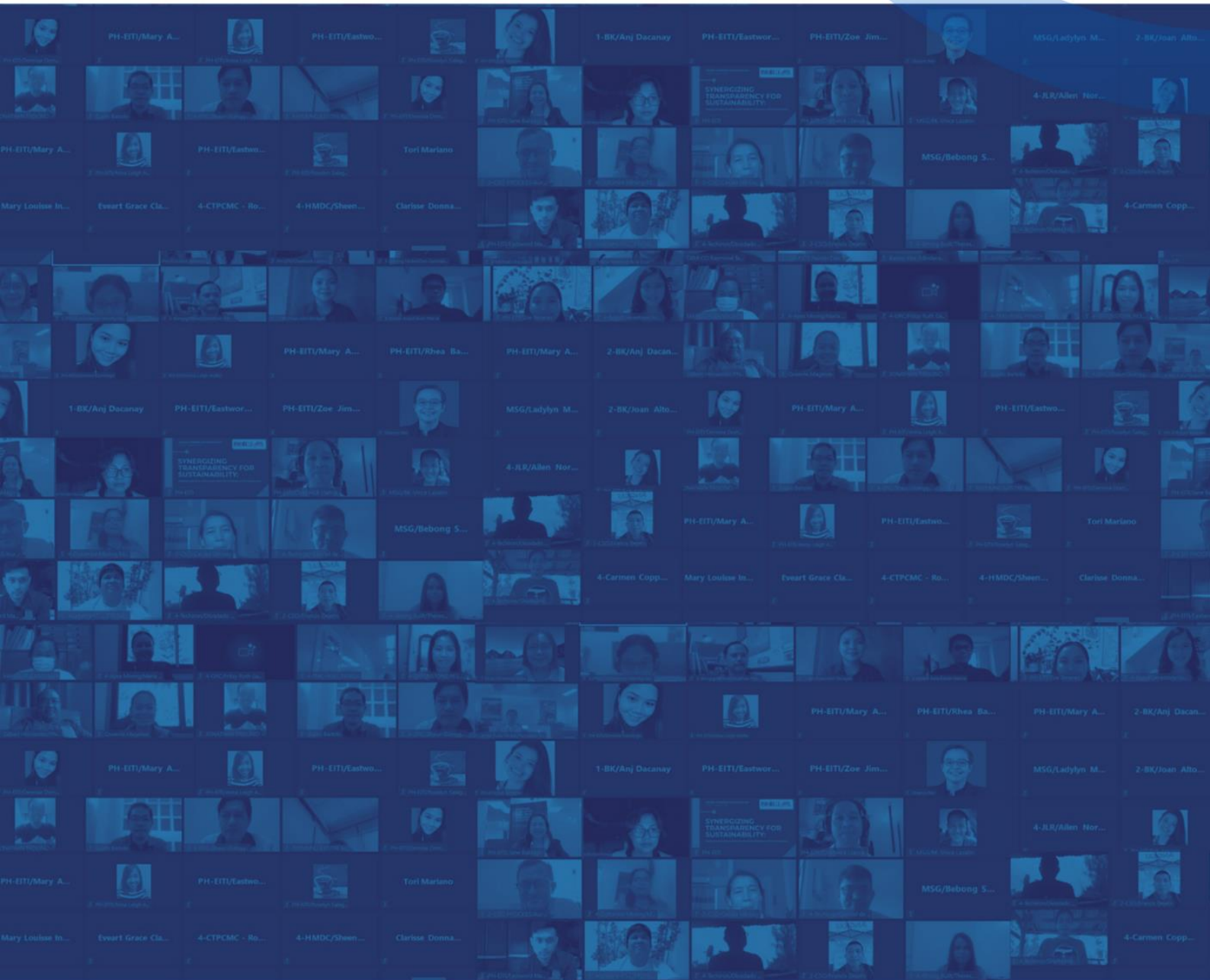


# ANNUAL PROGRESS REPORT 2020



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PH-EITI ANNUAL PROGRESS REPORT 2020

# **FOREWORD & GENERAL ASSESSMENT**



## Foreword and General Assessment of the Period

### 2020 Vision

Like any individual or organization, the PH-EITI has gotten its hopes up with the coming of the new decade. With renewed commitment to extractives transparency and better resource governance, and fresh from its first-ever strategic planning where new medium-term objectives for EITI implementation have been developed, the MSG seemed to have plenty of good prospects for the new year. After all, the continuing challenges from 2019 were slowly being addressed by a thought-out work plan, extension of an unexpended 2019 budget that greatly supplements an otherwise limited funding for the current year, and new roles and assignments for the remaining members of the National Secretariat. On top of these, there were opportunities for collaboration with partners, as well as pending bills that are seen to firmly establish the principles of transparency and accountability in extractives governance. Moreover, the thought of the upcoming Validation kept everyone on his and her toes. But just when you thought that the road and vision are clearer and all necessary elements are falling into places, a global crisis would hit and render all plans uncertain and murky.

