

2 **61ST Multi-stakeholder Group (MSG) Meeting**

3 6 December 2019 | 9:00 AM – 4:00 PM

4 Hortencia Room, Hotel Jen Manila

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7 **Attendees**

8

9 **Government**

10	Undersecretary Bayani Agabin	Department of Finance
11	Assistant Secretary Ma. Teresa Habitan	DOF
12	Ms. Febe Lim	DOF
13	Director Araceli Soluta	Department of Energy (DOE)
14	Director Analiza Bonagua	Department of Interior Local Government (DILG)
15	Engr. Romualdo Aguilos	Department of Environment and Natural Resources – Mines and Geosciences Bureau (DENR-MGB)
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17		
18	Ms. Maricor Anne Cauton	Union of Local Authorities of the Philippines (ULAP)
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21 **Industry**

22	Atty. Ronald Rex Recidoro	Chamber of Mines of the Philippines
23	Atty. Francis Ballesteros	Philex Mining
24		

25 **Civil Society Organization (CSO)**

26	Ms. Pamela Grafilo	Bantay Kita – Publish What You Pay Philippines
27	Ms. Angelica Dacanay	Bantay Kita – Publish What You Pay Philippines
28	Dr. Buenaventura Maata, Jr.	Philippine Grassroots Engagement in Rural Development Foundation, Inc.
29		
30	Ms. Ladylyn Mangada	Philippine Political Science Association
31	Mr. Chito Trillanes	Social Action Center – Ecology Desk, Diocese of Tandag, Surigao del Sur
32		
33	Dr. Nelson Conigundo Cuaresma, Jr.	Concerned Advocates Saving Terrestrial and Marine Ecosystems (COASTLINE), Inc.
34		
35	Ms. Aniceta Baltar	Concerned Citizens of Abra for Good Governance
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37		

38 **Guests**

39	Ms. Linnet Madelane Chan	Independent Administrator, 6th Report
40	Atty. Evalyn Ursua	Consultant, Gender Scoping Study
41	Ms. Ana May Baquirin	Consultant, Gender Scoping Study
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43		

44 **PH-EITI Secretariat**

45	Atty. Maria Karla Espinosa
46	Ms. Joylin Saquing
47	Ms. Roselyn Salagan

- 1 Ms. Mary Ann Rodolfo
- 2 Ms. Jane Baldago
- 3 Mr. Eastword Manlises
- 4 Ms. Anna Leigh Anillo
- 5 Ms. Katherine Denise Domingo
- 6 Ms. Zoe Jimenez
- 7 Ms. Angelina Alba
- 8 Ms. Rhoda Aranco
- 9 Ms. Rhea Bagacay
- 10 Mr. Jaime Miguel
- 11 Mr. Ricardo Evora
- 12 Ms. Lucielle Campanero

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15 **Agenda**

- 16 ▪ Approval of the Agenda
- 17 ▪ Approval of the Minutes of the 60th MSG Meeting
- 18 ▪ Matters arising from previous MSG Meetings
- 19 ▪ Main Business
 - 20 • Presentation on the scoping study on gender and the extractives
 - 21 • Presentation on and discussion and approval of the Sixth Country Report (FY 2018)
 - 22 • Updates on Beneficial Ownership Roadmap
 - 23 • Updates on Mainstreaming Roadmap
 - 24 • Report on results of the MSG Assessment and Planning (November 13-15)
 - 25 ○ Vision, Mission, Goals, and Objectives for PH-EITI
 - 26 ○ PH-EITI Operational Plan and Work Plan 2020 Other Matters
 - 27 ▪ Setting of next MSG meeting

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30 **1. Call to order**

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32 DOF Undersecretary Bayani Agabin chaired the 61st MSG meeting. There being a
33 quorum, the meeting started at 9:09 a.m.

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35 **2. Approval of the agenda**

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37 The Chair asked the members for any additional item for inclusion in the agenda. With no
38 other additional items for discussion, the agenda was approved.

39

40 **3. Approval of the Minutes of the 60th MSG meeting**

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42 The Chair asked the members to send comments on the minutes of the 60th meeting, if
43 any, within five (5) days.

44

45 **4. Matters arising from previous MSG meetings**

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47 There was no discussion of any matters arising from previous meetings.

1
2 **5. Main Business**

3
4 *a. Presentation on the scoping study on gender and the extractives*

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6 The secretariat introduced Atty. Evalyn Ursua and Ms. Ana May Baquirin, the consultants for
7 the scoping study on gender in extractives. They presented the overview, initial findings, and
8 recommendations of the study. Specifically, Atty. Ursua emphasized that instead of focusing
9 on a discourse on gender, the study zeroed in on women in large scale mining using gender
10 studies as framework. The following are the salient details about the study:

11
12 Objectives of the Study

- 13
- 14 1. Identify the impacts (positive and negative) – social, environmental, economic – of
15 extractives on women; the issues/challenges faced by women in this context; and the
16 policy gaps in addressing them;
 - 17 2. Identify national and subnational/local policies as well as international instruments that
18 relate to women’s rights and gender equality in relation to natural resources or
19 resource governance;
 - 20 3. Make recommendations (to the MSG) on how to make EITI implementation in the
21 Philippines more gender sensitive and compliant or aligned with standards for
22 protecting and promoting women’s rights, including *genderizing* disclosure and
23 dialogue in the extractives;
 - 24 4. Recommend to the MSG capacity building activities aimed at training women’s
25 organizations in resource governance, including, but not limited to, participating in EITI;
26 and
 - 27 5. Cite specific case studies, especially in the Philippines, that relate to challenges and
28 opportunities faced by women in the extractives and in participating in resource
29 governance.
- 30

31 Research Questions

- 32
- 33 1. Where are women situated in the mining industry? What are their roles and
34 participation in the mining industry?
 - 35 2. What are the social, economic and environmental impacts of mining on women in the
36 mining communities of Mankayan, Benguet, and Maco, Compostela Valley?
 - 37 3. What are the issues and challenges that women in those mining communities face?
 - 38 4. What are the international, national, and subnational policies on women’s rights and
39 gender equality in relation to natural resource and governance? How do these policies
40 address the gender impacts and the issues and challenges identified?
 - 41 5. What are the policy gaps in addressing the impacts as well as the issues and
42 challenges identified?
 - 43 6. What could be done to address the gender impacts and the issues and challenges
44 identified?
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Scope and Limitations

There is a dearth of literature and very minimal data on women in mining. The study team conducted desk reviews and field research to answer some of the research questions particularly on gender impact. The study, nonetheless, had the following limitations:

1. There was time constraint for the field research and resource constraints due to limited budget.
2. There were geographical/logistical limitations making it difficult to bring together women from host and neighboring barangays to participate.
3. The gender roles of women in their families hindered their full participation.
4. Women who came were not really representative of the host and neighboring barangays. Some of them attended only because they were barangay officials.
5. The study team focused on large scale mining, but recognized that there are more women in artisanal and small-scale mining.
6. Only 17 out of 35 mining companies responded to the survey questionnaire.
7. There were more women in Lepanto in various capacities. They decided to organize a women's organization in Lepanto. In APEX, it was more difficult to set a meeting. Only four (4) women showed up.

