and franchise issuing agencies and bodies need to live under their mandates. Protecting public interest, protecting the environment, insurance, sustainability, fairness, played bodies meant to look after the interests involved there, the people.

- Expressed that women, children and other marginalized groups most directly affected by strategies must champion the plight of these groups and show that they are a burden seen and listened to. Our legislators need to be transparent about the interests they're projecting and advancing public institutions of law enforcement. Importantly, civil society, really based on people's organizations, already stretches the abundance resource constraint, and in a number of cases, under attack, must be ready to take on larger tasks of engaging, and be more active. There must be a new and deeper commitment by all stakeholders, the goals and the ideals of the extractive transparency initiative

Stakeholders recommitment ceremony and photo opportunity

Hon. Joel Villanueva

Senate Majority Leader

- Led the commitment ceremony of the PH-EITI MSG and its stakeholders. Sen. Villanueva congratulated EITI for its 10th year in implementing the initiative. He noted the valuable contribution by PH EITI data during a 2014 labor dispute. It helped legislators make decisions, ensure transparency and share pertinent information. He affirmed his commitment to supporting EITI particularly the filing of the PH EITI bill or SB 577.

Key findings of the 2020 PH-EITI Report

Atty. Valery Joy A. Brion	Assistant Secretary, Department of Finance Alternate Chair and Focal Person, Philippine EIT
Atty. Ronald Rex S. Recidoro	Executive Director, Chamber of Mines of the Philippines
Atty. Jose Ma. Emmanuel Caral	Secretary, Petroleum Association of the Philippines
Vincent T. Lazatin	National Coordinator, Bantay Kita-Publish What You Pay PH

Below are some of the highlights from the report:

- Metallic revenue increased by 24% in 2020
- Employment data reported 16% increase in metallic sector employment Following SEC Memorandum Circular no. 15 s. 2019, beneficial ownership reporting is mandatory. 50 out of 79 companies or 63% of mining companies participated in BO data disclosure

- Overall government revenue from extractives in 2020: 44.7Bn total reconciled government revenue (lower by 27% than the reconciled revenues reported in 2019)
- Covid-19 support from extractives – to support or provide assistance to individuals, households, and frontliners during lockdowns
 - Php 2.1Bn from metallic sector
 - Php 760.8M from non metallic sector
 - Php 2.2Bn from oil and gas
- 85% of companies participated in EITI reporting

T- Talks: Understanding PH-EITI Framework

Measuring Impact

Mark Robinson

Executive Director, EITI International

- Stressed that he wants to focus on why impact matters to the long term success of the EITI. Stakeholders were keen to know what are the contributions of EITI in fostering public debates, informing government policies, and significance of EITI data to local communities.
- Shared that EITI has not been that good in the past on measuring EITI impact but we need to show the stakeholders the value that EITI adds.
- Shared that EITI has been effective in contributing transparency, increasing civil space participation, and promoting greater accountability of government, companies and civil society although with a number of challenges.
- Said that PH-EITI has very strong, stable, and committed stakeholders who work in the MSG. Commended the MSG members from the government, companies, and civil society of the Philippines who came together to deliberate issues with different perspectives but arrived with a consensus decision.
- Shared that EITI's strategic framework seeks to ensure that EITI implementation continues to be relevant, responsive and cost-effective, in view of the diverse challenges faced by resource-rich countries. It envisages six key areas where the EITI can be used to improve extractive sector governance through and beyond the COVID-19 crisis, remaining true to the principles that underpin the EITI's work.
 - a. Informing the energy transition: As the energy transition gains traction, it will have a transformative impact on the extractive industries and global economy. EITI data can be used to address the imperatives of energy transition, energy affordability and demand, and the need to sustain revenue streams from the extractive sectors.
 - b. Supporting open data: Timely, usable and accessible data will gradually replace retrospective reporting to inform decision making, foster independent analysis and promote public debate. Open data will enable

multi-stakeholder groups to shift their role from report production to data use, analysis and dissemination.

- c. Informing investment decisions: Investment decisions in the extractive sector are increasingly informed by environmental, social and governance (ESG) metrics. Company commitments to transparency and accountability through the EITI, as well as EITI disclosures, can contribute to the evolving framework for ESG reporting and complement other data published by companies and investors.
- d. Strengthening revenue mobilization: Revenue mobilization is critical for supporting national development and public expenditure priorities, especially under conditions of economic crisis and commodity price volatility. The 2019 EITI Standard requires more detailed disclosures, which can help governments ensure that revenues are maximized for public benefit rather than private gain.
- e. Addressing corruption risks: Priorities include strengthening communications on the EITI's role in addressing corruption, identifying opportunities for industry engagement, enhancing implementation support, strengthening the capacity of multi-stakeholder groups to engage in corruption issues, and building partnerships with groups involved in anti-corruption activities.
- f. Measuring impact: Measuring impact is key to sustain financial support and promote learning. The EITI will undertake an independent impact evaluation and will develop a measurement framework that can be adapted by implementing countries.