But again, like most individuals or organizations, and like in the years that went by, the PH-EITI was quick to adapt and innovate, sustaining progress in implementation at the toughest of times.

Adapt.

The remaining members of the National Secretariat were slowly but surely learning the ropes of EITI implementation. Picking up from where their predecessors left off, there was enthusiasm to sustain meaningful initiatives and enhance programs that needed more attention. Over the years, the PH-EITI has demonstrated an aptitude for stakeholder engagement, and so this area of implementation has become one of the initial focus—meetings with partners have been set, MSG meetings scheduled, workshops have been arranged, and stakeholder orientations were planned. Short one on one meetings with partners pushed through, but aside from these and a couple of community orientations, student engagements, and an international board meeting, all PH-EITI plans and activities were put on hold if not entirely cancelled.

For instance, the first MSG meeting for the year was postponed after the Department of Finance building was locked down in March 2020 following the exposure of key DOF personalities to COVID-19. From this point forward, the MSG would have no in-person meetings or activities anymore.

And so decisions had to be made and plans recalibrated. Guided by the Chair, and ultimately by the collective wisdom of the MSG, the PH-EITI adapted to the situation and adopted new ways of doing things.

Early in the community quarantine period, the PH-EITI maximized the use of online channels to facilitate the discussions and approval of critical documents, including TORs of consultants, and company waiver to facilitate beneficial ownership data disclosure, among others. A few weeks later, the first online PH-EITI technical working group meeting would be arranged, and a few weeks more, the first virtual MSG meeting would be held. From there, all stakeholder engagement activities would now be held online as webinars, including reporting entities' familiarization with the enhancements to ORE, MSG's legislative training and advocacy planning, the LGU roadshow, and the annual National Conference. As much as the logistics and the technology would allow, activities were migrated to online platforms allowing for the momentum of EITI implementation to be sustained even in the midst of a health crisis. The use of ORE also proved most useful and relevant in this pandemic, where submission of physical files posed threats to public health and safety.

Innovate.

The pandemic also called for innovative strategies to hurdle barriers in EITI implementation. For this period, the PH-EITI focused more on meeting requirements on beneficial ownership transparency. After several consultations and template preparations, the PH-EITI successfully collected and published the beneficial ownership data of a substantial number of extractive companies covered in the Sixth PH-EITI Report.

After months of delays, consistent follow-ups led to the publication and launch of PH-EITI's study on women in extractives. The gender and employment survey form that the study used was adopted as a new reporting template in ORE. Companies targeted to participate in the seventh reporting cycle were the first to use the new reporting form.

A flexible approach had been adopted to produce the Seventh PH-EITI Report in pursuit of timely and relevant information.

Aside from the usual LGU roadshow, the PH-EITI also opened thematic online forums to the public to broaden engagement and increase understanding of extractives transparency and natural resource governance. This resulted in a realization that the public requires and appreciates the breaking down of information into themes and topics that are more relevant to them and easier to comprehend.

And while mainstreaming plans have also been delayed including the production of a mainstreaming feasibility study, the DOF renewed and updated its commitment to institutionalize transparency and accountability in the sector through mainstreaming under the Philippine Open Government National Action Plan now for 2019 up to 2022.

Refocus.

When challenges blur vision, the best course of action is to refocus. The pandemic plus the impact of previous years' issues can cause implementation to lose sight of one of its main goals – to meet the Standard. And so there was a need to adjust the framework or “lens”, so to speak, through which the PH-EITI is implemented. Towards the end of the year, keen and greater attention was given to the completion of the Sixth PH-EITI Report, not only for the deadline of submission, but for the overall desire to achieve both the original goals and new objectives set by the MSG.

And as the initiative pursued relevance and impact, it did not allow the pandemic and other difficulties to push back gains and progress. As a result, the majority of the activities in the 2020 work plan, including the usually big-ticket items, had been accomplished.

Once more, the PH-EITI proved that even with logistical and administrative limitations, progress is possible, but not without a clear vision.

**Eastword De Guzman Manlises**  
National Coordinator

PH-EITI ANNUAL PROGRESS REPORT 2020

# **PROGRAM OUTCOMES & IMPACT**



# STAKEHOLDER ENGAGEMENT

In 2019, the PH-EITI Multi-stakeholder group (MSG) refined and adopted five strategic objectives: improve platform of commitment for transparency and create safe space for dialogue and debate on natural resource governance; maintain an impartial, verified database on the extractives sector; develop capacities of EITI stakeholders to effectively participate in natural resource governance, strengthen and expand linkages, and formulate policy reforms including development processes and mechanisms of natural resource governance. With clarity and focus, PH-EITI sets its sight on the next three years of implementation. Stakeholder engagement is key to achieving these strategic objectives.

2020 was a test of faith, resiliency, consistency, teamwork, and commitment. True to its “staying alive” (allusion to the 2019 Strategic Plan) battle cry, the PH-EITI MSG proved its unwavering commitment to work together and carry out its annual work plan in order to realize the objectives for effective implementation of the EITI Standard in the country.

