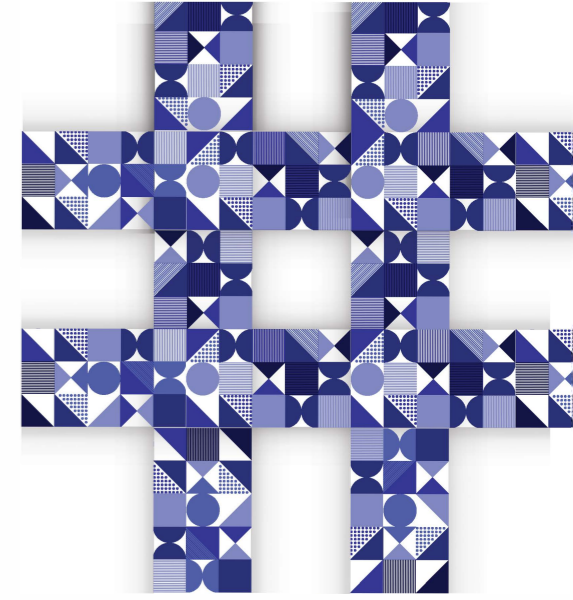




FY 2021

# COUNTRY REPORT





Recovery:  
**Regaining Ground  
and the Need to  
Expand Civic Spaces**

FY 2021 PH-EITI Country Report





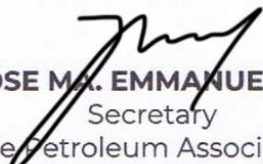


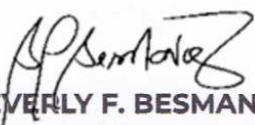
We, the members of the Philippine Extractive Industries Transparency Initiative Multi-Stakeholder Group, have reviewed this 2021 PH-EITI Report to our satisfaction and hereby approve and endorse the same to the EITI International Board.

Signed this 27<sup>th</sup> day of December 2023.

  
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## **The Ninth PH-EITI Report (FY 2021): Summary of Changes**

The PH-EITI first published the Ninth PH-EITI Report (FY 2021) on 31 December 2023. The report was a collaborative effort involving numerous individuals and organizations. However, to address gaps noted in the first version of the Ninth PH-EITI Report, the PH-EITI has prepared this second version of the Ninth PH-EITI Report.

Chapter II featured the Data Reconciliation Report prepared by an Independent Administrator contracted by the PH-EITI. Despite the PH-EITI's preliminary review of the report before the Ninth Report was published in December 2023, a more comprehensive and meticulous examination of the published report revealed several data gaps. These gaps include the following.

- Incorrect or missing data presented in tables.
- Different or incorrect totals for tables showing the same data but different in disaggregation.
- Contradicting relationships noted between related data and information presented.

To address these gaps, the PH-EITI made a strategic decision to reassess the reconciliation of the FY 2021 company payments and government receipts and revise Chapter II of the Ninth PH-EITI Report in its entirety, demonstrating its unwavering commitment to transparency and accountability.

This section of the second version of the Ninth PH-EITI Report summarizes the key changes to the Report.

### **Chapter II. Data Reconciliation Report**

#### **I. Chapter Summary**

The first section, "Snapshot of Data Reconciliation for Fiscal Year 2021," has been replaced with a new section titled "Chapter Summary." The Chapter Summary provides a more comprehensive and well-organized overview of all the revised data and information presented in the Data Reconciliation Report. The information previously found in the "Snapshot of Data Reconciliation for Fiscal Year 2021" has also been integrated into the Chapter Summary.

#### **II. Methodology**

The revised Methodology section combines and improves upon the first version's Program of the Project and Methodology sections.

#### **III. Scope of the Report**

A new section, "Scope of the Report," outlines the report's coverage and limitations. This includes specific details such as the projects targeted for reconciliation, the government entities that provided revenue data, the revenue streams included in the reconciliation, and the materiality considerations for the reconciliation.

#### **IV. Reconciliation Results**

The updated "Reconciliation Results" section presents the accurate reconciliation results. To cater to the varied data needs or interests of our stakeholders, this section has been split into two main sub-sections, each focusing on the company payments subjected to reconciliation: (1) government revenue streams and (2) mandatory expenditures for environmental protection, safety and health, and social development. Furthermore, certain data tables have been combined, removed, or relocated to annexes or different sections to create a more concise chapter.

#### **V. LGUs in focus**

In the second version of the Ninth PH-EITI Report, a new "LGUs in Focus" section has been added to highlight the reconciliation results of the revenues received by local government units (LGUs). In the first version of the Report, the data and information concerning LGUs were included in the Reconciliation Results section. Additionally, like the revised Section IV, Reconciliation Results, this new section has been divided into two main sub-sections. Each sub-section focuses on the main revenue sources of the LGUs that were reconciled: (1) direct payments to LGUs and (2) national wealth shares of LGUs.

