

PH-EITI 3rd MSG MEETING

8:00 AM- 9:00 AM | May 15, 2013

Vigan Room, 27th Floor, World Bank, One Global Place,
5th Avenue corner 25th Street, Bonifacio Global City, Taguig

Attendees:

Secretary Elisea Gozun	Focal person for EITI/ Office of the Presidential Adviser for Climate Change (OPACC)
Usec. Jeremias N. Paul Jr.	Department of Finance (DOF)
Asst. Sec. Ma. Teresa Habitan	DOF
Asst. Sec. Daniel A. Ariaso, Sr.	Department of Energy (DOE)
Cielo Magno	Bantay Kita
Prof. Maria Aurora Teresita W. Tabada	Visayas State University
Ronald Allan A. Barnacha	Philippine Rural Reconstruction Movement (PRRM)/ North Luzon
Gerard Brimo	Nickel Asia Corporation (NAC)/ Chamber of Mines of the Philippines (COMP)
Clarence J. Pimentel Jr.	CTP Construction and Mining Corporation
Atty. Casiana N. Dalangin	CTP Construction and Mining Corporation
Sebastian C. Quiniones, Jr.	Shell Philippines Exploration BV (SPEX)/ Petroleum Association of the Philippines (PAP)
Abigail Ocate	Secretariat
Babes Ancheta	Secretariat

AGENDA:

- Presentation of the Minutes of Previous PH-EITI MSG Meeting
- Presentation of the Draft Executive Order Establishing EITI
- Presentation of the Draft Waiver of BIR
- Presentation of the Proposed Revisions to the EITI Standards
- Participation in the forthcoming 6th EITI Global Conference
- Other Matters

1. Call to Order:

Secretary Gozun, focal person for Philippine Extractive Industries Transparency Initiative (PH-EITI) called the meeting to order and requested the MSG members including the Secretariat to introduce themselves.

The agenda was adopted.

2. Minutes of Previous PH-EITI MSG Meeting

2.1. Sec. Gozun emphasized that the minutes of the previous PH-EITI Multi-Stakeholder Group (PH-EITI MSG) Meeting was technically approved since it was already sent to all the MSG members and no comments were received by the Secretariat after a week. However, the Chair requested the members to again run through the hard copy of the said minutes and asked if there are additional comments or suggestions. The Minutes was officially approved by the body.

3. Draft Executive Order Establishing EITI

3.1. Sec. Gozun presented the Draft EO and mentioned that it was drafted by Atty. Gay Ordenes, who will be joining the PH-EITI Secretariat on June 1 as the National Coordinator.

3.2. Mr. Quiniones suggested the inclusion of EO 60, Amending Executive Order No. 254 (S. 1995) and Reorganizing the Philippine Gas Project Task Force to the Philippine Upstream Petroleum Task Force, on item E of Section 2 of the draft EO.

3.3. Dr. Magno suggested adding another section on scope of PH-EITI as well as national and subnational implementation.

3.4. Sec. Gozun requested the MSG members to review the draft EO. Since it is more focused on Mining, there is a need to add section/s to cover oil and gas as well as coal.

3.5. As originally agreed, members of the MSG always have one week to comment on any drafts sent to them. The Chair proposed that the deadline be moved from the 22nd day of the month to May 27 since the MSG will be attending the EITI Global Conference in Sydney. Sec. Gozun also stated that she is planning to present the draft EO during the upcoming MICC meeting on the 28th to seek approval. The body agreed to submit their comments on or before 27 May 2013.

4. Presentation of the Draft Waiver of BIR

4.1. The Chair presented the draft waiver prepared by Deputy Commissioner Alfredo Misajon of the Bureau of Internal Revenue (BIR) where companies waive their right not to disclose extractive tax payments sanctioned under Section 270 (Unlawful Divulgence of Trade Secrets) of the National Internal Revenue Code of 1997.

4.2. Asec. Ariaso inquired if service contracts can be part of the waiver. The Chair tasked Asec. Ariaso to take charge of studying the legal implications of incorporating the disclosure of service contract in the waiver or having a similar waiver for that purpose.

4.3. The body agreed to submit their comments on or before the end of May.

5. Presentation of the Proposed Revisions to the EITI Standards

5.1. The chair requested the MSG members to refer to the handouts that were given to them.

5.2. Sec. Gozun explained that the proposed revisions to the EITI standards are not yet final but that these are the amendments that will be discussed during the EITI International Board meeting in Sydney.

5.3. Sec. Gozun also mentioned that there are also changes in the EITI code of Conduct and EITI constituency guidelines but the documents are not being circulated yet.

5.4. Dr. Magno shared that for constituency guidelines, one of the changes is more representation from stakeholders.

5.5. As for the articulation of the objectives of the work plan, which is also one of the proposed amendments to the guidelines, Sec. Gozun asked the body if the PH-EITI work plan has adequately articulated this in their opinion. Mr. Quiniones suggested that we should request people with no background on EITI to read the work plan and if they understand it, it would mean that the PH-EITI work plan has adequately addressed this.

5.6. On disaggregated reporting which is a new reporting requirement, Sec. Gozun pointed out that the Philippines will not be affected since from the beginning, the MSG already agreed that we will use disaggregated data for the PH-EITI Report.

5.7. The Chair also informed the MSG members that an Annual Activity Report is now required by the International Secretariat. The PH-EITI MSG will report the progress of EITI implementation and the work plan objectives that were achieved.

6. Participation in the forthcoming 6th EITI Global Conference

6.1. Sec. Gozun announced that fifteen (15) representatives from the Philippine EITI MSG will attend the Global Conference in Sydney Australia and that AusAID will host the Philippine delegation. Fr. Edu Gariguez will also attend.

6.2. Sec. Gozun also informed the body that the Philippines' application for EITI candidacy was submitted on April 5, 2013. The International Secretariat evaluated it on April 12 and they informed us that they favorably recommended our acceptance to the Outreach and Candidacy Committee. The Committee had a teleconference on April 25 where our application was discussed. Comments were favorable but there was no quorum. The Committee decided to schedule another teleconference on May 2 but again there was no quorum. Anyway, the Committee members present agreed to make a positive recommendation.

Based on the updates of the EITI International Secretariat, the Chair stated that there is a high probability that the acceptance of the Philippine candidacy will be announced during the Global Conference.

6.3. Sec. Gozun mentioned that she was invited to be one of the speakers during Session 8 of the Conference on “Ensuring that EITI stimulates Public Debate.” She requested the MSG members to email her anything that they want her to stress during her intervention.

7. Other Matters

7.1. The Chair requested the Secretariat to send an announcement to all Technical Working Group (TWG) members that the PH-EITI website can already be accessed.

7.2. Dr. Magno announced that the Vietnamese delegation in Sydney is requesting for a dialogue with the Philippine delegation. Dr. Magno added that the PH-EITI will have a government and CSO representative in the dialogue but she pointed out that it will be great if the industry sector would also be represented. The MSG agreed to this.

8. CLOSING:

Sec. Gozun thanked everyone for their participation. There having no further matters to discuss, the meeting was adjourned at 9:10 am. Everyone was invited to attend the Consultation on Mining with experts from the World Bank which was to be held that day in the WB office.