This chapter looks into the scope of PH-EITI’s outreach and capacity-building events considering the limitations and restrictions brought by the COVID-19 pandemic. Events are categorized according to level of engagement: national, local, and international. It gives a background of how PH-EITI adapted to new normal and innovated to hold its conferences, forums, seminars, workshops, consultations, meetings and other relevant activities which aim to inform, equip, involve, connect, and/or call to action stakeholders from different sectors around extractives.

With MSG at the core of these engagements, this overview begins with an assessment of government, company, and CSO participation. Overall, these events enabled PH-EITI to achieve its strategic objectives and met requirements set forth under the 2019 EITI Standard, particularly Requirement 1 on MSG oversight, Requirement 2 on Legal and institutional framework, and Requirement 7 on Outcomes and Impact.

## National Engagements

### Multi-stakeholder Group and Technical Working Group Meetings

Despite the limitations imposed by the nationwide community quarantine and health protocols, the PH-EITI MSG managed to hold three (3) regular MSG meetings (62<sup>nd</sup> to 64<sup>th</sup>), six (6) Technical Working Group Meetings, and three (3) Special Meetings to discuss guidelines and approvals for the 6<sup>th</sup> and 7<sup>th</sup> Reports, COVID-19 response, national conference, and roadshows with local government units (LGU), among others.

On May 29, the PH-EITI MSG successfully held its first-ever online MSG meeting via Google Meet. Despite technical limitations, the 62<sup>nd</sup> MSG Meeting mustered a quorum and discussed critical matters including updates on the 6<sup>th</sup> Report, the production of the 7<sup>th</sup> Report, and upcoming outreach activities.



During the 63rd MSG Meeting on August 18, the agenda focused on action steps in preparation for the 2020 Validation. The MSG reached a consensus to push through with Validation in October. The Secretariat also shared updates on the production of the 6th and 7th Report. Updates for Online Learning on Extractives (OnLearn), the virtual version of the LGU Roadshow, were also discussed with specific program roles and assignments for the MSG and the Secretariat. Discussions on the next steps for the proposed Legislative Advocacy Plan and approval for the Communication Plan were part of the agenda.

In the 64th MSG Meeting, the MSG was provided with updates on the mainstreaming feasibility study. Consultants working on the 7th Report also delivered their plans, and updates on their respective assignments.

### *Technical Working Groups*

The MSG held a total of three TWG meetings in 2020.

In preparation for the 62nd MSG meeting, the PH-EITI convened a technical working group meeting on February 6, 2020 at the Department of Finance. The meeting was attended by MSG members, the consultant for the 6th Report data reconciliation, and representatives from the Securities and Exchange Commission (SEC). The meeting discussed, among others, the initial findings of the 6th Report reconciliation process, the 2020 work plan, updates on beneficial ownership disclosure in the extractives, several terms of reference, and the proposed concept note and program for the 2020 PH-EITI National Conference.

As community quarantine continued due to the pandemic, PH-EITI MSG held technical working group meetings via online platforms to deliberate matters related to the implementation of EITI in the Philippines. These include the 7th Report, and PH-EITI outreach activities, among other items. The TWG meetings during the quarter were held on May 6th and June 26th.

### *Special Meetings*

The Special Meetings tackled the country's approach to EITI Reporting and the schedule of EITI Revalidation. These also included a discussion on the possible thematic priorities for 2021. The Secretariat also presented updates on the Transparency Awards for 2020. A special meeting was also held to approve the 6th Report for publication.

### **Extractives Transparency Week**

Prior to the annual National Conference, a week-long series of talks and learning sessions on various EITI-related topics took place. Themes covered included gender, beneficial ownership, and systematic disclosure, among others. The events are grouped according to three subthemes: Synergy, Transparency, and Sustainability. The online sessions of Extractives Transparency Week happened from November 23 to 25.



## *Synergy*

On November 23, two sessions focused on Synergy. “Women and Extractives” delved on the roles of women in the extractives sector and the sector's impact on their lives. Through the event, PH-EITI launched its publication, “Women and Large-scale Mining: A Scoping Study,” which features information on the issues and challenges women in mining communities face, and the policy gaps in addressing these issues and challenges. The talk also provided updates on PH-EITI's initiatives to make EITI implementation in the Philippines more gender-inclusive. A total of 53 stakeholders participated in this session.

“EITI 101” provided a concise introduction of PH-EITI to stakeholders, especially catering to those who are not familiar with the EITI process. The event showcased PH-EITI programs— from the production of country reports to stakeholder engagement activities, and how these benefit the public. The session also featured the progress and milestones in the EITI implementation in the Philippines over the past seven years. Participating entities and the recipients of previous Transparency Awards delivered testimonials on how the PH-EITI platform helped improve extractives governance in the country. A total of 46 stakeholders from local government units, national government agencies, CSOs, industry, and the media attended the session.

