

Philippine Extractive Industries Transparency Initiative
79TH MULTI-STAKEHOLDER GROUP MEETING
 27 May 2022, Friday | 9:00 AM - 12:00 NN | Hybrid Meeting
 Department of Finance, Manila, and Google Meet

Attendees

Government	
1. OIC - Usec. Valery Joy Brion	Department of Finance (DOF)
2. Ms. Febe Lim	DOF
3. Engr. Romualdo Aguilos	Department of Environment and Natural Resources - Mines and Geosciences Bureau (DENR-MGB)
4. Mr. Arce Fajardo	Department of the Interior and Local Government (DILG)
5. Ms. Maricor Cauton	Union of Local Authorities of the Philippines

Industry	
1. Atty. Ronald Rex Recidoro	Chamber of Mines of the Philippines (COMP)
2. Atty. Odette Javier	Lepanto Consolidated Mining Company
3. Atty. Francis Joseph Ballesteros, Jr.	Philex Mining Corp.
4. Mr. Leomer Paul Agcamaran	OceanaGold (Philippines), Inc.

Civil Society	
1. Mr. Vincent Lazatin	Bantay Kita - Publish What You Pay Philippines (BK)
2. Mr. Chito Trillanes	Social Action Center - Ecology Desk, Diocese

	of Tandag, Surigao del Sur
3. Prof. Ladylyn Mangada	University of the Philippines - Tacloban
4. Dr. Glenn Pajares	Sectoral Transparency Alliance on Natural Resource Governance in Cebu, Inc. (STANCe)

PH-EITI Secretariat
1. Mr. Eastword Manlises
2. Ms. Mary Ann Rodolfo
3. Ms. Mary Jane Baldago
4. Ms. Anna Leigh Anillo
5. Ms. Zoe Jimenez
6. Ms. Roselyn Salagan
7. Ms. Rhea Mae Bagacay
8. Mr. Albert San Diego
9. Ms. Rhoda Aranco
10. Ms. Andrea Denise Samson
11. Mr. Dennis Atienza
12. Mr. Jaime Miguel
13. Mr. Ricardo Evora
14. Ms. Therese Andrea Bartolome
15. Ms. Merry Jean Caparas
16. Ms. Pamela Kim Aquino

Agenda

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Proceedings

I. Call to order

DOF OIC - Undersecretary Valery Joy Brion chaired the meeting. There being a quorum, the meeting was called to order at 9:08 AM.

II. Approval of the agenda of the 79th meeting

The Chair sought the approval of the agenda.

A civil society representative motioned for the approval of the agenda. The motion was seconded and the agenda was approved.

III. Approval of the minutes of the 78th meeting

The Chair gave the members more time to peruse the minutes of the 78th meeting and send comments or corrections, if any. If no comment is received, the minutes will be deemed approved.

IV. Matters arising from previous meetings

NO.	ITEM	ACTION	IN-CHARGE	STATUS	REMARKS
From the 78th MSG Meeting - April 22, 2022					
78.1	The Secretariat is directed to work with the civil society representatives for the concept note on a special MSG meeting for the corrective actions on requirement 1.3	A leveling off meeting was scheduled on 26 May 2022 The highlights of the meeting will be discussed under Main Business	Secretariat	Completed	

78.2	The MSG agreed to hold the National Conference in July 2022. The Secretariat will circulate the documents regarding the National Conference.	The Secretariat received feedback from two MSG members, suggesting to move the schedule further and make the event an entire day affair	Secretariat	Completed	The MSG agreed to move the National Conference from July to August 2022.
78.3	The MSG members are given 1 week to give comments on the CPBRD Policy Brief and the National Conference documents.	The Secretariat did not receive any substantive comment	MSG	Completed	The Secretariat to develop a response on the CPBRD Policy Brief, and have the draft circulated to the MSG.
78.4	The Secretariat to explore mechanisms (i.e. learning sessions, RTDs) to have better understanding on the issue of misrepresentation and underreporting.	The Secretariat has yet to discuss with MGB	MGB & Secretariat	Ongoing	

On item no. **78.2**, the MSG agreed to move the National Conference from July to August 2022. An industry representative suggested using the National Conference as an opportunity for all stakeholders to reaffirm their commitment to the EITI. The same industry representative suggested changing the theme from “recovery” to “transition”. A civil society representative proposed the themes “Transitioning to Durable Solutions” and “Transition and Embracing Durable Solutions”.

In relation to transition, the Chair instructed the Secretariat to prepare the proper transition documents for the incoming economic team. A civil society representative said that the National Conference could be a chance for incoming officials to share their plans in relation to the extractives.

