

Philippine Extractive Industries Transparency Initiative**96th MULTI-STAKEHOLDER GROUP (MSG) MEETING**

21 February 2025, Friday | 9:00 AM - 12:00 PM

Online Meeting

MINUTES OF MEETING**Attendees:****NAME****AGENCY**

Usec. Bayani H. Agabin

Department of Finance

Dir. Maricor Ann D.G. Cauton

Union of Local Authorities of the Philippines (ULAP)

Engr. Romualdo Aguilos

Mines and Geosciences Bureau

Mr. Reymark Tablanza

Department of the Interior and Local
Government (DILG)

Atty. Ronald Rex S. Recidoro

Chamber of Mines of the Philippines (COMP)

Atty. Kiril Caral

Petroleum Association of the Philippines

Atty. Francis Ballesteros

Philex Mining Corporation

Atty. Joan Adaci-Cattiling

OceanaGold Corporation

Ms. Beverly Besmanos

Bantay Kita

Prof Maria Aurora Tabada

Visayas State University

Atty. Avril De Torres

Center for Energy, Ecology, and Development

Mr. Jeffrey Carin

Father Saturnino Urios University Foundation Inc

(FSUUFI) Butuan City

Mr. Joel Chester Pagulayan

Oxfam Pilipinas

Ms. Jeanira Godio-Okubo

PILIPINA, Baguio-Benguet Chapter

Ms. Arlene Sevilla

Tawi-Tawi Regional Agricultural College

Assembly of Masses and Basic Sectors for Unity and
Harmony—Initiatives for Normalization and

Advancement for Human Security (AMBUH-INAH)

Tawi-Tawi Alliance of Civil Society Organizations, Inc.
(TACOS)

Ms. Mary Ann Dizon-Rodolfo

PH-EITI Secretariat

Mr. Albert A. San Diego

PH-EITI Secretariat

Ms. Rhea Mae B. Pamatmat

PH-EITI Secretariat

Mr. Amiel De Guzman

PH-EITI Secretariat

Ms. Rhoda H. Aranco

PH-EITI Secretariat

Mr. Job G. Besmonte

PH-EITI Secretariat

Ms. Andrea Denise Samson

PH-EITI Secretariat

Ms. Shaina Gem P. Cardenio	PH-EITI Secretariat
Mr. Lloyd Rainiel C. Bonsol	PH-EITI Secretariat
Ms. Aliyah Mae Gozon	PH-EITI Secretariat
Ms. Jollie Anne M. Las Piñas	PH-EITI Secretariat
Ms. Malene Skensved	PH-EITI Secretariat

Agenda:

- I. Call to order**
- II. With Gratitude: Recognizing Our Outgoing MSG-CSO Representatives**
- III. Introduction of the New MSG-CSO Representatives**
- IV. Approval of the agenda of the 96th meeting**
- V. Approval of the minutes of the 95th meeting**
- VI. Main Business**
 1. Progress Update on the Amended FY 2022 Country Report (Consultant's Revision)
 - a. Contextual Information Chapter
 - b. Reconciliation Report
 2. Progress Updates on the FY 2023-2024 Reporting Cycles
 3. Terms of Reference (TOR) for the Next EITI Country Reporting
 4. Ceremonial Signing of the Memorandum of Understanding between PH-EITI and NCIP for the Implementation of a Data Sharing Agreement, February 20, 2025
 5. Draft 2025 Workplan
 6. Concept Note for the 97th MSG Meeting and 2025 MSG Capacity Building and Retreat
- VII. Other Matters**
 1. Update on the 2025 OGP Asia and the Pacific Regional Meeting, February 4-7, 2025
 2. USAID Projects Updates
 3. DENR aligns mining with UN sustainability goals
- VII. Summary of Agreements**
- VIII. Setting of the Next Meeting**
- IX. Adjournment**

Proceedings:

I. Call to order

The 96th Multi-Stakeholder Group (MSG) meeting of the Philippine Extractive Industries Transparency Initiative (PH-EITI) was convened on February 21, 2025 at 9AM via google meet. o. The meeting was chaired by Usec. Bayani Agabin, who called the meeting to order.

II. Approval of the agenda of the 95th MSG meeting

The Chair sought approval of the agenda as presented on screen. With no objections, the agenda was adopted. Additionally, a representative from the industry asked to add a discussion on USAID-funded projects, the Chair approved the request and the item was included under "Other Matters."

III. Approval of the minutes of the 94th MSG meeting

The meeting proceeded with the presentation of an appreciation video to the outgoing Civil Society representatives.. The Chair expressed gratitude for the outgoing CSO representative's contributions to PH-EITI, emphasizing the pleasure of working with the individuals involved. The Chair acknowledged having learned a great deal from the experience, describing the interactions as highly educational. The Chair then inquired whether the body would be open to including a note of appreciation in the minutes, recognizing the individuals' active participation in the PH-EITI, and sought the group's consensus on the matter, which was then approved by the MSG.