## *Transparency*

Sessions on November 24 focused on transparency. The learning session on revenue collection and allocations with the title, “Add Up” equipped 92 participants with knowledge of the processes and formulas involved in the collection, allocation, and utilization of revenues derived from natural resource extraction. The event also shed light on how mandatory payments are computed. This session also showed how stakeholders could optimize PH-EITI reports in monitoring company payments to the government, and LGU shares in national wealth.

“The Real Owners” was a forum about good corporate governance featuring the government's anti-corruption and anti-money laundering efforts through the disclosure of the beneficial or “real” owners (BO) of extractive companies. The session discussed implementation updates from the Securities and Exchange Commission, and information about other national and international initiatives geared towards making the extractive industries more open and accountable. There were also featured testimonials from industry members that actively and willingly complied with SEC MC 15 and the PH-EITI's BO disclosure requirement. A progress report on BO disclosure for the 6th Report was also presented. A total of 62 participants joined the online session.

Systematic Disclosure served as an online consultative workshop aimed at assessing the comprehensiveness and reliability of PH-EITI disclosures. The session revisited PH-EITI's mainstreaming efforts and reviewed data and information that are already systematically disclosed. The discussion was facilitated by the PH-EITI's consultants for the seventh reporting cycle and the mainstreaming feasibility study, and was exclusive to the members of

the Multi-stakeholder Group and representatives of EITI implementing agencies. A total of 50 stakeholders attended.

### *Sustainability*

On November 25, discussions centered on sustainability. The “Extractives Data Blitz” was PH-EITI's virtual conference-exhibit featuring "lightning talks" or five-minute talks on timely and relevant topics such as the participating companies' social and environmental initiatives and efforts to address the impact of the COVID-19 pandemic in mining areas. The exhibit served as a platform for non-government organizations to showcase extractives-related studies, researches, and tools. The 45 conference participants, who wanted to know more about a particular topic or presentation, could visit virtual exhibit booths, where more thorough discussions were facilitated.

The webinar session on “Extractives Governance and Community Development” highlighted mechanisms in place to ensure the good and inclusive governance of the country's natural resources, especially with regard to extractive industries. Resource persons shared updates on policies that govern the sector, explored policy and implementation gaps, and recommended actions to improve governance. 79 stakeholders joined the session.

A total of 439 participants attended the week-long series of learning sessions, while at least 1,149 have viewed the live feed of the sessions on Facebook.

### **National Conference 2020**

The pandemic did not stop the PH-EITI MSG from holding its annual national conference. Although there were improvisations from the usual practice, the national secretariat under the direction of the MSG pulled off a successful online 2020 National Conference on November 26, which coincided with the seventh year since the issuance of Executive Order No. 147 (2013) that created the PH-EITI. The first ever virtual NatCon was held as the culmination of the Extractives Transparency Week.

For the past seven years, the national conference was a kickoff event announcing the publication of the country report. This is followed by the nationwide roadshow.

For 2020, the national conference was a culminating event that highlighted the key findings of the 6th Country Report and presented the Transparency Awards to recognize outstanding PH-EITI participating agencies.

In his opening speech, Finance Department Undersecretary and PH-EITI Focal Person Bayani Agabin looked back at the early days of PH-EITI. Throughout the years, the Multi-stakeholder group overcame challenges to successfully implement EITI in the country. Despite logistical challenges in 2020 due to the pandemic, the MSG and National Secretariat launched the week-long program for Extractives Transparency Week. These sessions focused on the main themes for the year - Synergy, Transparency, and Sustainability.

Ongoing efforts to institutionalize EITI in the Philippines have been in place through two legislations filed in Congress. Senator Joel Villanueva, the proponents of Senate Bill No. 349 or the PH-EITI Act, delivered the keynote speech and expressed his continued support towards transparency and accountability in the extractives sector.

No physical roadshow was conducted this year. In order to continue the public debate, OnLearn was launched to address two important goals of the roadshow: (1) improve public understanding of the management of natural resources, and availability of data, and (2) create opportunities for dialogue and constructive engagement in natural resource management to build trust and reduce conflict among stakeholders. Highlights of the successful online roadshow were presented to the participants.

Finally, the NatCon would not be complete without the Transparency Awards. The recognized reporting entities in each category are listed on the table below.

**Table 1. Transparency Awards 2020 Winners**

<b>Category: Metallic Mining Companies</b>	
First Place	Carrascal Nickel Corporation
Second Place	Taganito Mining Corporation
Third Place	Cagdianao Mining Corporation
<b>Category: Non-metallic Mining Companies</b>	
First Place	Rio Tuba Nickel Mining Corporation
Second Place	Holcim Mining and Development Corporation - Davao
Third Place	Eagle Cement Corporation
<b>Category: Oil and Gas Companies</b>	
Shell Philippines Exploration B.V.	
<b>Category: National Government Agencies</b>	
Department of Energy	
<b>Category: LGUS - TIER 1 (with reconciled collections above PHP 33,290,000.00)</b>	
First Place	Bunawan, Agusan del Sur

Second Place	Taysan, Batangas
Third Place	Bataraza, Palawan
<b>LGUS - TIER 2 (with reconciled collections below PHP 33,290,000.00)</b>	
First Place	Santiago, Agusan del Norte
Second Place	Mankayan, Benguet
Third Place	Alcoy, Cebu

Despite being separated physically and battling intermittent internet connections, NatCon 2020 brought together 140 stakeholders (38 national government agencies, 27 LGUs, 12 CSOs and development partners, 38 extractive companies, 3 academe, and 3 media). The livestream on Facebook had at least 426 viewers.