Framework of the Study

The study employed three frameworks:

- Gender
- Human Rights
 - The human rights dimension
 - The principles of equality and non-discrimination
 - The right to a clean, safe, healthy and sustainable environment
- Sustainable Livelihoods Approach

A part of the discussion focused on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the obligations of the state, business and human rights. Under the framework on business and human rights, there was a suggestion to develop a national action plan.

On the economic impact of mining on women, the sustainable livelihood approach particularly the holistic principles of sustainability and equity was applied.

Discussion of Philippine Law on Mining and Women

Discussion focused on how the constitution frames mining, exploration, development and specific provisions. Together with other laws, these provide a framework for just, social order for the extractives industry.

- Philippine Mining Act

- 1 ● Related issuances – EO79
- 2 ● Mining as a development strategy
- 3 ● Gender and national development issuances
- 4 ● Magna Carta for Women

5
6
7 Women in Mining

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9 Significant findings were as follows:

- 10
- 11 ● Women have always been engaged in mining.
- 12 ● Women is present in large scale mining as demonstrated in the responses submitted
- 13 by 17 companies that answered the survey questionnaire.
- 14 ● Minimal women engagement surfaced from the review of 27 SDMP reports from mining
- 15 companies.

16
17 The study had two case studies: Mankayan, Benguet; and Maco, Compostela Valley.

18
19 The following are the findings based on the 17 companies that answered the questionnaire:

- 20 ● All companies employ men and women;
- 21 ● Almost all companies reported less than 20% employment of women, and only one
- 22 reported a higher employment rate at 33% (this includes sub-contractual, seasonal
- 23 and project workers);
- 24 ● There was one company that reported a higher percentage but it only has 10
- 25 employees. Four of the 10 are women.
- 26 ● There are companies heavily engaged in subcontracting and in hiring seasonal
- 27 workers.
- 28 ● It was also observed that some figures do not tally. Some companies reported high
- 29 figures.
- 30 ● There is a huge discrepancy between the number of subcontractors and regular
- 31 employees.

32
33 On the number of female employees per rank:

- 34 ● There are more women in rank and file positions;
- 35 ● There were fewer women in the managerial/supervisory levels;
- 36 ● An observation is that some companies reported figures that do not add up. The study
- 37 team reached out to verify the figures with the company.

38
39 On the number of female employees per nature of work:

- 40 ● There are more women doing jobs traditionally assigned to men.
- 41 ● The study team mentioned that they did not ask about the percentage of male vs
- 42 female per nature of work.
- 43 ● One company reported women as heavy equipment operators.

44
45 On the discussion of Compensation:

- 46 ● The study team observed that there are no standards yet when it comes to the pay
- 47 scale rate for both men and women working in mining.
- 48 ● There were also issues on the type of work assigned to women.

1 On other Benefits:

- 2 ● With respect to mandatory leave privileges, one company gave no answer.
- 3 ● There were discussions on presence/absence of company policies, rules, and
- 4 regulations.
- 5 ● Several companies admitted/reported having sexual abuse cases.

6
7 Significant findings:

- 8 1. In terms of women's location and roles in mining, it appears that more women are
- 9 working in artisanal and small-scale mining.
- 10 2. Division of labor exists in large scale mining, unlike in small scale mining.
- 11 3. More women are performing technical work. The numbers are not yet significant but
- 12 are steadily increasing over the years.

13
14 Other findings are as follows:

- 15 ● There were very few women in supervisory roles.
- 16 ● Women in the communities, specifically in the case studies, perform multiple roles at
- 17 work and within their respective families.

18
19 Compliance with human rights laws:

- 20 ● There was evident bias in the hiring process.
- 21 ● Gender division of labor is evident.
- 22 ● While the companies said they have policies on equal opportunity, it did not reflect in
- 23 the numbers they reported. The team recommends further research in this area.

24
25 Highlights from the case study areas

26
27 Initial findings show that the LGUs and companies in the case study areas failed to consult
28 women in developing programs for mining host communities. Specifically, women were not
29 sufficiently consulted in the crafting of the SDMPs. Of the two companies covered in the study,
30 only Lepanto responded to the survey questionnaire; Apex did not submit responses. Other
31 highlights are as follows:

- 32
33 ● Employment of grassroots women (women from the community) is nil.
- 34 ● There is evident poverty in the communities. Income is often below subsistence. Main
- 35 problems cited include insufficient production of rice, and negative impact of mining on
- 36 fishing.
- 37 ● Women in the area were not qualified for financial support and this prevented them
- 38 from achieving sustainable development.
- 39 ● The communities expressed need for K-12 schools.
- 40 ● The communities requested for support to assess environmental impact of mining in
- 41 their area.

42
43 On the discussion of SDMPs of 27 large scale mining companies

- 44 ● SDMP has positive effects on the livelihood of women in the two case studies but such
- 45 effects are not sustainable.
- 46 ● There should be a mechanism to assess environmental impact.
- 47 ● There should be further discussion on gender impact on women.

48 The study also cited several impacts of mining on the environment and the community:

- 1 ● Sinking ground
- 2 ● Clean water
- 3 ● Displacement
- 4 ● Dissolution closure – landslide prone, uninhabitable
- 5 ● Household does not access to electricity
- 6 ● Loss of ancestral lands

7

8 On law and policy

- 9 ● The Philippines has adequate national and international legal and policy frameworks.
- 10 ● The country also has adequate international human rights law.

11

12 Significant gap in content and implementation:

- 13 ● Government has failed to respect and protect the economic and social rights of women.
- 14 ● Women interviewed clearly stated that there is failure in addressing environmental destruction.
- 15 ● There are no standards on equal pay for similar nature of work; there are no norms on equal protection.
- 16 ● There is no gender dimension in the Philippine Mining Act. There should be an explicit mention of gender.
- 17 ● There is no gender dimension on EO 79 as well.
- 18 ● The right to consultation of women was not specified in the laws related to mining.
- 19 ● On SDMP, there are no guidelines for gender responsiveness.

20

21 The study team presented the following recommendations:

- 22 ● Identify further areas for research or expand the study to include all extractives towards gender comprehensive data to influence policy.
- 23 ● Improve study questionnaire.
- 24 ● There should be an in-depth study solely on social and environmental, and economic impacts of mining.
- 25 ● In order to complete the picture, conduct a study on women in artisanal and small-scale mining.
- 26 ● Review and revise the Philippine Mining Act and EO 79 to include gender dimension, participation of women in decision making, and development of qualifications and skills.
- 27 ● The equal opportunity policy should be emphasized.
- 28 ● Require companies to generate disaggregated data on gender and employment.
- 29 ● Mining companies must ensure significant and meaningful participation of women, especially in the crafting and implementation of SDMPs.
- 30 ● Adapt guidelines for SDMP particularly on project on community development, livelihood, and gender responsive projects.
- 31 ● Review and revise mining as a development strategy.
- 32 ● For mining companies:
 - 33 ○ Comply with mandated policies for women.
 - 34 ○ Voluntarily participate in the UN Global Impact, equal opportunity for women.
- 35 ● For LGUs:
 - 36 ○ Ensure that municipal hospitals are fully equipped.
 - 37 ○ Build more K-12 schools for the community.