The Chair welcomed the new MSG CSO representatives—Professor Tabada, Atty. Torres, Atty. Sitoy, Mr. Pagulayan, and Mr. Carin. Each was given the opportunity to introduce themselves. The Chair encouraged them to participate in the onboarding sessions, offering both group and individual options based on availability, and to coordinate their schedules with the Secretariat.

The Chair moved on to the approval of the minutes and inquired whether the minutes of the 95th meeting had been circulated. The Secretariat confirmed that they had been shared two days prior. When asked if any comments had been received, the response was none. To allow more time for review, the Chair proposed extending the comment period until February 28, 2025. Members were encouraged to submit any feedback to the Secretariat. Formal corrections would be considered approved automatically, while substantive issues would be brought back for MSG discussion next meeting.

IV. Matters arising from previous meetings

No.	Item	Agreements	Incharge	Timeline	Remarks
95.1	MSG Governance	The MSG provisionally approved the minutes of the 94th MSG meeting and agreed to provide members with a one-week timeframe to submit their comments and suggestions.	MSG	Completed	Did not receive any comments within the given timeframe.
95.2	Country Report	The MSG agreed to set the deadline for the revisions of the Country Report on February 14, 2025, to allow ample time for review and submission by the end of February 2025.	FY 2022 Report Consultant	Completed	The Secretariat relayed the MSG's agreed deadline of the report submission to the consultants, and they committed to submit the report by February 14, 2025. 2.19 - The Independent Administrator has already submitted the revised Reconciliation report. However, the consultant responsible for the Contextual Chapter is still in the process of finalizing their report.
95.3	Country Report	The MSG approved the exclusion of mining projects tagged as 'Under Care and Maintenance' in the current report (FY 2023-2024).	Secretariat	Completed	The Secretariat received the directory of metallic and non-metallic mines for FY 2023-2024 from MGB, showing remarks for projects tagged

					Under Care and Maintenance
95.4	Country Report	The MSG approved deadline adjustments for FY 2023 activities and opening the FY 2024 reporting cycle	Secretariat	Completed	The Secretariat announced the Opening of FY 2024 Reporting Cycle, along with the timeline of activities, to the reporting companies and on the PH-EITI platforms
95.5	Energy Transition	The MSG instructed the consultant to coordinate efforts concerning the energy sector, particularly regarding coal power plants and coal mines (DOE, Bantay Kita).	Energy Transition Consultant	Ongoing	1st meeting with DOE on January 27, and ongoing discussions/data sharing.
95.6	Energy Transition	The MSG suggested highlighting the DOE's energy transition plan in the report, acknowledging the country's objectives and the mining industry's role in contributing to these efforts, particularly in reducing carbon emissions, which can be tracked, especially within the mining sector.	Energy Transition Consultant	Ongoing	DOE's energy transition plans are highlighted in the report, particularly the section discussing how the mining sector's efforts to reduce carbon emissions.
95.7	Energy Transition	The MSG suggested to include in the consultant's report the progress of the Mining Forest Program and the mining sector's contribution to carbon offsetting efforts.	Energy Transition Consultant	Ongoing	This will be included in the report.

95.8	Energy Transition	The MSG suggested that emphasis be given to the nickel, ensuring it is not overlooked, and validating whether it qualifies as a critical mineral in the Philippines, considering it's used mostly in stainless steel rather than batteries.	Energy Transition Consultant	Ongoing	Will be included in the report using the data shared by PNIA that 30-40% of nickel goes to batteries, all the remaining goes to stainless steel.
95.9	Energy Transition	The MSG recommended communicating with Zamboanga Sibugay to identify social action initiatives and provide recommendations, particularly for Small-Scale Mining (SSM) in coal areas.	Energy Transition Consultant	Ongoing	The confirmation will be included in the report that Zamboanga Sibugay as a potential site for fieldwork.
95.10	Subnationalization	The MSG recommended adding to the subnationalization study the factors to consider in the selection of the pilot areas, the processes and procedures that need to be in place before starting the pilot implementation . Likewise, whether it should be done in different phases, and if local government units (LGUs) can be involved in the process.	Subnationalization Consultants	Not yet started	The Secretariat already emailed the Subnationalization Consultants regarding this recommendation. We are still waiting for the response
95.11	Stakeholder Engagement	The MSG instructed the Secretariat to coordinate with Bantay Kita regarding CSO participants for	Secretariat	Completed	Coordinated with Bantay Kita, and they shared a list of CSO members in the NCR. Some CSOs

		PH-EITI side events during OGP. The MSG also agreed to consider the feasibility of having a hybrid online setup.			were also present during PH-EITI side events.
95.12	MSG Governance	The MSG recommended including legal frameworks for Offshore Mining, Seabed Quarrying, and Deep Sea Mining as a topic for MSG capacity-building activities.	Secretariat	Ongoing	Will conduct a separate workshop for this topic.