### **Webinars for Reporting Entities**

#### *Online Reporting Tool Webinar*

The Online Reporting in the Extractives (ORE) was integral in the production of the 6th and 7th Reports. To continuously improve the reporting of EITI data, system enhancements have been implemented in the ORE. A meeting with the Department of Finance Central Management Information Office (DOF-CMIO) mapped out critical activities required for the hosting of ORE under the DOF system. After a few weeks of constant work and coordination, ORE has successfully been hosted under the DOF domain. After ensuring that ORE is up and online, webinars have been arranged for the PH-EITI secretariat and the PH-EITI reporting entities. A total of six webinars were held to orient users on the new features and functionalities of ORE. The webinars catered to a total of 91 participants from 32 extractive companies (metallic, non-metallic, and oil and gas sectors), 2 government agencies (DENR and DOE), and the PH-EITI secretariat.

#### *Beneficial Ownership Webinar*

Beneficial ownership information supports anti-corruption efforts through the value chain – from licensing to project closure. As such, Requirement 2.5 specifically stipulates the disclosure of beneficial ownership. Since the Beneficial Ownership Roadmap was approved in 2017, PH-EITI has made significant progress in the implementation. One of the important milestones was the issuance of Securities and Exchange Commission (SEC) Memorandum Circular (MC) No. 15, s. 2019 – Amendment of MC No. 17, s. 2018 on the Revision of the General Information Sheet (GIS) to Include Beneficial Ownership Information. The PH-EITI organized a webinar for participating PH-EITI companies to discuss the requirements of beneficial ownership transparency particularly for the Sixth Report. Around 50 companies (31 metallic, 14 nonmetallic, 5 oil & gas) attended the activity. The webinar served as an

orientation for extractives companies with regard to the BO disclosure process for the Sixth Report. It also tried to address the concerns of the companies particularly those pertaining to the types of data to be disclosed.

### **Roundtable Discussion on Responsible Investments**

Bantay Kita - Publish What You Pay Philippines organized an initial roundtable meeting on responsible investments in collaboration with the Dutch Association of Investors for Sustainable Development (VBDO). The meeting was held on February 17, 2020 at the Yuchengco Tower in RCBC Plaza in Makati. Among the participants were representatives from major banks in the Philippines (Bank of the Philippine Islands, Land Bank of the Philippines, Development Bank of the Philippines, and RCBC), as well as key members of the original roundtable on responsible mining (Bantay Kita, COMP, PH-EITI and the DENR-MGB). The meeting zeroed in on the banking sector's contribution to efforts promoting sustainability in the extractives and energy sectors through responsible investments. The roundtable recognized the role that the banking sector could play in stimulating responsible mining.

## **Local Engagements**

Public debate is integral in the successful implementation of the EITI Standard. Pursuant to Requirement 7, PH-EITI annually communicates the latest report findings to extractive sector stakeholders since 2013. This is done through a series of regional multi-sectoral forums called the LGU Roadshow. For the past years, the LGU Roadshow has become a platform and safe space for constructive engagement and data-informed public debate on the extractives.

In 2020, the annual regional LGU roadshow was conducted virtually in two (2) Phases due to the challenges posed by the pandemic. The first phase entitled "Making Extractive Information Work for Data Providers and Users" covered six (6) provincial clusters for the oil and gas sector. The activity was done in collaboration with the Multipartite Monitoring Team for the provinces of Batangas and Palawan, spearheaded by DOE. The second phase entitled "Making Extractive Information Work for Community Members" was conducted in five (5) regional clusters, in collaboration with Bantay Kita.

### **Roadshow: Online Learning on Extractives (OnLearn)**

In 2020, amid the risks brought about by the COVID-19 pandemic, the PH-EITI continued to create safe spaces where stakeholders could discuss and provide feedback on the results of the latest report, and engage in dialogue aimed towards better resource governance and sustainable community and national development. As such, the PH-EITI has adopted an innovative approach in enabling stakeholders to virtually gather in one forum in consideration of public health and safety. In lieu of the LGU Roadshow that requires physical gathering, the PH-EITI developed the Online Learning on Extractives or On Learn, a series of webinars

arranged in regional clusters that would allow stakeholders to continue dialogue and exchange ideas in pursuit of sustainable development.

The OnLearn was done in two phases. The first phase (Phase 1), with the subtheme, “Making Extractive Information Work for Data Providers and Users”, was participated in by entities that disclose data to PH-EITI and target users of EITI data.