47

- 1 ○ Conduct sustained livelihood trainings – skills training that is progressive,
2 responsive and realistic.
- 3 ○ Conduct training activities on mining and related policies and laws.
- 4 ○ Build an MRF for each barangay.
- 5 ○ Ask for support and fund for women’s associations and cooperatives.
- 6 ○ Conduct technology transfers to equip communities with innovative ways for
7 solid waste management linked to livelihood.

8
9
10 Open Discussion

11
12 A CSO representative asked whether there was a validation process to clarify problematic
13 data with stakeholders. She also asked whether the research could be considered national in
14 scope, and if not, given that the research had only two case studies, which element perhaps
15 could be deemed representative of the status of the mining industry in the Philippines. She
16 also asked about the relationship of the research on the IPRA and mining laws considering
17 that the two case studies are both situated in ancestral domains.

18
19 Atty. Ursua explained that there was no discussion of conflict, but if the MSG wants that to be
20 included, the consultants can do so. She also related that during the focus group discussion,
21 the study team asked the respondents in Mankayan about the issue of ancestral domain.

22
23 Ms. Baquirin added that the women in Mankayan particularly asked about the availability of
24 trainings on mining laws. They expressed the desire to be trained. On the matter of
25 representation and claim as a national study, Ms. Baquirin said that some of the findings of
26 the study will resonate. She said that the thing about women experiences is that they are
27 universal—women have multiple roles; women have difficulty in making ends meet—these are
28 universal concerns. From their review of the SDMPs of 27 companies nationwide, she said
29 that it can be said that the findings related to education and health are both representative of
30 the whole mining sector.

31
32 On the matter of validation, Atty. Ursua said that they returned the questionnaire to only one
33 company to clarify concerns. For the others, they did not have the time to return and validate.
34 She said that this was the limitation of the questionnaire—there was no opportunity for
35 immediate clarification.

36
37 Another CSO representative asked why the title of the study referred only to women and not
38 gender as a whole.

39
40 Atty. Ursua explained that if they would use the term “gender”, the study will have to expand.
41 They used gender as a framework nevertheless. The study design, questionnaire, and
42 analysis, however, cannot support a claim that the study was on gender.

43
44 The CSO representative thought that it was interesting to see whether some women might
45 have developed a new gender construct. She then asked about the kind of livelihood that
46 could or should be offered to women in mining communities considering low literacy and
47 concerns like impact of mining on the environment.

1 Ms. Baquirin related that there is a pattern among SDMPs. It appears that trainings on hog
2 raising and rag making, among other livelihood skills, are prevalent among SDMPs. The
3 communities, however, are in need of equipment and capital to jumpstart any livelihood
4 activity. For instance, women in the case study areas were asking about machines or
5 technologies that can turn plastic into monobloc chairs. They are looking for sustainable
6 activities that would hit three birds (education, livelihood, and health) with one stone. They are
7 looking for alternative programs that can support a livelihood and at the same time help
8 rehabilitate the environment such as the rehabilitation of soil for gardening, which produce can
9 feed both the community and a larger market.

10
11 Atty. Ursua furthered that this was the reason why the study employed the sustainable
12 livelihood as framework.

13
14 The Chair noted that the discussion on the initial findings of the scoping study on women was
15 good. In the interest of time, however, he proposed that a separate session be organized to
16 further thresh out the findings of the study.

17
18 In relation to the discussion of gender and women in mining, another CSO representative
19 asked that affirmative action be taken on the following areas:

- 20 • Pursue gender balance within the MSG;
- 21 • Require EITI reporting entities to disclose disaggregated data on gender and
22 employment;
- 23 • Ensure that consultation groups for the formulation of SDMPs be comprised of 50%
24 women, and involve CSO and include capacity building activities in the process to
25 enable gender responsive planning.

26
27 The secretariat related that the DOF through PH-EITI enrolled it as a commitment to the
28 Philippine Open Government Partnership (PH-OGP) National Action Plan 2019-2021 to
29 conduct a gender audit alongside regular EITI reporting.

30
31 The Chair thanked the consultants for their presentation and noted that the discussion on
32 gender in mining will continue in a separate meeting.

33
34
35 *b. Presentation on and discussion and approval of the Sixth Country Report (FY 2018)*

36
37 The secretariat presented on the status of the 6th Report, which production had been delayed
38 due to budget issues. The secretariat explained that it did its best to catch up with the work
39 plan but data collection proved to be challenging especially that this task was assumed entirely
40 by the secretariat. To give a comprehensive status report, the secretariat introduced the
41 independent administrator (IA) for the 6th Report, Ms. Linnet Madelane Chan, who was also
42 part of the team that worked on the 4th Report in 2017.

43
44 Ms. Chan, then, proceeded to present the methodology used for the production of the 6th
45 Report. The methodology involved initial scoping and data collection, determination of
46 materiality and final scoping, reconciliation, and report writing. The materiality threshold was

1 calculated using 2% applied to the total revenues collected from the participating entities per
2 industry as reported by the different government agencies.

3
4 **Scope and Materiality**

5

Sectors	Target	Participating Projects	Non-participating Projects
Metallic (producing)	30	26	4
Metallic (non-producing)			
▪ Under suspension	8	6	2
▪ Under care and maintenance	9	5	4
Nonmetallic	20	20	
Oil and gas	5	5	
Coal	1		1
Total	73	62	11

6
7 Following the discussions during the 60th MSG meeting, diligent efforts were exerted to reach
8 out to mining projects that were not included in the initial list of target projects. As a result,
9 seven other mining companies were added to the list of entities invited to participate in the 6th
10 reporting cycle. These are:

- 11
- 12 1. Atro Mining-Vitali, Inc.
 - 13 2. Dinapigue Mining Corp.
 - 14 3. Itogon - Suyoc Resources, Inc.
 - 15 4. Mt. Sinai Exploration & Development Corporation
 - 16 5. Nicua Corporation
 - 17 6. Oriental Synergy Mining Corporation
 - 18 7. Shenzou Mining Group Corporation

19
20 Of the 47 targeted projects (45 companies), 30 projects (28 companies) are producing, but
21 only 26 projects (27 companies) participated.

22
23 The 26 projects contributed a total of Php91.7 billion sales or 96.38% of the total sales.

24
25 For nonmetallic companies, the scoping of projects was based on the total production value.
26 The report targeted the top 20 producing nonmetallic projects (16 companies) with the total
27 production of Php5.9 billion or 84% of the total production of the nonmetallic mining industry.