The Secretariat discussed the matters arising from the 95th MSG meeting held last January 24, 2025

95.1 The Secretariat reported that the MSG had provisionally approved the minutes of the 94th MSG meeting and had agreed to provide members with a one-week time frame to submit their comments and suggestions. The Secretariat further noted that the deadline had passed without any feedback, and thus, the process was considered complete.

95.2. The Secretariat confirmed that the task had been completed, having communicated the MSG's agreed deadline to the consultants, who committed to submitting the report by February 14. However, on February 19, 2025, the Independent Agency submitted the revised reconciliation, while the consultant responsible for the contextual chapter remained in the process of finalizing the report. By February 20, the consultant handling the contextual information chapter informed the data team that the work was 80 percent complete, though no update had been provided regarding the submission date of the amended report. The Secretariat further noted that they later provided an update on the comments submitted by the EITI International Secretariat and the MSG, which had already been compiled by the team leader.

95.3. The Secretariat tagged this as completed and confirmed that it had received the directory of metallic and non-metallic mines for the fiscal year 2023-2024 from the Mines and Geosciences Bureau (MGB), which included remarks indicating projects under care and maintenance.

95.4 The Secretariat marked this task as completed and announced the opening of the reporting cycle, along with the timeline of activities, to the reporting companies and through the PH-EITI platforms. Additionally, the Secretariat provided an update on procurement challenges, stating that, as a result, the decision had been made to report two fiscal years instead of one. Consequently, the reporting for this year would cover both 2023 and 2024.

95.5. The Secretariat had an initial meeting with the Department of Energy (DOE) on January 27, 2025. The Secretariat mentioned that ongoing discussions and data-sharing efforts are currently underway among the DOE, the Mines and Geosciences Bureau (MGB), and the Consultant. The Secretariat also raised a clarification regarding the energy transition, noting that it was no longer part of the initiative due to the USAID Stop-Work Order. The Secretariat confirmed that the consultant for the energy transition scoping study was no longer connected with USAID as a result of this directive and that related initiatives had since transitioned under government management. The consultant officially joined the Secretariat on February 16 and has since been able to catch up with ongoing tasks.

95.6. The Secretariat confirmed that the Department of Energy's (DOE) energy transition plan is ongoing, and this aspect is being highlighted in the report and are working on a section that will discuss the mining sector's efforts to reduce carbon emissions.

95.7. The Secretariat tagged this as ongoing and confirmed that this will be included in the final report on the energy transition.

95.8 The Secretariat stated that this recommendation will be included in the report. They noted that data shared by PNEA indicates that 32-40% of nickel production goes towards batteries, while the remaining portion is used for stainless steel.

95.9 The Secretariat confirmed that Zamboanga Sibugay will be considered as a potential site for onsite consultation and field work to be included in the report.

94.10 The Secretariat reported that this was one of the items that was impacted by the USAID Stop-Work Order. The Secretariat has already reached out to the subnationalization consultant via email but is still awaiting a response.

The subnationalization funding was put on hold following a directive from the stop work order of the Trump administration for all USAID project. Additionally, the INRM project, under which the subnationalization work was being done, was already approaching its closure by July. As a result, the Secretariat will now take over the implementation of the

PH-EITI subnational efforts.

The Secretariat is still waiting for the submission of the consultant's fieldwork documentation. Based on the TOR for the consultant under the USAID INRM project, the work was supposed to go up to Phase 2, where the consultant would submit a framework and steps for pilot testing. The Secretariat is particularly awaiting the results of the consultant's fieldwork, but as of the last update, the consultant has not yet submitted anything.

95.11 The Secretariat reported that unfortunately, a hybrid setup was not possible, as the PH-EITI side events were held at the UP College of Law, BGC, which did not have the necessary provisions for an online or hybrid setup. Despite this limitation, the Secretariat thanked the participants, noting that there were CSOs present during the PHE-EITI side events.

95.12 The Secretariat reported that a separate workshop will possibly be organized to address this topic.

The Chair thanked the Secretariat for their accomplishments and congratulated them for their successful participation in the recent OGP International Conference.

A representative from the Civil Society Organization commented that there seemed to be no mention of gender responsiveness in the Terms of Reference (TOR) of the Just Energy Transition study. A civil society representative noted that the 2023 EITI Standard requires gender variances, and she asked that the consultants be involved in this. The Chair acknowledged the civil society representative's point and asked the Secretariat for comments. The Secretariat acknowledged and reiterated the importance of highlighting gender impacts in small and large-scale mining, as well as on unpaid work in the mining industry. The Secretariat said that the requirements in the 2023 Standard will be revisited and welcomed any additional resources on gender responsiveness for the energy transition study.