Participants for the Phase 1 of OnLearn are those who disclose the data to PH-EITI and the expected immediate users of these data. These include officers from the local government units, national government agencies, and extractive industries, as well as some members of civil society organizations. To ensure accessibility and participation, two platforms were used for the activity—Zoom and Facebook. A total of 273 participants participated in the six provincial clusters and two MMT meetings for oil and gas sectors.

The second phase (Phase 2), with the subtheme, “Making Extractive Information Work for the Members of the Community”, was joined in by leaders and members of community organized groups. The main participants were leaders of community organized groups or people’s organizations who have been active in the discussions and issues on natural resource governance and environmental protection. Likewise, to ensure accessibility and participation, two platforms were used for the activity—Zoom and Facebook. A total of 106 participants attended On Learn Phase 2, which had five (5) regional clusters.

### **EITI Community Orientation in Palawan and Benguet**

Bantay Kita - Publish What You Pay Philippines held community orientations about EITI with communities in Palawan and Benguet. These orientations happened on February 11 to 12 and March 3 to 5, respectively. During these consultations, participants had the opportunity to learn more about EITI implementation and ask questions about policy issues and challenges regarding natural resource governance and the EITI processes. Issues on social development management programs (SDMP) validation, IP royalty release and management, as well as national wealth data disaggregation were tackled. The occurrence of small-scale mining in Palawan and Benguet remained a central discussion with communities inquiring how the EITI implementation could help with the small-scale mining activities in these areas.

In Benguet, the community orientations also reached out to the local government of Tuba, where the barangay affected by the operations of Philex Mining Corporation was located. The women leaders of the province were also engaged in the orientations. The activity sought to orient indigenous communities and local government units on the EITI process, provide an overview of the EITI Bill, and generate subnational support for the proposed legislation through a signature campaign.

## International Engagements

### **46th EITI Board Meeting**

The EITI International held its 46th Board Meeting on February 13 to 14, 2020. An Implementing Country Constituency Consultation Meeting preceded it on February 10 to 11, 2020. The meetings were held in Oslo, Norway, and were aimed at providing constituent countries an opportunity to have a more comprehensive discussion of emerging extractive transparency issues, improve coordination mechanisms among the constituency, and consolidate inputs to the Board's strategy discussion on EITI's role in addressing corruption and other relevant global issues. DOF Assistant Secretary Ma. Teresa Habitan participated in the activities in her capacities as PH-EITI Alternate Chair and Focal Person, Southeast Asia Representative to the EITI Board, and member of the EITI Implementation Committee.

### **Mainstreaming Orientation with EITI Technical Director Sam Bartlett**

In lieu of a full mainstreaming workshop with the PH-EITI MSG, which was cancelled due to the then COVID-19 situation at the Department of Finance building, the PH-EITI Secretariat held a meeting with EITI International Secretariat Technical Director Mr. Sam Bartlett to discuss the matter of EITI mainstreaming. The meeting happened on March 12, 2020 in Manila. Mr. Bartlett shared that the EITI International Secretariat is in the process of gathering best practices from five to seven countries including the Philippines, which can offer a viable model of EITI mainstreaming that other implementing countries could follow.

### **EITI Regional Webinars (Environmental Reporting, COVID 19 Response, Validation Model, Online Reporting for PNG-EITI)**

#### *Webinar on EITI and Environmental Reporting*

The PH-EITI MSG and secretariat participated in the EITI International's webinar on EITI and Environmental Reporting. One of the speakers was Dr. Cielo Magno, a member of the EITI International Board, and a former CSO representative to the PH-EITI MSG.

#### *Regional Webinar on the EITI Board's Response to the COVID-19 Pandemic*

The PH-EITI participated in a regional call hosted by the EITI International to discuss its response to COVID-19 particularly on the pandemic's impact on EITI reporting, MSG meetings, and validation.

#### *Regional Webinar on a Proposed New EITI Validation Model*



The PH-EITI MSG and secretariat participated in the EITI International's regional webinar that presented the proposed outline for a new validation model and solicit inputs and feedback from MSGs and secretariats in the region.

#### *Online/Electronic Reporting for Papua New Guinea EITI*

The PH-EITI remains a leading and model country in EITI implementation. As such, a consultant for the Papua New Guinea EITI requested an orientation meeting with the PH-EITI secretariat to learn about the Philippines' online EITI reporting, which replaced the cumbersome manual paper template reporting in the country starting 2018.

## **Other Engagements**

### **5th National Geology and Mining Engineering Convention**

The PH-EITI co-presented the 5th National Geology and Mining Engineering Convention (NGMEC), a student conference organized annually by the University of the Philippines Mining Engineering Society (UP MINERS). The 2020 theme was LITHIFY - Merging the Youth with Today's Mining Industry towards National Development and Environmental Sustainability. The event was held from March 6 to 7, 2020 at the UP Department of Mining, Metallurgical, and Materials Engineering, and was attended by over 100 hundred high school students from 12 different schools.