28
29 For oil and gas companies, the participating companies were:

- 30
- 31 1. Chevron Malampaya LLC
 - 32 2. Galoc Production
 - 33 3. Nido Galoc Production
 - 34 4. PNOC
 - 35 5. Shell Philippines Exploration BV

36
37 The nonparticipating metallic mines, and their corresponding status, are as follows:

- 38
- 39 1. Century Peak Corporation – Casiguran (*Producing*)
 - 40 ▪ *As per MGB XIII, expired MPSA with application for renewal*

- 1 2. Filminera Resources Corporation (MPSA No. 255-2007-V) (*Producing*)
- 2 ▪ *As per Filminera, their production was limited only to MPSA No. 095-97-V*
- 3 3. Wellex Mining Corporation (*Under care and maintenance*)
- 4 ▪ *Company President said they will not participate because Wellex has no*
- 5 *operation since 2015*
- 6 4. Atro Mining-Vitali, Inc. (*Under care and maintenance*)
- 7 5. Dinapigue Mining Corp. (*Producing*)
- 8 6. Itogon-Suyoc Resources, Inc. (*Producing*)
- 9 7. Mt. Sinai Exploration & Development Corporation (*Under care and maintenance*)
- 10 8. Nicua Corporation (*Suspended*)
- 11 9. Oriental Synergy Mining Corporation (*Under care and maintenance*)
- 12 10. Shenzhou Mining Group Corporation (*Suspended*)

13

14 For the coal sector, Semirara Mining and Power Corporation did not participate in the 6th

15 Report.

16

17 Participating agencies included:

- 18
- 19 1. Mines and Geosciences Bureau
- 20 2. Department of Energy
- 21 3. Department of Budget and Management
- 22 4. Bureau of Local Government Finance
- 23 5. Bureau of Customs
- 24 6. Bureau of Internal Revenue
- 25 7. Securities and Exchange Commission

26

27 Scope – Revenue Streams

28

29 For the metallic mining sector, the following are the revenue streams covered by the report

30 and the initial total amounts based on reports by government agencies. The following set of

31 data already covers 99.74% of total government collections from metallic mining.

32

Revenue Streams	Government Agency	2018 Amount	% to Total Government Collections
Excise tax on minerals	BIR	3,765,830,843	37
Corporate income tax	BIR	3,166,290,349	31
Withholding tax- Foreign shareholder dividends	BIR	104,678,068	1
Withholding tax – Profit remittance to principal	BIR	-	0
Withholding tax- Royalties to claim owners	BIR	167,240,489	2
Withholding tax – IAET	BIR	-	0
Withholding tax- Final	BIR	453,472,505	4
Customs Duties	BOC	104,605,420	1
VAT on imported materials and equipment	BOC	662,456,191	6
Royalty on mineral reservation	MGB	1,187,312,323	12
Local business tax (paid either in mine site or head office)	LGU	462,628,219	5
Real property tax - Basic	LGU	63,608,899	1
Real property tax –Special Education Fund (SEF)	LGU	97,033,345	1
Total		10,235,156,651	99.74

33

1 For the nonmetallic mining sector, the revenue streams covered are the same as the revenue
 2 streams for the metallic mines with the exemption of MGB data (royalty on mineral reservation)
 3 as nonmetallic mines do not operate in mineral reservation areas.
 4

Revenue Streams	Government Agency	2018 Amount	% to Total Government Collections
Excise tax on minerals	BIR	120,573,742	2
Corporate income tax	BIR	1,842,248,994	38
Withholding tax- Foreign shareholder dividends	BIR	2,540,037	0
Withholding tax – Profit remittance to principal	BIR	-	0
Withholding tax- Royalties to claim owners	BIR	15,889,322	0
Withholding tax – IAET	BIR	-	0
Withholding tax- Final	BIR	81,300,202	2
Value Added Tax	BIR	946,802,590	19
Customs Duties	BOC	81,988,092	2
VAT on imported materials and equipment	BOC	1,400,114,419	29
Local business tax (paid either in mine site or head office)	LGU	50,956,878	1
Real property tax - Basic	LGU	129,257,813	3
Real property tax –Special Education Fund (SEF)	LGU	129,246,087	3
Total		4,800,918,176	98.64

5
 6
 7 The following shows revenue streams and the amounts reported by government agencies
 8 for the oil and gas sector.
 9

Revenue Streams	Government Agency	2018 Amount	% to Total Government Collections
Government share from oil and gas production	DOE	25,982,899,862	63
Corporate income tax	BIR	11,228,496,035	27
Withholding tax – Profit remittance to principal	BIR	3,247,759,215	8
Withholding tax- Final	BIR	938,108,700	2
Total		41,397,263,812	99.95

10
 11
 12 For coal, the following data were reported by DOE and the host LGU.
 13

Revenue Streams	Government Agency	2018 Amount	% to Total Government Collections
Local business tax (paid either in mine site or head office)	LGU	80,672,8389	2
Real property tax - Basic	LGU	1,072,562	0
Real property tax –Special Education Fund (SEF)	LGU	1,072,562	0
Government share from oil and gas production	DOE	3,569,015,012	98
Total		3,651,832,976	100

14
 15
 16 The secretariat then presented the timeline that was followed for the collection of data for the
 17 6th Report:
 18

19 May 19 - June 6: Invitation to participate in the 6th reporting cycle was sent to target
 20 companies in newsletter format (through Mailchimp)

1 May 20 - September 3: Companies' submission of EITI requirements:

- 2 • BIR Waiver
- 3 • EITI data through ORE Tool
- 4 • Supporting documents

5
6 September 3: Deadline for data submission through ORE Tool

7
8 September 4 - 30: "Grace period" for final data submission (excel format or hardcopy) to
9 give other companies final chance to comply

10
11 The following companies took advantage of the "grace period" given for data submission:

- 12
- 13 • Pacific Nickel Philippines, Inc. (Sept 27)
- 14 • Citinickel Mines and Development Corporation (Sept 9)
- 15 • Hardrock Aggregates, Inc. (Sept 27)
- 16 • Rapid City Realty and Development Corp. (Sept 3)

17
18
19 As the ORE Tool was not able to save the latest data inputted by companies by the September
20 3 deadline, an additional step was taken to validate data submitted by companies. The
21 secretariat sent all data summary reports to the respective companies for
22 review/correction/confirmation before subjecting it to reconciliation.

23
24 The secretariat shared that two more companies submitted data after the September 30
25 deadline. These are:

- 26
- 27 • Century Peak Corporation - Esperanza (Oct 2)
- 28 • Apo Land and Quarry Corporation (Oct 25)

29
30 The company was not informed that its MPSA No. 111-98-VII is among the top 20 nonmetallic
31 producers. Fortunately, waiver for its MPSA No. 013-93-VII, which was transmitted to BIR on
32 Sept. 26, covers MPSA No. 111-98-VII

33
34 The independent administrator then proceeded to present the initial reconciliation results for
35 each sector beginning with metallic mining. Based on initial reconciliation, total reconciled
36 amount is Php3.5 billion or 34% of total reported government collections. Excluding revenue
37 reported by BIR, total reconciled amount would be Php2.4 billion or 94% of total reported
38 government collections.