The Chair then opened the floor for any other questions or comments. A civil society representative mentioned that they could provide additional information and resources. The Chair thanked the representative and asked the Secretariat to review the resources mentioned.

The Secretariat also noted that they have had a gender employment database and reporting in extractives since 2018 in their ORE Tool.

A civil society representative noted that the INRM consultant had mentioned being prevented from sharing any data gathered in the course of the study. This raised questions about whether the MSG would receive any partial report from the work done so far.

The Secretariat acknowledged the issue, explaining that, unlike other consultants, there was no requirement for the subnationalization consultant's submissions to be endorsed by the MSG. The Secretariat was unsure if the consultant had been paid and stated their initial submissions were only slides presented previously, not full reports.

The Chair suggested that the Secretariat reach out to the consultant and try obtaining the draft reports, if possible. Otherwise, they would report back to the body.

V. Main Business

1. Progress Update on the Amended FY 2022 Country Report (Consultant's Revision)

For the updates on the fiscal year 2022 country report, the Secretariat explained that the report has been published already but will republish with a revised version of the report.

For the contextual chapter, the lead consultant had integrated information from the old country report. The Secretariat's commitment to circulate the full report to MSG members by February 14 had not been met, as only the reconciliation part and industry outlook had been circulated. The consultant was still finalizing the contextual chapter, but the Secretariat was coordinating with him regularly and was requesting a bit more time to finalize his deliverables.

The Secretariat asked for an update on their progress and noted that the EITI International Secretariat (IS) had provided some comments that they had already addressed. The Secretariat then read through the comments from the MSG and the consultant's responses:

1. The MSG recommended the consultant add a disclaimer for the contextual information when including updates for 2023 and 2024 that are relevant or significant in relation to the 2022 data. The consultant stated this had been addressed in the executive summary.
2. The MSG recommended the consultant include specific case studies featuring the actual impact of EITA in the Philippines. The consultant said conducting an impact study would require separate terms of reference and resources, and may not be feasible within the current timeline, but could be considered as a standalone initiative in the future.

The Secretariat noted there were other clarifications from the consultant, but they were not included for the sake of time.

The Secretariat then shared comments from the IS in the initially published report. These included:

1. Clarification on whether the MPSA for the limestone project was the only one issued in 2022 and the lack of information on the FPIC process.
2. Recommendation to report production data not just by value, but also by volume, and include estimates of ASM production.
3. Suggestion to confirm which companies have published annual financial statements and provide links to them.

The Secretariat explained they would incorporate these comments in the revised report. The Secretariat then provided an overview of the industry outlook report highlighting key points on sector performance, production trends, infrastructure and investment climate, policy framework, and strategic challenges.

The Secretariat presented a summary of the revisions made to the reconciliation chapter based on additional data provided by the Independent Administrator.

2. Progress Update on the FY 2023-2024 reporting Cycles

For the updates on the fiscal year 2023-2024 reporting cycle, the Secretariat provided statistics on the number of targeted mining projects. During the 95th MSG meeting, it was agreed to remove companies under care and maintenance.

For FY2023, there were 126 total projects, reduced to 112 after removing 14 under care and maintenance. For FY2024, the number was also 112, composed of 50 metallic, 56 non-metallic, and 6 oil and gas projects.

The Secretariat expressed confidence the participation rate would increase from the previous 76-77%, with the removal of the care and maintenance projects.

The Secretariat shared they had submitted invitation letters for the reporting cycles, but faced challenges obtaining correct contact details for some companies. They requested MGB's assistance to reach out to the problematic contacts.

Regarding the online reporting ORE tool, the Secretariat said it was 90% complete, with a planned pilot test in the first week of March and orientation with reporting companies in the second week. Some delays were due to an audit and personal challenges faced by the DOF CMIO who assists the Secretariat in the ORE tool improvements.

The Secretariat sought the MSG's approval for using the same reporting templates for FY 2023-2024, with the scope remaining for producing oil and gas service contracts. The MSG provided positive approval.

A civil society representative asked if the information presented on the participation rate trends was already posted on the PH-EITI website, as the latest data he saw was from 2021. The Secretariat clarified that the tracker shown was internal, and what is publicly accessible are the reports approved and submitted by the MSG. The Secretariat explained that the 2022 report they are trying to revise is not yet publicly available.

A civil society representative noted that the website showed a decrease in participation rate from 2020 to 2021, so he was curious about the latest update. He suggested expeditiously updating the website, even though participation is voluntary for mining companies.