Towards Sustainable Mining (TSM)

Rocky G. Dimaculangan

Vice-President for National Communications

National Coordinator for TSM

Chamber of Mines of the Philippines

- The Philippines is among the world's strictest mining laws, rules and regulations that imposed on exploration and mining companies, many social, economic, and environmental limitations and conditions inception to closure and beyond of a mine project

Toward Sustainable Mining (TSM) is a globally recognized sustainability program that supports mining companies in managing key environmental and social risks. TSM was the first responsible mining standard in the world to require site-level assessments with external verification and is mandatory for all companies that are members of implementing associations.

At its core, TSM is:

- **Accountable:** Assessments are conducted at the facility level where the mining activity takes place – the first sustainability standard in the world to do this in the mining sector. Publicly reported results provide local communities and others with an interest in a mine site’s operations with a detailed look at the sustainability performance of mines and metallurgical facilities.
- **Transparent:** Mining companies publicly report their facilities’ performance against the performance indicators on the websites of implementing associations. Results are externally verified by qualified auditors and experts every three years.
- **Credible:** TSM is overseen by an independent Community of Interest (COI) Advisory Panel. This multi-interest group helps mining companies and communities of interest foster dialogue, improve the industry’s performance and continually improve the TSM program.

TSM has eight protocols:

- Safety & Health
- Community & IP Engagement
- Crisis Management
- Child & Forced Labor
- Tailings Management
- Water Management
- Biodiversity Conservation Management
- Climate Change

PH TSM Community of Interest Advisor Panel

- Academe – Ronald Mendoza
- Civil Society – Filemon Sta. Ana III
- Environment – Carlos Primo David
- Religious – Jerome Marquez, SVD
- Media – Luchi Cruz- Valdez
- Labor – Gerard Seno
- Policy/Technical – Edwin Domingo
- Legal – Jose Mejia
- Environment/Forestry – Liezyl Litton – Relleta
- Finance – Benjamin Zaragoza
- IP – Rogelio Bantayan

TSM undergoes a 3-year cycle of verification. There is an annual self-assessment done by companies and an external verification every three years.

Mainstreaming disclosures

Pamela A. Grafilo

Mainstreaming Disclosure Specialist

Data required to comply with the EITI Standard are normally collected and made public through annual reports. Information required by the standard should be available through government and corporate reporting systems (databases, websites, annual reports, portals). EITI data is timely, reliable and accessible.

Out of the 16 targets under the EITI Standard, PH-EITI data status are as follows:

- 1- Mainstreamed
- 9 – Partially mainstreamed
- 6 – Needs improvement

What is our strategy/approach?

P – Partnerships and collaboration

H- Holistic approach, involving whole of stakeholders

E – Enabling policy environment

I – Institutional capacity development both at the supply (data disclosure) and demand side (utilization)

T – Track progress through results-based management and M&E

I – Incremental achievement of systematic disclosure

The goal of mainstreaming is to strengthen transparency and accountability in the extractive sector through systematic disclosure of EITI data through:

- Enhanced analysis & advocacy
- Transformative awareness & outreach
- Increased collaborative partnerships
- Institutionalized capacity development

The PH-EITI report card and framework for future direction

Eastword D. Manlises

PH-EITI National Coordinator

Consolidated Concerns of Stakeholders

Crafting recommendations to foster open and responsible resource governance of the extractives

Presentation of actionable recommendations

Issues emerging from the Constituency Meeting held at Marco Polo Ortigas

1. Lack of rational fiscal regime for mining
2. Lack of transparency in some stages of the extractives industries value chain
3. Constant changes in and poor enforcement of policies on extractives industries
4. Lack of transparency and accountability in IP royalty management issues

Top Actionable Recommendations

1. To harmonize national and local policies on the extractives, the DILG, along with relevant NGAs, shall convene stakeholder consultations within 2 years to revisit relevant policies and provide recommendations and clarifications, as necessary.
2. To ensure the sustainability of SDMP projects, the MGB shall convene stakeholder consultations within the next 2 years to revisit the guidelines and framework for SDMP implementation.
3. To make the EITI process responsive to the issues on contracting and EIS and engaging the EMB in a TWG
4. To improve transparency in each stage of the EI value chain, the MSG shall convene a national TWG by 2023 to look into the gaps and processes, codify the process, as detailed as possible, and communicating the process to all the stakeholders
5. Establishment and development of national guidelines on IP wealth management by 2023.
6. To improve the timeliness of release of LGU shares in national wealth, the PH-EITI shall engage the DOF, DBM, DILG, BIR and DENR consider the following actions:
 - a. Proposal for an amendment in the legislation regarding the mode of release to the LGUs of their share of the mining excise taxes, specifically to the mode of direct remittance from mining companies to LGUs.
 - b. To revisit and monitor the implementation (or amend as necessary) of the existing DOF-DBM-DILG-DENR Joint Circular No. 2009 – 1 regarding the guidelines and procedure on the release of LGU share from mining taxes]

Part 1 – Consolidated Concerns of Stakeholders

Part 2 - Crafting recommendations to foster open and responsible resource governance of the extractives

Presentation of actionable recommendations

Response from the government and closing remarks

Cielo D. Magno, PhD

Undersecretary, Department of Finance

Chair and Focal Person, Philippine EITI