39

Government Agency	Company Amount	Government Amount	Variance Pre-Recon	Reconciled Amount	Variance Post-Recon
BIR	8,639,968,634	7,657,512,253	982,456,382	1,082,902,127	-
BOC	768,554,136	767,061,611	1,492,525	759,652,252	18,616,287
LGU	962,699,458	623,270,464	339,428,994	445,200,490	239,589,212
MGB	1,213,508,606	1,187,312,323	26,196,283	1,213,877,712	5,248,428
Total	11,584,730,834	10,235,156,651	1,349,574,184	3,501,632,581	263,453,927

1 For nonmetallic mines, the initial reconciled amount is Php1.38 billion or 93% of total reported
 2 government collections. Remaining variance is due to pending documents from Republic
 3 Cement Building and Materials, Inc.

Government Agency	Company Amount	Government Amount	Variance Pre-Recon	Reconciled Amount	Variance Post-Recon
BIR	1,929,728,886	3,009,354,886	(1,079,626,000)	608,000	(1,079,626,000)
BOC	1,487,809,616	1,482,102,511	5,707,105	1,384,599,645	35,297,937
LGU	542,200,926	309,460,779	232,740,148	461,603,669	8,553,857
Total	3,959,739,428	4,800,918,176	(841,178,748)	1,846,811,314	(1,035,774,207)

5
 6
 7 For oil and gas, the total reconciled amount is Php 34.7 billion or 84% of total reported
 8 government collections. Excluding revenue reported by BIR, total reconciled amount would be
 9 Php26 billion or 100% of total reported government collections.

Government Agency	Company Amount	Government Amount	Variance Pre-Recon	Reconciled Amount	Variance Post-Recon
BIR	16,162,347,357	15,414,722,858	747,624,499	8,748,049,094	544,243,478
BOC	16,900,121	16,457,920	442,201	16,433,905	26,388
DOE	25,984,299,862	25,984,299,862	-	25,984,299,862	-
Total	42,163,547,341	41,415,480,640	748,066,700	34,748,782,861	544,269,866

11
 12
 13 The secretariat, then, presented the gaps and issues encountered in the process of producing
 14 the 6th Report. These include the following:

- 15
- 16 1. Delayed approval of the GAA which affected the procurement of consultants for the
- 17 6th Report;
- 18 2. Issues in the communication sent to targeted companies through Mailchimp:
 - 19 • Not all targeted companies were sent invitation to participate;
 - 20 • Apo Land and Quarry Corp was not informed that its MPSA No. 111-98-VII is the
 - 21 20th top non-metallic producer;
 - 22 • PNPI was not able to receive the invitation;
 - 23 • Some companies (non-producing metallic mines), though not targeted, were sent
 - 24 invitation, and thus, submitted waiver/data/supporting docs. This led the MSG to
 - 25 recommend during its 60th meeting to invite all metallic mines operating
 - 26 (producing/non-producing) in 2018;
- 27 3. Data summary reports had to be sent to all companies for review/confirmation before
- 28 subjecting to reconciliation process;
- 29 4. BIR data preparation issues:
 - 30 • Disaggregated data from BIR has yet to be provided;
 - 31 • No proper turnover of EITI work from previous to new focal persons (former focal
 - 32 persons retired, and EITI work was assigned to other BIR offices);
- 33 5. Incomplete LGU data submitted by BLGF:
 - 34 • Companies reported payments to LGU with supporting documents, while LGU data
 - 35 reported to BLGF do not reflect payments reported by companies;
- 36 6. NCIP was the lone agency that did not submit any data; other EITI implementing
- 37 agencies (MGB, DOE, DBM, BOC, BLGF, BIR, and SEC) exerted effort to provide

1 required data. In addition, BLGF submitted data despite some technical issues with
2 the ENRDMT; BIR worked on weekends to prepare all data; and SEC exerted extra
3 effort to provide all FS and GIS free of charge.
4
5

6 In addition, the secretariat has identified the following as recommendations for future reporting
7 cycles:
8

- 9 1. Deadlines for data collection have to be strictly implemented. For the 6th Report, the
10 secretariat accommodated submissions as they come.
- 11 2. The secretariat, in the context of mainstreaming, has to have a technical skillset
12 necessary for the production of reports;
- 13 3. There should be a walk-through with each company. Ideally, a team of 3 to 5 people
14 must be assigned to every company.
- 15 4. There should also be a walk-through with BIR focal persons.
16
17

18 The secretariat reported that work on the 6th Report continues. The secretariat shared,
19 however, that there are developments from the International Secretariat that may ease the
20 pressure of a seeming delay in report publication.
21

22 For instance, the PH-EITI is technically not required to submit a report for 2019. Even so, the
23 MSG decided to submit a report in view of maintaining the momentum gained among
24 reporting entities. In addition, the 6th Report is PH-EITI's study on mainstreaming.
25

26 The 6th Report will also be the report that the PH-EITI will submit for revalidation in October
27 2020. Thus, the recommendation is to produce the best copy of the 6th Report, which
28 technically is due for publication and submission to EITI International on December 31, 2020.
29 There is time for the MSG to conduct a more rigorous review of the report, and there is no
30 need to rush reading and providing comments and recommendations over the holidays. The
31 secretariat also said that it will be having a writeshop with the IA.
32

33 Nonetheless, the secretariat is still working on the catch-up plan. Also, to facilitate payment
34 within the year, a complete draft (albeit not final) must be submitted to the DOF by December
35 16.
36

37 In view of the foregoing, the secretariat sought the MSG's approval to defer or extend the
38 production of the (final) 6th Report.
39
40

41 For more details on updates on the 6th Report production, please refer to:

42 **Annex A** – 61st MSG Meeting – 6th Report Updates presentation; and
43 **Annex B** – Latest Agencies' Action on 5th Report Recommendations
44
45
46

47 Open Discussion
48

1 A CSO representative asked whether there will be two reports produced in 2020. The
2 secretariat answered in the affirmative, saying that the 6th and 7th Reports will be published
3 next year. The CSO representative then inquired on the cost of producing a report. He opined
4 that in the context of enabling the initiative to “stay alive”, it may not be necessary to produce
5 a report for 2019 in order to save cost.

6
7 The Chair explained that when the DOF submitted its proposed budget, budget had already
8 been allocated for report production. Essentially, the MSG has a December 2020 deadline for
9 the 6th Report, and December 2021 for the 7th Report. There will be no additional costs should
10 the MSG decide to delay the production of the 6th Report. The MSG, however, will have more
11 time to review the report.

12
13 Another CSO representative observed that there were plenty of nonparticipating companies.
14 He urged that all companies be required to participate regardless of their status. He said that
15 an annotation can just be added in the report to describe the status of each company. He
16 moved to secure the participation of all companies with existing contracts with the government
17 through the strict implementation of the DAO 2017-07.

18
19 The Chair explained that the secretariat does not have the police power to compel companies
20 to participate.

21
22 The secretariat said that the MGB has the power to enforce the administrative order. For
23 purposes of the 6th Report, the MGB already sent show-cause letters to companies that did
24 not participate.

25
26 The Chair added that, under DAO 2017-07, penalties for noncompliance will be meted out.