The Secretariat explained that the lower participation rate previously was due to including companies under care and maintenance, which have now been removed. They also noted that there is an MGB/DENR circular requiring companies to submit data to PH-EITI, which helps explain the relatively good participation rate.

The Chair and the Secretariat acknowledged the suggestion to update the website promptly. The same civil society representative also raised a question about the validity and accuracy of the data submitted by mining companies in the PH-EITI reports. The Chair acknowledged this was a good question, and said they would be happy to provide more details during an onboarding session for the new MSG members.

The Chair then explained that PH-EITI hired independent consultants to reconcile collected data from government agencies and mining companies. The Secretariat triangulates the data submitted by the companies by cross-checking it against information from sources like the MGB and CSOs, to verify its accuracy. For example, if a company reports paying a certain amount in taxes, PH-EITI checks this against the actual amount received by the BIR. The Chair emphasized that while they take the company-submitted data in good faith, they do cross-check it against other sources to validate the information.

The Chair offered to provide more background on PH-EITI's data verification process during an onboarding session.

The discussion then moved to the request for the MSG's approval on certain items, which the Secretariat was asked to flash again for the body's consideration.

3. Terms of Reference (TOR) for the next EITI Country Reporting

The Secretariat was able to present the reconciliation and risk-based approach to country reporting during the last MSG Meeting. The Secretariat mentioned that they had asked the IS if the risk-based approach was mandatory, as they were concerned that the report PH-EITI submitted this year would be the basis for the 2026 Validation.

The Secretariat provided some background - the Secretariat explained that the EITI country report is a critical tool for promoting transparency and accountability in the extractive sector, providing detailed insight into revenue flows, governance issues, and the sector's overall impact. For the country report covering fiscal years 2023 and 2024, this will be the basis for the EITI Validation starting July 1, 2026.

The Secretariat stated that it is essential to determine the most appropriate reporting methodology to ensure compliance with the 2023 EITI Standard and any new guidance from IS. Given the evolving reporting methodologies and resource constraints, the MSG needs to approve the terms of reference (TOR) for the next reporting cycle.

The Secretariat then presented the proposed TOR, which included two options - the traditional reconciliation report with a contextual information chapter, and the risk-based approach to reporting. The Secretariat discussed the pros and cons of each approach, noting that the traditional approach provides detailed financial verification but is time-consuming and resource-intensive, while the risk-based approach focuses on key revenue streams, high-risk governance issues, and contextual analysis, and is more cost-effective and timely.

The Secretariat mentioned that the EITI International has not yet made the risk-based approach mandatory and that a few countries have already adopted it, such as Germany and Mauritius. The Secretariat stated that the MSG needs to decide which reporting approach they will use, as well as the thematic components to include and the timeline for the independent administrator or consultant.

A civil society representative asked what has been the context for deciding to shift from the traditional to the risk-based approach, and if the Secretariat were to make a choice, which would be better given their resources.

The Secretariat responded, trying to explain that it was the IS' mandate to shift from the traditional to the risk-based approach. The Secretariat said that the shift to the risk-based approach is something they are considering in the next couple of weeks, as it would be the first time they are doing it. He mentioned that there is also the matter of Validation and that EITI International has not yet made it mandatory.

A civil society representative then interjected, saying that off-hand, she was thinking that if PH-EITI is going to make the shift, might as well do it now, as she thinks it would be very helpful given the current situation. She elaborated that considering the context of risk, climate change, and different disruptions they are facing, she believes it would be more helpful to look at it in terms of risk.

An industry representative said that it's a good idea for them to do periodic risk-based reporting. However, he insisted that it would be good if the reconciliation process remains, as that is the original promise of EITI - to publicly inform the world of how much mining companies are paying to the government, and how much the government is receiving from the extractive companies. He also stated that if they remove the reconciliation process, they would essentially be going back on that promise, not just to the government but to other stakeholders as well, rather than moving away from the traditional form of reconciliation reporting, they need to strengthen it. He mentioned that even 12 years after they started this, they're still seeing a lot of gaps in the reporting process. He shared that they had a golden opportunity in the Senate when the mining fiscal regime bill was being tackled to highlight EITI data, but unfortunately, there were many asterisks on their data because it does not cover 100%. He stated that these are the things they need to improve if EITI data is to be truly usable, not just at the government level but also down to the grassroots. He added that PH-EITI also needs to do periodic risk-based reporting, just so they can check if their accounting, auditing, and disclosure practices are good, effective, and efficient, or if there are gaps, as that will inform the results. He explained that if their accounting and auditing processes have gaps or are not accurate, it makes their data suspect. However, he suggested that they maintain the traditional reconciliation. Before ending, he asked how the risk-based reporting would align with the 2023 Standard that was recently passed, as there are more requirements there. He wondered if they still have to meet the bullet point requirements of those standards or if they should put that aside and focus on the risk-based assessment. He wished that if IS were to suggest these modifications, they should have clear guidelines for it. He expressed that if PH-EITI does risk-based reporting without clear and proper guidance from IS, he worries whether PH-EITI will be doing it right and complying with the standards.