As co-presenter of the event, the PH-EITI played several critical roles in the program. The PH-EITI gave the participants an orientation on the EITI process with emphasis on the value of transparency and accountability in the extractives, particularly in the mining sector. The PH-EITI also provided inputs for the event's quiz show, where the participants' knowledge on mining and the social, economic, and environmental issues that surround the sector was put to test. The PH-EITI also had an information booth in the venue where IEC materials were distributed to students, staff, and faculty members.

### **Participation in the Friday Learning Session on Strategic Performance Management System**

To enhance internal capacity in planning, managing, and monitoring progress of projects and activities, the PH-EITI Secretariat actively participated in DOF's Friday Learning Session on the Strategic Performance Management System. The learning session was held on January 17 at the DOF CFMO Conference Room.

### **Participation in OGP National Action Plan**

On February 18, the PH-EITI participated in the Philippine Open Government Partnership's closing-the-loop workshop on the 4th PH-OGP National Action Plan (NAP 2017-2019). The event was held at the Department of Budget and Management in San Miguel, Manila. It was attended by representatives from government agencies, which had commitments under the 4th NAP. The DOF is a commitment-holder under the 4th NAP, with the implementation of the

EITI process in the Philippines as its commitment. The DOF is also a commitment-holder under the 5th NAP (2019-2021) with the institutionalization and mainstreaming of EITI in the Philippines as its new commitment.

## SYSTEMS AND POLICY REFORM

### Online Reporting in Extractives TOOL

The ORE Tool is PH-EITI's main application for extractives revenue data disclosure. It was developed in 2018 to replace manual paper reporting and to centralize reporting of mining, oil and gas companies, and national government agencies in one system. The web-based tool has been useful in the production of the 5th and 6th PH-EITI Reports, which covered FY 2017 and FY 2018, respectively.

As the PH-EITI continues to improve the reporting of EITI data, system enhancements have been implemented in the ORE Tool with the help of a consultant for system enhancements. These enhancements included:

1. *Administrative Control and Maintenance.* The PH-EITI secretariat has gained more direct control over the tool, especially on managing roles and crafting forms for reporting. With this, the PH-EITI expects that maintenance and future enhancements will be more cost efficient and easier to implement.
2. *Interface and User Experience.* Aiming to address users' concerns with the first version of the tool, the new version is designed to have a more straightforward interface and functions which users can easily navigate and explore.
3. *Web hosting.* Previously, the ORE Tool was hosted by a third-party service. Due to maintenance and sustainability concerns, the PH-EITI MSG, following recommendations from stakeholders, has deemed it best and more efficient to have the tool hosted by the DOF system. With this aim, the PH-EITI worked closely with the DOF - Central Management Information Office to have the tool hosted within the DOF server and accessible via [orepheiti.dof.gov.ph](http://orepheiti.dof.gov.ph). This is also consistent with PH-EITI's mainstreaming plans where reporting processes are targeted to be part of organic regular government systems.

The PH-EITI Secretariat had a walk-through workshop on the latest enhancements implemented in the ORE Tool. The walk-through workshop happened on March 10, 2020 at the PH-EITI Conference Room. The consultant presented the latest features of the tool, taught the members of the Secretariat how to navigate the application, and gathered inputs for further enhancements.

After the ORE Tool was successfully hosted in the DOF system, webinars were arranged for the PH-EITI secretariat and the PH-EITI reporting entities. A total of five (5) webinars were held from June to July to orient users on the new features and functionalities of ORE.

The webinars catered to a total of 91 participants from 32 extractive companies (metallic, non-metallic, and oil and gas sectors), two government agencies (DENR and DOE), and the PH-EITI secretariat.

## **Open Data Portal**

### *Meeting on Info-sharing with the Open Data Portal*

In view of DOF's commitment under the 5<sup>th</sup> Philippine Open Government Partnership National Action Plan (2019-2021), the PH-EITI Secretariat held a meeting with the Open Data Portal team of the Department of Information and Communications Technology (DICT) to explore the possibility of sharing PH-EITI's dataset with the Open Data Portal for wider public dissemination. As a way forward, the two agencies initially agreed to draft and approve a memorandum of agreement. The meeting was held on January 30, 2020 at the DICT office in Diliman, Quezon City.

### *Drafting of a Memorandum of Agreement (MOA) between DOF and DICT*

As a result of the exploratory meeting, the DICT prepared and submitted on February 13 a draft MOA on info-sharing for DOF's perusal. Based on the review conducted by the DOF's Legal Affairs Office, there were no substantial legal objections to the signing of the proposed agreement subject to their comments and suggested revisions. The PH-EITI Secretariat took charge of implementing the revisions and were able to provide the updated version to the DICT on July 2 for another round of legal assessment. After which, the PH-EITI secretariat had been communicating with the DICT's technical team on the signing of the MOA, which should happen as soon as the draft is approved by both parties.

## **Legislative Advocacy**

In line with the strategic objectives set by the MSG which includes the proposal of policy reforms for natural resource governance, the PH-EITI has made significant strides in putting together a Legislative Advocacy Plan (LAP). The plan seeks to institutionalize transparency and accountability through PH-EITI.