27
28 A government representative (DOE) shared that the DOE wishes to compel Semirara to
29 participate, but the draft circular that will do so is still under review by their legal service unit.
30 She asked the secretariat to provide the DOE a copy of the invitation sent to Semirara.

31
32 A CSO representative wanted to know the differences observed between IA-led and
33 secretariat-led data collection.

34
35 The secretariat said that the main difference is cost; data collection by the secretariat is
36 cheaper.

37
38 The CSO representative inquired about the efficiency and data quality. She also asked about
39 the NCIP which was reported not complying with the reporting requirements. She said that it
40 may be an issue of capacity-building, and that civil society sector could help in training NCIP
41 personnel.

42
43 The same CSO representative also proposed for the civil society sector to have a workshop
44 on the data and come up with recommendations. She noted that the ORE Tool is not perfect
45 and has issue on data integrity. She emphasized the importance of data integrity. She
46 commended the measures that were implemented to secure data integrity in the production of
47 the 6th Report.

1 The secretariat said that the process (data collection by the secretariat) may or may not turn
2 out to be inferior to the usual process (data collection by the IA), but it will certainly generate
3 lessons or learning that can inform and be acted upon for future reporting cycles.

4

5 Under full mainstreaming, data should already be deemed reliable, but such is not yet the case
6 at present. Both the ORE Tool and the ENRDMT have imperfections. The ENRDMT was used
7 to collect data on LGU receipts. Ideally, all LGU data are there, but systems suffer technical
8 flaws. It is good, nonetheless, that the ENRDMT is already part of the DOF system. The ORE
9 Tool will also be made part of the DOF system. The first version of the ORE Tool proved to be
10 costly, but enhancements are underway.

11

12 On the matter of NCIP participation, the secretariat said that it asked the NCIP to submit data.
13 The secretariat acknowledged the need for a walk-through with NCIP focal persons. Before, it
14 was the IA that conducted the walk-through. Now, it has to be done by the secretariat.

15

16 An industry representative raised concern about compliance of the 6th Report with the EITI
17 Standard, considering that it will be the report that will be validated next year. He said that
18 there might be an issue over data collection, which was done by the secretariat, and over the
19 reconciliation process, which is being done by an individual instead of a firm as independent
20 administrator.

21

22 The secretariat explained that in the context of mainstreaming, the EITI International is more
23 concerned about data quality and assurance. A traditional report will be subjected to the terms
24 indicated in its TOR. The 6th Report is a partially mainstreamed report. It should detail how
25 the data have been subjected to quality assurance.

26

27 A CSO representative suggested that the secretariat get in touch with the International
28 Secretariat and check whether the current reporting process would comply with the Standard.

29

30 The Chair instructed the secretariat to ask the EITI International Secretariat.

31

32 The secretariat said it will send a formal communication about the matter and the deferment
33 of 6th Report publication.

34

35 The Chair acknowledged the efforts of the secretariat in implementing the 6th reporting cycle.
36 He asked about the timeline of report production.

37

38 The secretariat said that PH-EITI has until December 23 to submit a copy of the report to the
39 DOF. If the MSG would like to be furnished with a copy of the draft report, the secretariat could
40 send it by December 23. The final copy could be approved by the MSG during the first quarterly
41 meeting tentatively set in February 2020

42 A CSO representative suggested that a team be formed to have an audience with NCIP
43 officials to bring NCIP to the table.

44

45 The Chair asked the secretariat if it already had the chance to meet with the new NCIP
46 chairperson.

47

48 The secretariat said that it already requested a meeting but there was no response yet.

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The Chair instructed the secretariat to meet with Chair Allen Capuyan so he could direct his people towards EITI participation. He told the secretariat to work with the COMP on this matter.

Another CSO representative shared that the BK is also setting an appointment with the NCIP chair to discuss projects on CRDP. She suggested setting just one meeting with the NCIP by December or early part of January.

The secretariat noted the suggestions and the instruction of the Chair.

Another CSO representative asked how the distribution of revenues at the local level could be checked.

The secretariat said that it can be checked through the BLGF.

A government representative (DILG-BLGD) shared that there are efforts to ensure that shares of each level of LGU reach the LGU. Data on local impositions and LGU shares in national wealth are all captured in the ENRDMT.

The CSO representative said that all government income from mining must be disclosed, as these amounts affect the total income for each year.

c. Updates on Beneficial Ownership Roadmap

The secretariat reported that BO disclosure is still part of the report. The agreed course of action is to engage the SEC in the process, as they issued a memorandum circular on this matter (MC No. 15) in July 2019. PH-EITI partnered with the SEC and the COMP to hold on October 18, 2019 a workshop for companies on BO disclosure under MC No. 15. The secretariat shared the following highlights from the workshop:

- The workshop got company representatives to fill out the BO declaration form of the revised GIS.
- Of the 73 projects covered by the 6th Report, 29 companies participated, including 3 Holcim Plants and 5 Nickel Companies.
- The SEC and the secretariat collected a total of 29 BO declarations.
- The exercise yielded the following data on the types of beneficial owners of the participating companies:
 - 27 – direct
 - 27 – indirect
 - 2 – direct/indirect

The secretariat also reported on the list of published news articles on the BO workshop:

- "Government targets beneficial owners of mining firms for transparency", Philstar.com, October 19, 2019

- 1 • "Government requires extractive sector to disclose beneficial owners", Manila Bulletin, October
- 2 19, 2019
- 3 • "Mining, oil firms given until Jan. 1 to disclose real owners", Inquirer.net, October 31, 2019
- 4 • "Further transparency on firms eyed", Tribune.net.ph, October 31, 2019
- 5 • "Mining, oil firms asked to disclose real owners", ManilaStandard.net, October 30, 2019
- 6 • "Gov't seeks 'real owners' of mining, oil and gas firms in new transparency rule", Philippine
- 7 Information Agency, November 4, 2019
- 8
- 9

10 The secretariat said that the workshop was the first of its kind that was facilitated by the SEC.
11 The issue is whether the information collected will or can be published or not. The SEC itself
12 does not publish the BO data online, because it recognizes that there may still be a data
13 privacy issue that needs to be resolved.

14
15 The secretariat said that the EITI Standard only "recommends" that there be a public registry
16 of beneficial owners, but BO is required to be part of regular disclosures. The secretariat
17 further said that PH-EITI is still on track with the implementation of its BO roadmap, and that
18 the results of the BO workshop will be part of the 6th Report.

19 20 21 Open Discussion

22
23 A CSO representative asked what kind of BO reporting will be produced if specific details of
24 BO disclosure will not be disclosed. She said that she understands that the BO workshop was
25 a form of a trust building step/mechanism. She asked how PH-EITI could influence the SEC.
26 She also asked how the MSG-approved threshold of 5% and the SEC's 25% could be
27 reconciled.

28
29 The secretariat said that it hopes to be able to push the BO agenda even further. It is fortunate
30 that there is also pressure for the SEC to push BO disclosure as part of its anti- money
31 laundering/ anti-corruption efforts. The best way forward for now is to sustain coordination with
32 the SEC, which is consistent with mainstreaming. After the SEC's August 2020 deadline for
33 first compliance with MC No. 15, PH-EITI could request the SEC for a copy of companies' GIS
34 submissions and see the results.