A civil society representative expressed that it is important for them to understand the processes and basics of the Philippine EITI, as they already need to make specific decisions. The Secretariat explained that they will be provided training on the risk-based approach in March, but the timeline is not yet definite as the IS's technical staff are also just starting to get trained on this.

The Secretariat said they would like the training, as it is new, but they are also concerned since there are many new members who need to understand the risk-based, risk management system.

The Secretariat said they may need to hire a consultant to purely facilitate and document the process. Regarding the timeline, the Secretariat said that if they receive the training in March, they can just polish the terms of reference provided and then resend it to the MSG for review and approval. The Secretariat explained they are rushing this as they need ample time for the procurement of the consultant for the reconciliation.

Overall, the Secretariat acknowledged the need to ensure the new MSG members understand the processes, and they are working to provide the necessary training and timeline to move forward with the risk-based approach, while also maintaining the traditional reconciliation.

The Chair stated that given the vagueness around the status of the risk-based approach, he believes the IS itself is not sure what standards they will measure the Philippines against when they implement it since they are still in the process of training on it.

The Chair also said that if they are to shift to the risk-based approach, it has to be phased in over a period of 2-3 years, due to the significant adjustments they would need to make. He explained that this is a new approach, and in addition to the IS providing clear standards and guidance on how to implement it, the Secretariat and the MSG members themselves need time to become familiar and capacitated with it.

Given this, the Chair suggested that they continue with the traditional reporting approach for now, but study a possible transition to risk-based reporting once the standards and guidelines from the IS are clear, and they have had time to properly prepare and capacitate themselves.

The Chair proposed this as his suggestion and asked if everyone in the MSG was okay with that approach. He felt this would be the best way to move forward, rather than rushing into risk-based reporting without the necessary clarity and preparation, which then gathered

approval from the MSG member.

A civil society representative also suggested that the MSG should discuss the implications if they move forward with the new risk-based reporting approach. She thinks this is connected to why they would be transitioning to the risk-based approach, and they should examine the advantages of it.

She proposed that they conduct a short, rapid assessment of the previous PH-EITI report to look at the advantages and implications of shifting to the risk-based approach. This would cover not just the implications for the country's EITI implementation status, but also the potential impact on the performance of the EITI implementation and the implications for the industry sector. She was concerned that the industry may not be happy with the risk-based approach, and they may be less willing to report or complain. She suggested they look at this issue, rather than waiting for the training from IS, as they may still be busy. She felt this assessment would also benefit the new CSO MSG members.

She proposed that they revisit this discussion again during the upcoming MSG meeting in March.

The Chair acknowledged this suggestion and asked if there were any other questions, and seeing none, they moved on to the next agenda item.

4. Ceremonial Signing of the Memorandum of Understanding between PH-EITI and NCIP for the implementation of a Data Sharing Agreement, February 20, 2025.

The Secretariat reported that after the signing of the MOU between PH-EITI and NCIP, they have drafted an implementation plan to achieve the objectives of improving transparency, accountability, and governance in the mining sector to protect indigenous communities, and regularly review mining companies' compliance with legal and contractual obligations, particularly on IP royalties.

The Secretariat also stated that the plan aims to enhance the technical skills of NCIP personnel in data collection and reporting, as well as strengthen the participation of Indigenous Peoples' Organizations (IPOs) in data monitoring, reporting, and benefit sharing. She said they have drafted the implementation phases and are seeking comments and review from the committee.

For the immediate actions, the Secretariat mentioned the creation of a technical working group with IPO representation to identify key data sets on royalties, FPIC compliance, and

social programs, and develop data sharing and reporting protocols in consultation with the IPOs. She said they are also seeking input on who else should be included in the technical working group aside from the MSG, IPOs, and NCIP.

The Secretariat outlined the implementation rollout in three phases. Phase 1 (3-9 months) involves developing a compliance monitoring framework with IPO participation, conducting training for NCIP personnel and IPOs on data tracking and reporting, establishing a monitoring mechanism for mining royalties, pilot data collection initiatives, and engaging mining companies in regular dialogues. The expected outputs include a functional monitoring system, trained NCIP staff, and an active IPO role in compliance tracking.

Phase 2 (9-18 months and beyond) aims to develop an NCIP administrative order institutionalizing IPO involvement in extractive governance, integrate verified data into PH-EITI reports for transparency, and host an annual PHEITI-NCIP-IPO review summit to assess progress and refine strategies. The expected outputs include an institutionalized IPO role, annual IPO-specific reports, and long-term sustainability.