#### **VI. Variances and discrepancies**

The "Variances and discrepancies" section of the Report remains fundamentally the same, with only the revised tables reflecting the corrected reconciliation results.

#### **VII. General Findings and Recommendations**

Like the previous section, the "General Findings and Recommendations" section of the Report remains fundamentally the same.

## **Acknowledgment**

The completion of the 9th PH-EITI Country Report for FY 2021 has been a collaborative effort involving numerous individuals and organizations whose dedication and support have contributed significantly to the success of this initiative.

We would like to express our sincere gratitude to:

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Apo Land and Quarry Corporation  
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Benguet Corporation  
BenguetCorp Nickel Mines, Inc.  
Berong Nickel Corporation  
BL Gozon & Co. Inc.

Cagdianao Mining Corporation  
Carmen Copper Corporation  
Carrascal Nickel Corporation  
Century Peak Corporation  
Citinickel Mines and Development Corporation  
Concrete Aggregates Corporation  
CTP Constuction & Mining Corporation  
Dinapigue Mining Corporation  
Dolomite Mining Corporation  
Eagle Cement Corporation

Eramen Minerals, Inc.  
FCF Minerals Corporation  
Filminera Resources Corporation  
Greenstone Resources Corporation  
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Ibalong Resources and Development Corporation  
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Johson Gold Mining Corporation  
Krominco, Inc.  
Lazi Bay Resources Development, Inc.  
Lepanto Consolidated Mining Company  
Libjo Mining Corporation  
LNL Archipelago Minerals, Inc.  
Marcventures Mining and Development Corporation  
Montalban Millex Aggregate Corporation  
Northern Cement Corporation  
NPG Pty Ltd  
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Philex Mining Corporation  
Philsaga Mining Corporation  
Platinum Group Metals Corporation  
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Rapid City Realty and Development Corporation  
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Strong Built (Mining) Development Corporation  
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Tribal Mining Corporation  
TVI Resource Development Philippines, Inc.  
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Westernshore Nickel Corporation  
Zambales Diversified Metals Corporation

This report would not have been possible without the collective efforts of these stakeholders. Their commitment to transparency, accountability, and sustainable development has been instrumental in advancing the objectives of the Philippine Extractive Industries Transparency Initiative.

Thank you for your unwavering support.



## **Overview of the Ninth PH-EITI Report (FY 2021)**

In alignment with the Extractive Industries Transparency Initiative (EITI) and the principles of transparency and accountability, the Republic of the Philippines is submitting its Ninth EITI Country Report to the EITI International Board this December 2023.

This report aims to foster further dialogue and cooperation among stakeholders in the extractive industries, enhancing the understanding of Filipino citizens regarding the governance of their natural resources.

The Ninth PH-EITI Report is structured into three chapters, each providing valuable insights into the extractive industries in the Philippines.

### **1. The Contextual Information Chapter (FY 2021)**

Chapter I lays the groundwork for this report by introducing the Extractive Industries Transparency Initiative (EITI), the EITI Standard, and the Philippine Extractive Industries Transparency Initiative. It presents an overview of the state of extractive industries in the Philippines, exploring the legal and institutional framework governing these industries. The chapter delves into the conditions of the mining (metallic and non-metallic), oil, gas, and coal industries in FY 2021. Moreover, it conducts a detailed examination of disclosed beneficial ownership (BO) data from participating companies for PH-EITI's FY 2021 BO reporting. Overall, Chapter I offers a comprehensive insight into the Philippines' extractive industries in 2021, establishing a crucial foundation for the entire report.

### **2. The Data Reconciliation Report Chapter (FY 2021)**

Chapter II looks into the reconciliation of taxes and payments made by major mining (metallic and non-metallic), oil, gas, and coal companies in FY 2021. This includes fiscal payments like taxes, fees, and charges, as well as non-fiscal payments such as social development and management program (SDMP) funds, contingent liability and rehabilitation funds (CLRF), and royalties to indigenous peoples. It compares the figures declared by these companies with the government's disclosed amounts. Additionally, this chapter uncovers and clarifies any discrepancies discovered in the reported figures and provides recommendations for resolving such discrepancies.

### **3. The Civil Society Engagement Chapter**

Chapter III stands apart from the earlier sections as it spans from the 2021 Validation of the Philippines to 2023. It underscores the crucial role of civic engagement in driving the implementation of the Extractive Industries Transparency Initiative (EITI) in the Philippines. The focus is on how civil society organizations (CSOs) actively promote transparency and accountability within the extractive industries. This chapter addresses the obstacles faced by CSOs and outlines PH-EITI's strategies for enhancing stakeholder engagement. It proposes improvements by providing support and resources to CSOs and strengthening the current participation methods.

Overall, the Ninth PH-EITI Report provides a comprehensive analysis of the extractive industries in the Philippines, highlighting the progress made towards improving transparency and accountability in the sector while identifying areas for improvement.