35
36 As to the 5% and 25% thresholds, the secretariat said that MC No. 15 would be followed. After
37 the August 2020 deadline, the MSG can reassess its strategy with BO.

38
39 A government representative (ULAP) recalled her previous position on BO disclosure, that is,
40 to adapt the SEC timeline since BO disclosure is already being required by the government
41 anyway. She said that even within the network of ULAP, the advocacy is to harmonize all
42 templates that companies and LGUs are required to submit to eliminate redundancy and ease
43 the cumbersome reporting processes.

44
45 A CSO representative suggested forging an agreement with the SEC in the name of EITI
46 mainstreaming such that whenever questions on BO are raised, the PH-EITI can use SEC
47 data.

1 The Chair said that the BO workshop is a good trust-building exercise. He said that maybe the
2 SEC will be amenable to lowering the threshold later on, but for now, it is wise and efficient
3 that the PH-EITI align with the SEC MC. Besides, BO declarations under the MC are done
4 under oath.

5
6 The secretariat said that a meeting can be arranged if the MSG and the CSOs wish to invite
7 the SEC to discuss MC No. 15 further. The secretariat added that the MC actually provides
8 for BO categories other than owning at least 25% share, so that it covers other types of BO.

9
10 The Chair instructed the secretariat to inform the International Secretariat that PH-EITI is not
11 ready for BO publication in January 2020, but documentation of the BO workshop will be part
12 of the 6th Report.

13

14

15 *d. Updates on Mainstreaming Roadmap*

16

17 The secretariat recalled that the MSG approved the mainstreaming milestones and a working
18 draft of the mainstreaming roadmap during the 59th MSG meeting.

19

20 A CSO representative asked whether revenue streams disclosed by EITI will be mainstreamed
21 through each entity's reporting procedure.

22

23 The secretariat said that the idea of the approved milestones is for entities' reporting to be
24 channeled to a central repository that will be facilitated by PH-EITI. As of now, there is no
25 detailed procedure for mainstreaming yet. It would have to begin with inter-agency
26 coordination on mainstreaming.

27

28 On the matter of DOF's OGP commitment, another CSO representative asked why BO and
29 gender is not part of the commitment.

30

31 The secretariat clarified that BO and gender are part of the DOF's commitment on
32 mainstreaming EITI implementation. The draft work plan shows that activities on BO and
33 gender are tagged as deliverables under the DOF's commitment to the PH-OGP National
34 Action Plan. For the details, please refer to **Annex C - PH-EITI Work Plan 2020**.

35

36

37 *e. Report on results of the MSG Assessment and Planning (November 13-15)*

38

39 The secretariat showed a short video that recaps the highlights of the MSG year-end
40 assessment and strategic planning on November 13-15, 2019. Afterwards, the secretariat
41 presented the results of the planning activity, beginning with the SWOT analysis of PH-EITI.
42 The following are the strengths, weaknesses, opportunities, and threats identified during the
43 activity.

44

Strengths	Weaknesses	Opportunities	Threats
Collective commitment of MSG/each sector	Low budget/resources	Going beyond fiscal transparency (gender, social, environment)	Change in leadership

Diversity (multi-stakeholder that works)	Budget	International reputation	Reporting fatigue (companies and government)
Promotes transparency as “public good”	EO not RA	Subnational PH-EITI	2020 validation
Open communication	Difficulty in popularizing the report	2020 validation	Lack of BO
Proven track record of PH-EITI (recognized model)	Nonparticipation of certain entities	Engagements	Listing/disclosure
Track record of success (first country to have recognition)	Limited localization of EITI	Interest in and support EITI in Congress (possible legislative intervention)	Non-institutionalization of EITI (due to lack of support)
Capacitated/competent and dedicated MSG and secretariat	Shrinking civic space		Corruption
Support of constituency groups	EITI institutionalization is still weak		Red-tagging
Participation			
Strong DOF leadership			
Collective belief in the value of EITI			
Existing network/linkages			
Inherent value of transparency			

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The secretariat shared that based on the SWOT assessment of PH-EITI, the following vision, mission, goals, and objectives have been crafted:

Vision

A transparency platform for stakeholders committed to inclusive and effective natural resource governance.

Mission

To be a multi-stakeholder platform of commitment for transparency and policy reform in natural resource governance.

The secretariat explained that the MSG has agreed on a new set of objectives, and the old objectives had been re-designated as longer-term goals with a few minor changes.

Goals (formerly Objectives)

1. Show direct and indirect contributions of extractives to national development.
2. Improve public understanding of the management of natural resources and availability of data.
3. Strengthen government systems for natural resource management.

4. Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders.
5. Pursue and strengthen the extractive sector's contribution to sustainable development.

Objectives (2020-2022)

1. Improve the platform of commitment for transparency and create a safe space for dialogue and debate on natural resource governance.
2. Maintain an impartial verified database on the extractives sector.
3. Develop capacities of EITI stakeholders to effectively participate in natural resource governance.
4. Strengthen and expand linkages of EITI.
5. Formulate and propose policy reforms, including processes and mechanisms of natural resource governance.
6. "Staying alive" [unwritten objective]

An overall institutional strategy for 2020-2022 was also identified: to "re-energize and expand linkages for natural resource governance in the next frontier".

The planning activity also identified the new core programs of PH-EITI. These are:

1. Report and Policy Research;
2. Outreach and Linkages;
3. Communication and Advocacy; and
4. Education and Training on NRG.

In addition to PH-EITI's new vision, mission, goals and objectives, the MSG also identified what qualifications an MSG member should possess. The following are the results of the exercise:

Knowledge:

- Familiar with natural resource governance, extractive industries, and local governance;
- Understands public finance, conservation, economics, environment, and peoples' rights;
- Appreciates governance at various levels;
- Knows research;
- Has working knowledge on planning

Skills:

Negotiation, management, persuasive communication and presentation, representation, listening, financial literacy, able to create a mosaic from different ideas, people skills

Attitude:

Impeccable integrity, willingness to learn, inquisitiveness, openness to new ideas, tenacious, personable, generous with time

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Experience:
Dealing with communities, consensus-building

The secretariat then discussed the work plan that consolidates the results of the MSG and secretariat planning activities that were held in November 2019. The activities were given an indicative budget/cost.

The secretariat reported that the approved budget of PH-EITI in the proposed national budget for 2020 is Php13.2 million. The national budget has yet to be approved and signed by the President. Under the 2019 budget, which legislators are pushing to extend, PH-EITI has a remaining fund of about Php18 million. Should the 2020 budget be approved as is, and without other funding sources, the members of the secretariat would most likely be reduced to half. Expenditure items that the 2020 budget can cover include only the 7th Report production, national conference, and MSG and TWG meetings. The 2020 budget cannot cover the conduct of a roadshow.