The Secretariat then clarified that this is just a draft and they will further discuss it in the joint implementation committee meeting.

A civil society representative congratulated PH-EITI on the success of their work. She shared that Bantay Kita has also been working with NCIP on previous projects, and noted that it is really difficult to work at the national level. However, she mentioned that they have a very active and good partnership with NCIP Region 11. She suggested adding the regional director of NCIP Region 11, Atty. Agyo, as a key person they should work with. She explained that the chief of that region had already been trained by PH-EITI and Bantay Kita on royalty monitoring, and together they were able to lobby at the national level for IP royalty monitoring. She also shared that NCIP Region 11 already has a training manual and draft mechanism prepared. She proposed that they tap into this work and get an update or training from NCIP Region 11, as they have already started the process, which could help expedite their work.

An industry representative raised his concern about the funding for the activities outlined in the implementation plan. He noted that they cannot do these activities remotely and will have to go to where the Indigenous Peoples' Organizations (IPOs) are located. He also expressed doubt that PH-EITI will have the funding for this. As a suggestion, he proposed that they touch base with the mining companies that are hosting the IPOs and ask them to defray some of the costs. This could include providing the venue, transportation on the ground, and assistance for the IPOs to attend. He said they could then look into how to pay

for the airline tickets for the EITI staff to travel to the remote areas.

The Chair thanked the industry representative for the suggestion and acknowledged it as a very good point and for the generosity and the offer to help with the funding.

Another industry representative asked if the draft that was shared with the MSG on February 14 was the same document that was signed during the ceremony, or if there were any changes made.

The Secretariat's response was that there were some changes, particularly to the responsibilities of PH-EITI and NCIP.

The same government representative then expressed his trust that a copy of the signed MOU would be provided to the members of the MSG. The Chair acknowledged this request. Secondly, the same representative from the government noted that the MSG has been inviting NCIP to join the national government sector in the PHE-EITI MSG. He echoed a question he had raised in the Viber group, asking if this would be the opportunity for NCIP to become part of the government representation in the MSG.

The Chair mentioned that they had a brief discussion about the NCIP having an observer status in the MSG.

Two representatives from the industry and CSO agreed that the NCIP should be invited to participate in the PH-EITI MSG as an observer for now. They noted that the NCIP seems to lack capacity and knowledge when it comes to data and royalty management for indigenous communities. The industry representative suggested that it may be better to have the Indigenous Peoples' Organizations (IPOs) directly represented in the MSG, rather than the NCIP, as the IPOs have a better understanding of the issues on the ground.

However, a civil society representative expressed concern regarding the suggestion to have IPOs represented in the MSG, the Chair expressed a concern that there is no national federation of all the IPOs and it may be difficult for one IP leader to represent the concerns of Luzon, Visayas, and Mindanao.

The Chair recommended having a dedicated space to discuss how the NCIP can best be represented in the PHE-ITI process.

5. Draft 2025 Work Plan

The Secretariat shared details about the upcoming PHE-EITI MSG retreat scheduled for

March 19-21, 2025 in Manila. The theme is "Strengthening Governance for Lasting Impact, PHE-EITI's Path Forward."

The Chair responded that the work plan, discussion on the risk-based approach, and the discussion on the participation of NCIP allocated one hour for this and asked the Secretariat to revisit the allocated time.

A civil society representative asked if some CSO representatives could attend the retreat online in case they are not available to attend face-to-face, the Chair responded that they would rather have the MSG members be physically present.

A civil society representative also raised concern about the Secretariat sending invitation letters which the Secretariat answered that they would send the formal invitation on Monday (February 24, 2025)

VII. Other Matters

Updates on the 2025 OGP Asia and the Pacific Regional Meeting, February 4-7, 2025The Secretariat reported that they had just held two side events at the OGP Southeast Asia and Pacific conference. One event was on "Bridging Data for Better Governance: Interoperability and Transparency in the Extractive Sector." The speakers included representatives from the Mines and Geosciences Bureau (MGB), the Department of Energy (DOE), and the Chamber of Mines of the Philippines (COMP). The other side event they had, was titled "Towards Justice and Climate Equity and the Energy Transition." The speakers for this event included representatives from the Mines and Geosciences Bureau (MGB), Department of Energy, PINEA, Oxfam, CEED, and Bantay Kita, the Secretariat also mentioned that Sarah Hayton from the EITI International Secretariat joined in these two side events hosted by the organization.

1. Updates on PH-EITI USAID consultant

The Secretariat then provided updates on the USAID consultants. They mentioned that Nicole M. Hilario was responsible for the Industrial Outlook Report, subnationalization, and gender work. Her contract period was from October 2024 to January 31, 2025. The Secretariat explained that the consultant's contract was originally until December, but due to issues and concerns raised by the MSG in their previous meeting, they had extended it by one month. The Secretariat stated that the consultant was able to submit her final report, and they no longer had any outstanding comments for her.