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## ABBREVIATIONS AND ACRONYMS

ADB	Asian Development Bank	CHR	Commission on Human Rights
AML	Anti-Money Laundering	CIT	Corporate Income Taxes
APMC	Altai Philippines Mining Corporation	COA	Commission on Audit
ASEAN	Association of Southeast Asian Nations	COC	Coal Operating Contract
ASec.	Assistant Secretary	COMP	Chamber of Mines of the Philippines
ATA	Anti-Terrorism Act	COVID-19	Coronavirus disease 2019
AUP	agreed-upon procedures	CREATE	Corporate Recovery and Tax Incentives for Enterprises
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao	CSO	Civil Society Organization
BK	Bantay Kita	DAO	Department Administrative Order
BO	Beneficial Ownership	DBM	Department of Budget and Management
BOD	Beneficial Ownership Declaration	DENR	Department of Environment and Natural Resources
BOI	Board of Investment	DILG	Department of Interior and Local Government
CAR	Cordillera Administrative Region	DND	Department of National Defense
CDA	Cooperative Development Authority	DOE	Department of Energy

CDO	Cease and Desist Order	DOF	Department of Finance
CFT	Countering the Financing of Terrorism	DOLE	Department of Labor and Employment
DTI	Department of Trade and Industry	GVA	Gross Value Added
ECC	Environmental Compliance Certificate	HB	House Bill
ED	Enhanced Deductions	HLURB	Housing and Land Use Regulatory Board
EDGe	Extractives Data Generator	HNMCP	Harvard Negotiation and Mediation Clinical Program
EITI	Extractive Industries Transparency Initiative	IAET	Improperly accumulated earnings tax
EMB	Environmental Management Bureau	IEA	International Energy Agency
ENDRMT	Environment and Natural Resources Data Management Tool	ILO	International Labor Organization
EO	Executive Order	INC	Ipilan Nickel Corporation
EP	Exploration Permit	IPA	Investment Promotion Agency
FDI	Foreign Direct Investment	IPON	International Peace Observers Network
FIRB	Fiscal Incentives Review Board	IPP	Investment Promotion Plan
FOB	Free on Board	ITH	Income Tax Holiday
GDP	Gross Domestic Product	KII	Key Informant Interview

GIE	Gross Income Earned	KRA	Key Result Areas
GIS	General Information Sheet	LGC	Local Government Code
GLA	Green Livelihoods Alliance	LGU	Foreign Direct Investment
GOC	Governance and Oversight Committee	LRC	Legal Rights and Natural Resource Center
LSB	Local Special Bodies	NPO	Non-Profit Organizations
MAQ	Mining and Quarrying	OFW	Overseas Filipino Workers
MC	Memorandum Circular	OGP	Open Government Partnership
MGB	Mines and Geosciences Bureau	ORE	Online Reporting in the Extractives
MIMARO PA	Mindoro Occidental, Mindoro Oriental, Marinduque, Romblon, and Palawan	P/CMRB	Provincial/City Mining Regulatory Board
MMT	Million Metric Tons	PAP	Petroleum Association of the Philippines
MMT	Multi-Partite Monitoring Team	PCECP	Philippine Conventional Energy Contracting Program
MPSA	Mineral Production Sharing Agreement	PEP	Politically Exposed Person
MRFC	Mine Rehabilitation Fund Committee	PESTLE	Political, Economic, Social, Technical, Legal/Legislative, Environmental
MSG	Multi-Stakeholder Group	PH-EITI	Philippine Extractive Industries Transparency Initiative

MSME	Micro, Small, and Medium Enterprise	PH-OGP	Philippine Open Government Partnership
NAP	National Action Plan	PHP	Philippine Peso
NCIP	National Commission on Indigenous Peoples	PMPI	Philippine Misereor Partnership Inc.
NCR	National Capital Region	PNOC	Philippine National Oil Company
NGA	National Government Agency	PNP	Philippine National Police
PPP	Public-Private Partnership	SWOT	Strength, Weakness, Opportunities, Threats
PSA	Philippine Statistics Authority	TRAIN Law	Tax Reform for Acceleration and Inclusion Law
PSC	Petroleum Service Contract	TWG	Technical Working Group
PSSMC	People's Small-scale Mining Contracts	ULAP	Union of Local Authorities of the Philippines
RA	Republic Act	US	United States
RA	Republic Act	USD	United States Dollar
RBH	Resolution of Both Houses		
SC	Service Contract		
SCIT	Special Corporate Income Tax		
SDMP	Social Development and Management Programs		

SE	Stakeholder Engagement	
SEC	Securities and Exchange Commission	
SIPP	Strategic Investment Priority Plan	
SMI	Sagittarius Mines, Inc.	
SMPC	Semirara Mining and Power Corporation	
SSMC	Small-scale Mining Contracts	