On item no. **78.3**, the Chair asked what the PH-EITI’s commitment is to the CPBRD. The Secretariat said that comments regarding the policy brief are being solicited, but other than

that, there are no other commitments. The Chair instructed the Secretariat to develop a response on the policy brief, and have the draft circulated to the MSG. The Chair also instructed the Secretariat not to release documents which are not signed.

On item no. 78.4, an industry representative suggested getting inputs from the accounting profession and letting them share their perspective on transfer pricing. The Chair also suggested getting inputs from the BIR. A civil society representative suggested getting representatives from the legislature, by which the Chair answered that it would be better to invite them when the MSG already has a good grasp on the issue of transfer pricing. A government representative suggested inviting BOI and DTI, which the Secretariat noted. The Chair instructed the Secretariat to provide updates within a week's time regarding the learning sessions on the issue of transfer pricing, misrepresentation and underreporting.

Item no. 77.8 (issue on MMDC's alleged tree cutting activities) was also reviewed. A government representative gave an update and said that the matter was discussed with the Mine Rehabilitation Fund Committee. However, the discussion was shelved because the proponents submitted a proposal and requested for it to be discussed in a different venue, preferably a technical conference. The same representative said that the said technical conference is yet to be scheduled. A civil society representative shared that he is hoping that actions regarding the issue will be laid to guarantee the participation of communities in permit application. The Secretariat said that the matter has already been referred to the MGB, awaiting for updates.

*The complete record of MSG decisions and matters arising from meetings can be accessed at <https://pheiti.dof.gov.ph/msg-decisions-and-matters-arising/>.

V. Main Business

1. Country reports

a. FY 2020 report

The Secretariat presented updates on the production of the FY 2020 PH-EITI Report.

The report has three chapters or components – (i) Contextual information; (ii) Data reconciliation; and (ii) SSM study.

The Secretariat explained that the publication of the report is experiencing delays due to administrative concerns encountered in the latter part of 2021.

The Secretariat flagged that the report needs to be completed before the new administration comes in.

For the **contextual information chapter**, the consultant already submitted a complete draft. The Secretariat has reviewed the submission and provided comments to the consultant. The intention is to refine the draft and ensure that it addresses the requirements of the EITI Standard, such that the MSG can later focus on a substantive review.

The Secretariat proposed that the next MSG meeting focus on the presentation and review of the key findings of the report.

For the **data reconciliation chapter**, the independent administrator (IA) has not yet submitted any draft. The Secretariat reported, however, that the IA is working double time to finish the reconciliation of data.

The Secretariat reiterated that the procurement of services of an IA encountered administrative delays in 2021. This affected the start of the reconciliation process. In addition, there were pending data submissions from government agencies, while both the IA and BIR became occupied in Q1 of 2022 due to the tax season.

The Chair asked the Secretariat about the catch up plan.

The Secretariat proposed that the MSG have its next regular meeting on June 9, 2022 (Thursday) to discuss the report. A week before the meeting, complete drafts should be circulated to the MSG.

The consultants will be requested to present their key findings during the meeting. The MSG will be requested to provide comments, and if there are no major concerns, the MSG may already give a provisional approval to enable the processing of payments for the consultants.

For the chapter on **SSM**, the consultant communicated concerns on the case study component as required in the TOR. The case studies might not be completed due to funding, and due to logistical constraints brought about by the pandemic. The consultant tried implementing the interviews and consultations online but the agencies and the target interviewees were not as responsive and the information collected are not as useful.

The Secretariat is concerned whether the consultant will be able to complete the chapter. If the chapter would be produced, only one of the two objectives might be met.

The SSM study has two objectives – (i) review existing and proposed legal and regulatory framework for SSM; and (ii) test the applicability of PH-EITI's SSM reporting tool in SSM areas.

At the very least, the first objective may be addressed through consultations and desk review.

The other objective might not be met due to time constraints and difficulty of engaging interviewees.

The Secretariat asked the MSG if it could allow the consultant to focus instead on the first objective.

The Chair asked what the deliverables are in the contract. The Chair said that if certain deliverables are not met, that would require the MSG and the DOF not to issue any certification to cover the deliverable that was not met. The Chair said that the MSG would not want to issue certification that submissions are given when there are no submissions. Otherwise, the matter may end up in a COA finding.

A civil society representative said it would be a sad experience to certify something that was not fulfilled. He said there should really be a religious delivery of the deliverables. He shared that in his experience as a local administrator, there were signatories of some certifications that received complaints from the Ombudsman for certifying things that are not really in their position. He agrees that the deliverables must be performed.