The secretariat said that there is a World Bank call for proposals for a grant under the Extractives Global Programmatic Support (EGPS) multi-donor trust fund, and that the secretariat will take International Secretariat advice to submit a proposal that focuses more on government systems, gender, and mainstreaming to increase chances to get funding.

Open Discussion

A CSO representative suggested as strategy the increased involvement of the MSG in the implementation of the work plan considering the limited resources. She said that members can surely bring something to the table. For instance, the civil society sector can input in terms of content and in the areas of advocacy and outreach. She said that the design of the roadshow could be revisited to make it more progressive. She also said that the CSOs have presence on the ground. They could help in developing info materials that are more relevant or responsive to the needs of local stakeholders.

Another CSO representative wanted to see in the work plan the role that will be played by the people that PH-EITI serves or targets. He said that the activities in the work plan show more the roles that the secretariat anticipates to perform. He also wanted to see objective verifiable indicators that will indicate fulfilment and quality of the activities.

On the matter of verifiable indicators, the secretariat recalled that the MSG, during the planning activity, had the opportunity to identify specific key result areas and key performance indicators, which will aid in the assessment of implementation outcomes. The secretariat could not put exact numbers, however, due to budget constraints.

The secretariat also explained that it is necessary that the work plan reflect the roles the secretariat is expected to perform, as that is its responsibility and accountability to the DOF and to the MSG. This does not depart, however, from the objective to coordinate and

1 collaborate with partners and other organizations. The secretariat will definitely work with the
2 COMP, BK, and other stakeholders in implementing the work plan.

3
4 The same CSO representative suggested having a matrix showing the collaborations that can
5 be done involving all stakeholder constituencies. He said that they need to see what are
6 required of them and the role and involvement of other agencies.

7
8 The Chair said that considering the available budget, the activities identified in the work plan
9 are the most that PH-EITI can do. In addition, identifying activities that could be done in
10 collaboration with other organizations will require firm commitments from the organizations
11 identified. The Chair suggested adding another column for activities that will be subject to
12 available funds.

13
14 A government representative (DOE) concurred with the Chair by saying that it is difficult to
15 plan without a budget.

16
17 The Chair instructed the secretariat to prepare another work plan with activities subject to
18 funds coming from other sources.

19
20 The secretariat reminded the body that all the activities identified in the work plan were based
21 on the results of the MSG planning.

22
23 Another CSO representative asked how much of the work plan was already included in or
24 covered by the DOF budget. She suggested following the budget cycle such that identified
25 projects and activities could be integrated in government plans.

26
27 The Alternate Focal Person explained that the PH-EITI followed the budget cycle, but for 2020,
28 PH-EITI's budget had been cut by 60%.

29
30 The secretariat echoed the statement of the Alternate Focal Person, and added that in the
31 draft 2020 work plan, there will be an assessment and planning activity before the budget
32 season.

33
34 Another CSO representative asked about plans for the EITI bills.

35
36 The secretariat said that a training on legislative advocacy is included in the work plan to help
37 capacitate the MSG to lobby for the institutionalization of EITI. In the activity, the MSG could
38 comprehensively review bills pending in Congress, identify champions, and determine the role
39 of MSG members in advocating for institutionalization.

40
41 The Alternate Focal Person said that the review could begin with bills related to EITI and
42 counterpart bills.

43
44 Another CSO representative suggested that instead of holding only a training, the activity
45 could be turned into an actual advocacy planning workshop to come up with strategies to push
46 the bills.

1 The secretariat agreed with the need to strategize for pushing the bills. The secretariat also
2 shared that the 6th Report will include an update on relevant bills.
3
4 The Alternate Focal Person shared that in the draft bill on mining fiscal regime, EITI reporting
5 is being required. There are also separate bills on EITI institutionalization. She said that the
6 MSG should determine which path or approach is easier for PH-EITI. She said that EITI
7 institutionalization could fly under the radar of both chambers if it could be included as a simple
8 provision in other bills.
9
10 The secretariat said that the training on legislative advocacy emerged as one of the priority
11 activities during the MSG planning that is why it is included in the work plan, but it can definitely
12 be converted to an advocacy planning workshop.
13
14 The secretariat also shared that an “Open Extractives Data Act” is being pushed at the Senate,
15 and one of its salient provisions is BO disclosure, but it mentions nothing about mainstreaming.
16 It is an iteration of past bills. The secretariat sees this as an opportunity to push for the
17 publication of BO information. It said that the body can comment on the bill.
18
19 The Alternate Focal Person said that a TWG meeting could be convened to come up with
20 proposed amendments to the bill.
21
22 A CSO representative said that the pending bills require frequent push.
23
24 The secretariat said that it already touched base with some legislators.
25
26 Another CSO representative inquired which committees at the House of Representatives had
27 already been reached.
28
29 The Alternate Focal Person enumerated relevant committees that should be engaged: the
30 committees on Ways and Means and Natural Resources and/or Environment. If the bill will
31 not create a new tax item, the Ways and Means committee will not be relevant.
32
33 The secretariat added the Committee on Public Information in the list of relevant committees.
34 The secretariat also said that while there are bills filed in both chambers of Congress, the bills
35 are not moving at present.
36
37 The CSO representative asked the secretariat to provide the MSG information on the bills so
38 that the members could contribute to lobbying efforts through their respective contacts/
39 network in Congress. For instance, chiefs of staff of legislators could be mobilized to help
40 expedite the passage of the bill.
41
42 The secretariat noted all the suggestions and instructions of the MSG. It then requested the
43 MSG for the approval of the work plan as it cannot be published or submitted to the
44 international EITI without the MSG’s approval.
45
46 An industry representative asked about the feasibility of accomplishing all the activities
47 scheduled in October 2020, which include the revalidation, the 7th Report, and the MSG
48 assessment and planning activity.

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The secretariat said that preparatory works can and will be done ahead of the activities.

A CSO representative gave further suggestions on the Outreach Program, particularly about the localization of EITI. She said that the civil society sector is proposing three pilot sites, one in each island group. She also suggested a more aggressive plan on lobbying for the institutionalization of EITI.

The secretariat noted the suggestions. It said that localization may be deemed integrated in the work plan under the Roadshow. The secretariat said that the issue on forming subnational EITIs/MSGs is not yet resolved, but localizing EITI or making EITI relevant to local stakeholders has been a commitment. The secretariat said it will work with BK on this matter.

Another CSO representative said that BK will be coordinating with the MSG on initiatives to localize the EITI MSG platform on transparency and disclosure in mining.

The Alternate Focal Person asked for a motion to approve the work plan.

A CSO representative moved for the approval of the work plan subject to the improvements suggested by the MSG members. The body seconded. The PH-EITI 2020 Work Plan was approved. *Please refer to **Annex C** – PH-EITI Work Plan 2020 for the details.*

The next MSG meeting was set on February 6-7, 2020.

Without any further discussion, the meeting was adjourned at 3:15pm

List of Annexes

- Annex A – 61st MSG Meeting – 6th Report Updates presentation
- Annex B – Latest Agencies' Action on 5th Report Recommendations
- Annex C – PH-EITI Work Plan 2020