The Secretariat mentioned that Ms. Jane Baldago and Atty. Brenda Jay Mendoza Angeles, the consultants for Subnationalization Assessment and Case Study Analysis for Best Practices

in Environmentally Sensitive, Socially Responsible and Inclusive Mining, was from a different firm that was directly under USAID Washington, but they also had a contractor that received the stop work order. Unfortunately, the Secretariat did not receive any draft reports from these consultants, although the consultants did present some slides on their initial fieldworks.

The Secretariat talked about Malene Skensved, the consultant for the Scoping Study on Preparing Extractive Industries towards Just Transition, who was supposed to work until March 2025 but was affected by funding issues. She started working in October, and the Secretariat was able to absorb her into the Department of Finance, where she started her contract on February 16.

2. DENR aligns mining with UN sustainability goals

The Secretariat then mentioned that the Department of Environment and Natural Resources (DENR) had issued an order aligning mining with the UN Sustainability Goals.

An industry representative explained that the order required aligning mining activities with particular local development plans. They acknowledged that there was still a lot of work to be done in this regard. The concern was that the Social Development and Management Programs (SDMPs) of mining companies had become too infrastructure-heavy, so the DENR thought they needed to address other critical community needs beyond just infrastructure. He also expressed a worry that the focus might be on the "low-hanging fruits" in the Sustainable Development Goals (SDGs), and there might not be enough attention on the more difficult aspects. They said this issue needed to be addressed as well. He also commented that aligning mining activities with the SDGs was important. He suggested that this should also be part of the country reporting, where they could summarize the accomplishments of mining companies relative to the SDGs. He clarified that this would not require new reporting, as they could just use the data already submitted to the Mines and Geosciences Bureau (MGB). He believed this should be incorporated into their reporting.

The Chair and Secretariat acknowledged the insights and thanked the industry representative for raising them.

VIII. Summary of Agreements

Agreements	In charge
The MSG members agreed to a one-week period for reviewing and submitting comments on the 95th MSG Meeting Minutes. Any substantial comments will be	MSG/Secretariat

addressed in the next meeting.	
The MSG asked to incorporate gender responsiveness in the Terms of Reference of the energy transition study, and in other PH-EITI documents and programs. The Secretariat committed to including gender impacts in both small- and large-scale mining and expressed appreciation for the input.	Secretariat
The Secretariat will continue reaching out to the subnationalization consultants for the results of their fieldwork. The findings will be presented to the MSG once received.	Secretariat

The MSG approved to use the same reporting templates for the FY 2023 - 2024 Report Cycle	MSG
The MSG approved that the target scope for the Oil and Gas sector will remain to be producing service contracts identified by DOE	MSG
The MSG agreed to proceed with traditional reporting, but the Secretariat may include elements of the risk-based approach in the TOR for the report consultants.	MSG/Secretariat
The MSG agreed to conduct an MSG-level assessment on the risk-based approach. This type of reporting will be implemented once guidelines are issued by EITI International and the MSG has been adequately capacitated.	MSG
The agenda for the next MSG meeting will include a presentation on the implications and advantages of the risk-based approach in reporting, to assess its impact on the Philippines' status as an implementing country and its effect on the industry sector.	MSG/Secretariat

The MSG recommends reaching out to mining companies operating in IP ancestral domains to explore cost-sharing arrangements for engaging with IPs.	MSG/Secretariat
The Secretariat will circulate the signed copy of the MOU with the NCIP to the MSG.	Secretariat

The MSG agreed to use the MOU as a platform to deliberate on whether NCIP or IPO representatives should have seats within the MSG. The MSG agreed to invite the NCIP to participate in future MSG meetings with observer status.	MSG/Secretariat
The MSG agreed to postpone the discussion of the 2025 PH-EITI work plan to the next meeting, which will be held face-to-face.	MSG
Considering the importance of the matters to be discussed, the MSG instructed the Secretariat to adjust the time allocation in the agenda for the next MSG meeting.	MSG/Secretariat
The Secretariat will circulate the notice/invitation for the 97th MSG meeting and the 2025 Capacity Development Activity and Retreat on Monday, February 24, 2025.	Secretariat

The MSG members did not provide any comments on the Secretariat's presentation of the summary of agreements.

The discussion ended with the Secretariat reminding the MSG members about the upcoming activities in March. They mentioned that on March 18, there would be an event on "Women in the Extractives" co-hosted with the Chamber of Mines of the Philippines. The Secretariat also noted that the 97th MSG meeting and retreat would be held from March 19 to 21.

IX. Adjournment

With no other matters to be discussed, the meeting was adjourned at 11:51 a.m.