Another civil society representative supports the suggestion not to issue any certification unless deliverables are received.

An industry representative said he flagged in previous MSG meetings that the study's budget was too small to fund case studies. He asked what the work plan was to fulfill the case studies given the small budget. Since the study has already reached a hard deadline, he asked what the suggested ways forward are to address the requirements of the contract given the funding limitations.

The Secretariat confirmed that there were concerns before regarding the budget and case studies. The plan back then was to assist the consultant in coordinating with agencies and civil society partners on the ground to engage case studies. The Secretariat said that assistance was given to the consultant and that the consultant presented plans during one of the MSG meetings.

The Secretariat shared that work for the study encountered delays, with the inception report being submitted in December 2021 or a few weeks after the actual contract period – July to November 2021 – had lapsed. The inception report could

have been useful in detailing early on the strategies of the consultant and how the Secretariat can help.

The Secretariat further informed the body that the consultant still has about a month to complete the study.

The Chair asked what rule says that the consultant can submit until June 2022.

The Secretariat said that the DOF's Budget Section called the attention of PH-EITI regarding unpaid consulting services. The Budget Section allowed the office to settle until June 2022. Strictly, however, payment should have been settled in March 2022 following the cash-based payment policy of the government.

The Chair asked how the MSG should move from here.

The Secretariat said that the consultant might still be able to satisfy the first objective of the study. As with the case studies, there is a slim chance that this may still be pushed through within the remaining month.

For administrative and payment purposes, the Secretariat asked if it is okay with the MSG to give a provisional approval on any draft the consultant may submit just so payment could be processed. The consultant, then, will be instructed to continue if the catch up plan would not push through in June.

The Chair asked if it is still possible to amend the contract. The Secretariat answered in the negative. The Chair asked if the case studies are included in the milestones indicated in the contract. The Secretariat answered that only the report is included as a milestone.

The Chair asked how the concerns with the report will affect the Philippines' commitments and compliance with the EITI Standard.

The Secretariat clarified that the SSM study is not a requirement. The EITI Standard requires an overview of the SSM sector's contribution to the economy and government revenues, but it is not a requirement for SSM operators to submit reports to PH-EITI.

The Secretariat furthered that the objective of the study is to inform the government and stakeholders how to improve SSM registration, operation, and monitoring. Another objective is for a proposed monitoring tool to be tested in case study areas, with the goal of advocating among LGUs to use the tool in monitoring production and revenue from SSM. The delay in the completion of the SSM study will not affect the country's commitments, but it may impact PH-EITI's budget, future plans on SSM, and the payment for the consultant.

The Chair advised the Secretariat to check with DOF's Accounting Section if they encountered similar cases before and how the office handled it. The Chair said that the guiding principle should be to not make the MSG sign on something that is not true. While the Chair may agree with the concern raised before regarding the budget, timeline, and deliverables of the project, the MSG should not just agree to pay consultants in full just because they said that certain deliverables cannot be done anymore. When the consultants accepted their contracts, they were aware of the commitments that they made. The MSG should hold them accountable to deliver their commitments.

A civil society representative said that there might be a colatilla in the contract that could be used as an excuse.

The Chair directed the Secretariat to review the contract, and check if there are sections that allow the performance of certain duties to be excusable. The Secretariat also has to vet the real causes of the non-delivery. The consultant should utterly be without fault. The Chair further instructed the Secretariat to update the MSG within a week from the MSG meeting.

A civil society representative asked if the consultant has been issued with any payment. The Secretariat answered in the negative, adding that since the contract had already lapsed, no milestone payments may be issued anymore. Submission of requirements under the contract should now be done in full before payment could be released.

With no other comments from the MSG, the Secretariat said that it will proceed as instructed before asking the Chair for permission to proceed with the next item in the agenda.

b. FY 2021 report

The Secretariat presented the timeline regarding the production of the FY 2021 PH-EITI Report.

Date	Milestone
April 22	Approval of TOR of the Independent Administrator
June 6	Orientation / ORE Tool Webinar Workshop
June 24	Submission of required documents (Taxpayer's waiver, Secretary's certificate, BO documents)

June 15-August 16	Reporting period
August 31	Initial reconciliation
September 30	First draft of Reconciliation Chapter
October 28	Final draft of Reconciliation Chapter

The Secretariat said that the call for application for the independent administrator (IA) has been published on PH-EITI's online channels but no applications were received at the moment. An option is that the IA that was previously hired for the FY2020 Report can be engaged for the FY2021 Report. However she has to complete first her deliverables for the FY2020 Report for her to be eligible for a new project. The Secretariat also said that USec. Bayani Agabin flagged concerns on the hiring process of new consultants. Supporting documents might get signed by August because the current set of officials will not sign any consulting projects anymore, which means that the incoming new officials will have to sign the contracts and TORs. The Secretariat said that considering these factors, the new IA might start in September to December. The target date for the initial reconciliation will be adjusted based on the comment of USec. Agabin. While the hiring of the new IA is still pending, the Secretariat has started working on plans to collect data from companies. Reorientations on the reporting process will be done for new and old companies.

The Secretariat then shared the list of companies that will be covered in the FY2021 Report (Annex A).

2. *Extractives integrity study*

The Secretariat discussed the progress on the extractives integrity study. For context, the Secretariat said that Integrity is a program under the 2021 and 2022 PH-EITI work plan that aims to diagnose and address corruption risks in the mining, oil, and gas sector.

The tool from the Natural Resource Governance Institute (NRGI) is the instrument being used to diagnose the corruption risks. The EITI International agreed to fund the study. A consultant, in the person of Dr. Ramandeep Kaur Chhina from FLE Compliance Ltd, has been engaged to implement the study.

Dr. Chhina has already submitted an inception report for the study, which the Secretariat circulated to the MSG last May 19. Also circulated was the summary of the requirements of the first step of the NRG tool which requires the MSG to (i) decide on a sector or commodity to be covered; and (ii) set goals.

The Secretariat recommended that the study focus on large-scale nickel mines, because of the following rationale:

1. Most active mines are extracting nickel;
2. Nickel is a critical mineral for energy transition, specifically for electric vehicles and the renewable energy sector;
3. Many nickel operators are private corporations that are reportedly with unknown BOs and have indications of politically exposed persons (PEPs) as BOs;
4. Some nickel mines are reportedly employing questionable transfer pricing practices; and
5. Some nickel mines are reportedly associated with local chief executives.

The Secretariat presented the goals of the study as proposed by the consultant:

1. Strengthen governance through enhanced oversight;
2. Reduce social and environmental harms;
3. Increase revenues generated by the government;
4. Improve public and investor confidence.

The Secretariat shared that there were comments from two MSG members regarding the proposed goals:

1. The first three goals could be the focus, and the fourth goal is the result of the first three objective;
2. Reword the first goal to “to improve governance through enhanced oversight and citizen led monitoring of contracts”.

The Secretariat asked the MSG for confirmation of the approval of the proposed goals. A civil society representative suggested fine-tuning the language of the proposed goal. Instead of saying that the “study will strengthen governance”, it can be “find areas where governance can be strengthened”.

An industry representative commented on the second goal, and said that there should be a direct correlation between the integrity study and how it can reduce

social and environmental harms. It could be “identification of social and environmental harms arising from corruption”.

The Chair commented on the third goal and suggested that it could be “to identify areas where the government can further increase revenues”.

A civil society representative commented on the fourth goal and said that it is a byproduct and not necessarily an actual goal.

Another civil society representative suggested the second goal to be rephrased to “the integrity study could help social and environmental performance of mining companies”.

Another civil society representative suggested the inclusion of civic spaces or participation in EITI advocacies and implementation in mining affected communities. He also recommended including the standards for social and environmental reporting in the future going beyond fiscal reporting in future EITI reports.

Another civil society representative said that she is interested in the identification of vulnerable processes and stages.

Another civil society representative shared that the study, if it reveals many corruption risks, may actually reduce public and investor confidence. What will improve public confidence is once the corruption risks are identified and the proper corrective actions are taken. He suggested that the goals could be:

1. Identify corruption risks/vulnerabilities in the whole extractive value chain; and
2. Identify possible reforms necessary to reduce/eliminate these risks.

The Chair tasked the Secretariat to circulate the proposed goals of the extractive integrity study to solicit more suggestions from the MSG. The Chair also instructed the Secretariat to update the MSG whether the timeline regarding the study is still feasible. The Secretariat answered that the consultant will submit a revised timeline. The MSG agreed on the coverage of the integrity study (large-scale nickel mines).

3. PH-EITI working groups

The Secretariat presented the proposed working groups for the MSG.

Type of Committee	Main Function
Permanent Committees	tackle recurring and strategic concerns related to EITI implementation and natural resource governance
Ad Hoc Committees	concentrate on pressing issues that need decisions within a specific period of time

Permanent Committees	
Committee	Description and Role
Governance and Oversight Committee	<p>Addresses issues relating to the governance of PH-EITI, including decision-making procedures, accountability lines, governance of the PH-EITI Secretariat and constituency guidelines</p> <p>Responsibilities:</p> <ul style="list-style-type: none"> ● Review and provide guidance to constituency in matters concerning their participation, member status and vacancies; ● Recommends continuous improvement on how PH-EITI addresses implementation concerns, and specific stakeholder concerns; ● Recommend to the MSG capacity building program on matters related to natural resource governance and extractives management; ● Responsible for monitoring the application of the rules and processes set out in the PH-EITI MSG Internal Rules.
Finance Committee	Advises the PH-EITI MSG on strategic matters relating to the financing and budget allocation of EITI implementation.

	<p>Responsibilities:</p> <ul style="list-style-type: none"> ● Advise the MSG on issues relating to securing of funding and budget allocation from the principal agency for activities in the approved PH-EITI work plans and budgets; ● Review the expenditure and appropriate utilization of funds within the approved budget.
<p>Stakeholder Engagement Committee</p>	<p>Support the PH-EITI MSG in ensuring inclusive and meaningful participation of stakeholder in the EITI, and in monitoring, deliberating and addressing issues in the participation of each constituency in accordance with EITI Requirement No. 1.</p> <p>Responsibilities:</p> <ul style="list-style-type: none"> ● Monitor the status of stakeholder engagement in Philippine extractives, discuss progress in implementing activities as stipulated in the PH-EITI work plan, and develop recommendations to the PH-EITI MSG for addressing gaps in the participation of each constituency; ● Establish and implement a reporting, monitoring, and feedback mechanism for EITI-related stakeholder engagement issues; ● Recommend enactment or amendment of policies related to the participation of each constituency involved in EITI implementation and natural resource governance.
<p>Implementation Committee</p>	<p>Advises the PH-EITI MSG on matters related to the implementation of EITI Standard, including monitoring of the reportorial process.</p> <p>Responsibilities:</p> <ul style="list-style-type: none"> ● Monitor the progress in meeting EITI requirements, including corrective actions and recommendations, ahead of regular Validation exercises and reviews by the Validation Committee;

	<ul style="list-style-type: none"> ● Oversee the documentation of the impact of implementation, and presents recommendations for enactment or amendments of policies related to the implementation of EITI Standard requirements; ● Oversee the quality of EITI disclosures and annual reporting cycle, including the selection of the Internal Administration, appropriateness of the themes of the annual report; ● Review all types of documents that will be submitted to the Validation Committee, ahead of the Validation submission period; ● Recommend enactment or amendment of policies related to the EITI Standard, based on developments and valid concerns raised by stakeholders, as documented in Stakeholder Engagement activities.
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The Secretariat said that it used as a basis for its recommendation the permanent committees of the EITI International Board, and check which ones are applicable and relevant to the Philippine context. The Secretariat solicited comments from the MSG and asked whether some proposed committees could be fused.

On the Stakeholder Engagement Committee, a civil society representative suggested adopting some wording from the EITI Validation guide, for example, “the stakeholder engagement committee should also monitor any developments in a broader enabling environment that have the potential to impact civil society engagement in PH-EITI”.

A civil society representative suggested merging the Governance and Oversight Committee and Implementation Committee.

The Chair, on the other hand, suggested merging the Governance and Oversight Committee and Finance Committee, which then will be in charge of the operations of the MSG, internal rules, and work plan. The Implementation Committee will focus on EITI compliance and vetting of the reports. The Stakeholder Engagement Committee will focus on addressing the corrective actions, and its tasks should include the legislative advocacy of EITI.

The Secretariat also presented the existing ad hoc committees, and said that these committees could later be subsumed under the permanent committees.

Ad Hoc Committees	
Committee	Description
Gender and Sustainability in the Extractives	Ensures that EITI implementation in the Philippines follows gender responsive principles.
Beneficial Ownership	Supports the MSG in improving compliance with EITI Requirement 2.5 and in addressing gaps in implementation.
Theory of Change	Sets the Theory of Change of Philippine EITI, and the mechanism to monitor the impact of the changes.
Legislative Advocacy	Provides recommendations on policy and legislative actions related to transparency and accountability in extractives and natural resource governance.

A civil society representative agreed with the creation of three permanent committees: on governance, stakeholder engagement, and implementation.

Another civil society representative suggested having further studies and deeper discussions on the committees.

The Chair tasked the Secretariat to come up with all possible permutations on the merging of working groups, and discuss with the MSG.

4. *Validation corrective actions*

The Secretariat presented updates in relation to addressing the corrective actions for Requirement 1.3. A leveling off meeting was conducted on May 26 to address the status of civic engagement in the Philippines. The meeting was attended by several members of the MSG and was facilitated by Chancellor Maria Teresa Habitan of the Philippine Tax Academy.

In the meeting, it was noted that there is already a tacit recognition that there are concerns on civic engagement. The civil society constituency agreed to move forward by reviewing the proposed action steps for Requirement 1.3 and identifying by June 6 other "broader issues" that the MSG may have to address including (i) freedom of speech, (ii) freedom of the press, and (iii) ATA implementation.

The civil society representative who attended the leveling off meeting pointed out a caveat that he did not necessarily represent the view of the civil society constituency because he was not able to get their views beforehand.

Another civil society representative said that he is hoping that the issue will be given attention, and that all mining operators should be covered by the transparency mechanism of the PH-EITI.

The MSG confirmed the agreements captured from the leveling off meeting. The civil society constituency was requested to review the proposed action steps for the corrective actions, and submit inputs by June 6, 2022.

VI. Other matters

1. Open evaluation of EITI

The Secretariat discussed that the EITI International commissioned Voconiq and Square Circle Consortium (VQ-SC) to conduct an independent evaluation of the EITI to assess its relevance, effectiveness, impact, and sustainability. Part of the evaluation design are visits to six (6) country case studies, where stakeholder interviews will be conducted. A representative from the consortium visited the Philippines in the person of Dr. Tim Grice. The PH-EITI Secretariat assisted Dr. Grice in the preparation of his itinerary; the identification of, endorsement to, and coordination with interviewees; and the arrangement of his accommodation and in-country transfers. Dr. Grice conducted site visits to Rio Tuba Nickel Mining Corporation in Palawan, and Carmen Copper Corporation in Cebu. He also did interviews with stakeholders, and an outcome harvesting workshop. During the outcome harvesting workshop, Dr. Grice asked the stakeholders the following questions:

1. What outcomes or changes have you seen that you think EITI has contributed to?
2. What were the 'causal pathways' of the change (what factors led to the change)?

The Secretariat said that Dr. Grice requests the other members of the MSG to submit inputs.

The Chair directed the Secretariat to circulate the questions and solicit responses, for submission to Dr. Grice.

2. Call for nominations for new CSO reps

The Secretariat shared that Bantay Kita has launched a nomination for new CSO representatives who will represent the communities and CSOs in the MSG. Specifically, the 5 CSO MSG members will assume the following roles:

- One (1) National CSO/Indigenous Peoples/women
- One (1) CSO from Luzon
- One (1) CSO from Mindanao
- Two (2) Indigenous Peoples/women

The Chair tasked the Secretariat to assist Bantay Kita in cascading the call for nominations for new CSO representatives via various online platforms.

3. *Other updates*

The Secretariat discussed the result of the roundtable discussion (RTD) on energy transition which was held on May 4. In the RTD, the Department of Energy (DOE) and other resource persons emphasized that implementation of the Philippine Energy Plan (PEP) 2020-2040 will be through a just transition. The DOE-Energy Policy and Planning Bureau (EPPB) and DENR Climate Change Information & Technical Support of DENR emphasized the need for discussion with stakeholders and the importance of coming up with a roadmap for the upstream industry processes involved in energy transition, and roadmap to operationalize the transition to clean energy. The Secretariat shared that initial talks were held with the DOE-EPPB regarding the ways forward and the plan to conduct another RTD that will focus on the mechanism of the roadmap.

An industry representative shared that he was caught off guard with the energy transition RTD. He said that there should have been a leveling off first within the MSG before engaging with the public.

The Secretariat responded that the RTD was just a way to map out what mechanisms currently exist in relation to energy transition. The RTD was somehow a way of leveling off. There were no concrete agreements, just plans on how to move forward.

A civil society representative said that while energy transition is part of the PH-EITI work plan, he agrees that there should have been a leveling off first.

An industry representative said that energy transition is important and should really be discussed. But the foundations should be laid first before entering the work. He

said that the PH-EITI must focus on things that are truly material for all stakeholders. He said that the Secretariat must lay the basis for why energy transition should be prioritized.

A civil society representative responded that energy transition falls under the concerns of EITI because there will be an increase in the demand of minerals for the production of materials needed for decarbonization efforts like batteries.

The Secretariat said that even if the MSG decides not to be involved, discussions and initiatives on energy transition will continue. The DOE-EPPB will continue with their initiatives on energy transition even without PH-EITI.

The Chair added that discussions are currently ongoing even if energy transition will not be prioritized at the MSG level.

The Secretariat proposed that a leveling off session among MSG members regarding energy transition be held. The Secretariat added that the leveling off could be done some time in September and the resource speakers during the energy transition RTD can be invited as well.

VII. Summary of MSG decisions, agreements, and instructions

Agreement	Responsibility Center
The MSG agreed to move the National Conference from July to August 2022.	MSG
The Secretariat to draft comments on the CPBRD Policy Brief, and have the draft circulated to the MSG.	Secretariat
As a matter of policy, the Secretariat should not release documents to anyone or to the public without the approval or signature of the Chair.	Secretariat
The Secretariat to provide updates within a week’s time regarding the plan to hold a learning session on mineral production misrepresentation and underreporting.	Secretariat
The Secretariat to review the contract of the consultant for the SSM study, coordinate with the consultant regarding a catch-up plan, and update the MSG within a week’s time.	Secretariat

The MSG agreed that the extractives integrity study will cover large-scale nickel mines.	MSG
The Secretariat to refine the proposed goals of the extractive integrity study and circulate the same to the MSG for comments.	Secretariat
The consultant for the extractives integrity study should submit an adjusted timeline.	Consultant on the integrity study
The Secretariat to study which proposed MSG working groups or committees should be merged.	Secretariat
<p>The MSG confirmed the agreements arrived at during the leveling off meeting on the status of civic space, to include following:</p> <ul style="list-style-type: none"> • There is already a tacit recognition of concerns in civic space, considering the willingness of MSG constituencies to address gaps. • The civil society constituency will review the proposed action steps for the corrective actions and submit inputs by June 6, 2022. 	MSG
The Secretariat to solicit from the MSG responses to questions related to the Open Evaluation of EITI.	Secretariat
The Secretariat to cascade online the call for nominations for new CSO representatives.	Secretariat
The Secretariat will organize a leveling off session within the MSG regarding energy transition, with the goal of reviewing the prioritization of energy transition in the work plan.	Secretariat and MSG

VIII. Setting of the next meeting

The Secretariat proposed that the 80th MSG meeting be held on June 9, 2022 (Thursday). The MSG approved the proposed schedule.

IX. Adjournment

With no other matters to be discussed, the meeting was adjourned at 12:15 pm.

ANNEXES

Annex 1: Companies to be covered in the FY2021 Report

Metallic mines (Commercial Operation)

- Adnama Mining Resources Inc.
- Agata Processing, Inc. (Operator: Agata Mining Ventures Inc.)
- Apex Mining Company Inc.
- Atlas Consolidated Mining & Development Corporation (Operator: Carmen Copper Corp.)
- Atrato Mining-Vitali, Inc.
- Austral-Asia Link Mining Corp.
- Benguet Corporation (PC-ACMP-002-CAR, MPSA No. 226-2005 III)
- Benguetcorp Nickel Mines Inc.
- Berong Nickel Corp.
- Century Peak Corp.
- Chromiteking, Inc (Operator: Techiron Resources, Inc)
- Citinickel Mines & Development Corp.
- CTP Construction & Mining Corp. (MPSA Nos. 018-93-X (SMR), 158-00-XIII (SMR))
- CTP Construction & Mining Corp. (Operator: Carrascal Nickel Corporation)
- East Coast Mineral Resources Co. Inc. (Operator: Cagdiano Mining Corp.)
- East Coast Mineral Resources Co. Inc. (Operator: Libjo Mining Corp., Westernshore Nickel Corp., Alnor Nac's Construction and Development Corp.)
- Emir Mineral Resources Corp.
- Eramen Minerals, Inc.
- FCF Minerals Corporation
- Filipinas Mining Corp. (Operator: LNL Archipelago Minerals Inc.)
- Filminera Resources Corporation
- Hinatuan Mining Corp.
- Itogon-Suyoc Resources, Inc.
- Lepanto Consolidated Mining Company (MPSA No. 001-90-CAR, PC-LCMC-005-CAR)
- Marcventures Mining & Development Corp.
- Nickelace, Inc. (Operator: Global Min-Met Resources, Inc., Verum Terra Geoscience, Inc.)
- OceanaGold Philippines, Inc.
- Ore Asia Mining and Development Corp.
- Philex Mining Corp.
- Philsaga Mining Corporation
- Rio Tuba Nickel Mining Corp.
- Riverbend Consolidated Mining Corp. (Operator: Arc Nickel Resources, Inc.)
- Shangfil Mining and Trading Corp.
- Sinosteel Philippines H.Y. Mining Corp.

- SR Metals, Inc.
- Strong Built (Mining) Development Corporation (Operator: MacArthur Iron Projects Corp.)
- Surigao Integrated Resources (Operator: Platinum Group Metals Corp.)
- Taganito Mining Corp.
- TMC- Tribal Mining Corporation
- TVI Resource Development Philippines, Inc. (Operator: Agata Mining Ventures Inc.)
- Zambales Diversified Metals Corp.

Metallic mines (Under Care and Maintenance)

- AAM-PHIL Natural Resources Exploration & Development Corp. (Parcel I, Parcel 2B)
- Dinapigue Mining Corp.
- Greenstone Resources Corp.
- Johson Gold Mining Corp.
- Krominco Inc.
- Mt. Sinai Mining Exploration and Development Corporation
- Norweah Metals and Minerals Company, Inc. (Operator: Oriental Vision Mining Phil. Corp.)
- Oriental Synergy Mining Corp.
- Vincent Tan Tiong (Operator: Nicua Corporation)
- Vista Buena Mining Corp. (Operator: Wellex Mining Corp.)

Commercial Operation: 44

Under Care and Maintenance: 11

Total: 55 projects in metallic mines

Non-metallic mines

- Teresa Marble Corporation/Solid Cement
- Republic Cement & Building Materials, Inc.-Batangas Plant (Formerly Lafarge Republic, Inc.)
- Holcim Mining and Development Corporation and Doric Marble Corporation- (Assignment from Holcim Philippines, Inc.)
- Republic Cement & Building Materials, Inc.-Teresa Plant
- Apo Land & Quarry Corp.
- Bohol Limestone Corp.
- Rapid City Realty and Dev't. Corp.
- San Rafael Dev't. Corp.
- Luzon Continental Land Corporation
- Hardrock Aggregates, Inc.
- Rapid City Realty and Dev't. Corp.

- Holcim Resources and Development Corporation (Assignment from Holcim Philippines Manufacturing Corporation)
- Apo Land & Quarry Corp.
- Asencio-Pinzon Aggregates Corp./Pacific Concrete Products, Inc. & Vulcan Materials Corp.
- Concrete Aggregates Corp
- Gozon Dev't. Corp.
- Holcim Mining and Development Corporation (MPSA Nos. 236-2007-I; 238-2007-I; 274-2008-XI (Amended); 281-2009-X (Amended I); 295-2009-I-Amended I)
- Montalban Millex Aggregates Corporation
- Heirs of Arturo Zayco
- Maria Cristina Chemical Industries (MCCI) Corporation
- Northern Cement Corporation
- Holcim Mining and Development Corporation and Doric Marble Corporation (Assignment from Holcim Philippines, Inc.)
- Holcim Resources and Development Corporation (Assignment from Holcim Philippines Manufacturing Corporation)
- Holcim Mining and Development Corporation
- Rapid City Realty and Dev't. Corp.
- Republic Cement Mindanao, Inc. (Formerly Lafarge Mindanao Inc.)
- Republic Cement and Building Materials Incorporated (formerly: Lafarge Republic Inc.) (MPSA Nos. 132-99-VII; 138-99-IVA)
- Solid Earth Dev. Corp.
- Rockmix, Inc.
- Republic Cement Iligan Inc. (Formerly Lafarge Iligan, Inc. as amended on October 21, 2015)
- Republic Cement Land and Resources, Inc.
- Spar Development Co., Inc
- Ibalong Resources and Development Corporation
- Island Quarry & Aggregates Corp./Solid Cement Corp.
- Teresa Marble Corporation
- Heirs of Elias E. Olegario (MPSA No. 200-2004-I)
- Quarry Ventures Phils. Inc.
- Holcim Philippines Inc. - La Union Plant
- Rapid City Realty and Dev't. Corp.
- Rolando B. Gimeno and La Concepcion Construction and Development Corporation
- Teresa Marble Corporation
- UBS Marketing Corporation
- Orophil Stonecraft Inc.
- Lazi Bay Res. Devt., Inc.

- Holcim Mining and Development Corp. - HMDC (Assignment with subscription Agreement for Holcim Phils., Inc.

Total: 56 projects in non-metallic mines

Oil and Gas

- NPG Pty Ltd (formerly Galoc Production Company)
- Shell Philippines Exploration B.V. (SPEX)
- China International Mining Petroleum Company (CIMP)

Coal

- Semirara Mining and Power Corporation

Mining Companies Operating in BARMM

- SR Languyan Mining Corporation
- Chan C Mining Company
- Pax Libera Mining Company
- Minavida De Mindanao Mining Incorporated