In July, the PH-EITI conducted a series of Legislative Advocacy Training and Planning workshops which served as a venue for the MSG members to establish strategies for the passage of a law that will institutionalize PH-EITI.

The first module was held on July 14 and attended by 29 participants representing government, industry, and civil society. The first module served as goal-setting for the training. The workshop started with a review of the status of the bills related to the EITI systems and processes. In 2020, two versions of a bill relevant to this are filed in each chamber in Congress (House Bills 1691 and 6005; Senate Bills 349 and 1489).

Discussion about identified challenges highlighted the need for champions of the bills as there could be lower chances of passing a bill without champions aligned with administration's priorities. The group identified the need to package the EITI bill that would make it a priority for the government.

The second module took place on July 16 with 28 participants. The second module was more exciting in a sense that participants jointly made an inventory of the stakeholders and processes that are involved in legislating a bill on EITI institutionalization. Participants had the opportunity to map out the strategies to successfully pass an EITI law.

The third module happened on July 21. In this module, the draft advocacy plans of the House of Representatives and Senate groups were presented. Members had the opportunity to give their feedback and recommendations on the first MSG OnLearn session.

The MSG identified strategies to overcome challenges in the advocacy work and laid the foundation of a communications plan to engage the public, the legislators, and other stakeholders. A technical working group was then formed to follow through with the actions identified in the workshop.

The last quarter of 2020 saw several activities of the Legislative Advocacy team. Consultations were held with the MSG and an external expert to finalize specific activities in the Legislative Advocacy Plan. At least two writing workshops were also held to draft a consolidated position paper with regard to the EITI bills filed in Congress. The team also mapped stakeholders to identify possible champions of the bills. The PH-EITI position paper was prepared for submission to the congress.

## RESEARCH & PUBLICATION

### **Sixth PH-EITI Report**

The production of the annual country report is one of the main pillars of EITI implementation. The country report presents the contribution of the extractives sector to the economy and helps improve the public's understanding of how the country's natural resources are managed. The country report is also a tool used in measuring the country's performance in meeting the EITI standard.

PH-EITI published the Sixth PH-EITI Report on December 29. The report with the theme, "Synergizing Transparency for Sustainability" covers fiscal year 2018. The theme highlights PH-EITI's transition to mainstreaming EITI implementation. In the Sixth Report, PH-EITI moved towards a more streamlined and efficient reporting process by identifying which information required by the EITI Standard are already publicly available.

The report covers data from 37 participating metallic mines, 20 non-metallic mines, five oil and gas companies, eight national agencies, and 57 local government units. It recorded a total of PhP 64.3 billion in reconciled revenues from the mining, oil, and gas industries for 2018. This amount is higher by 68% than the reconciled revenues reported in 2017. The report explains that the increase was a result of the implementation of the TRAIN Law and the overall improvement of the PH-EITI reporting process, among other factors. Following the improvements in the reporting process, the overall variance after reconciliation went down to 0.09% from 3% in 2017.

The report also recorded PhP 3.4 billion in reconciled environmental and social expenditures of the mining sector for 2018. This is 63% higher than the reconciled figures of 2017. Variance also went down to 4% in 2018 from 34% in 2017.

The report includes a chapter on beneficial ownership transparency, which is aimed at disclosing the “real owners” of the mining, and oil and gas companies. The exercise involved the public disclosure of information on the beneficial owners of a total of 29 companies covered by the report.

### Assessment and Progress in Addressing Recommendations

<b>Mines and Geosciences Bureau</b>		
<b>Observation</b>	<b>Independent Administrator’s Recommendations</b>	<b>Status as of the 6<sup>th</sup> PH-EITI Report</b>
<b>Prior Years</b>		
<p>Additional manpower requirements for licensing. Based on the observation conducted during the agency visit, it was noted that the tenements team, which involves approximately 15 members, processes numerous applications from licensees and updates status of ongoing applications which likewise involves very tedious tasks. Lack of sufficient manpower requirements might lead to slow turnaround and late approvals of permit applications.</p> <p>In the fourth PH-EITI report, while the composition of the tenements team remains the same, the agency has highlighted its ongoing reforms including the simplification of the application process starting 2018 which is expected to address the issue.</p>	<p>MGB should consider increasing its manpower resources in the tenements team to compensate for the increasing level of license applications received by the department including extensive monitoring of the status of all license applications.</p>	<p>MGB Management approved the hiring of additional personnel on a contractual basis and filling-up of vacant permanent position for the technical sections of the Division.</p> <p>MGB is continuously in the process of amending procedures to streamline the process.</p>

<p>The production data provided by the agency was based on the submissions and declarations from the extractive companies. The agency does not have its own procedures and systems to collect and control production data provided by the mining companies.</p>	<p>It is recommended that the agency establish its own mechanism, process and procedure to collect and control production data. Also, it was recommended that the agency provide us with a comparison of the production volumes declared by the mining companies with the measurements of the agency for each reporting year.</p>	<p>Similar issue in the Sixth Report.</p>
<p>It was noted that the evaluation by MGB Regional Office for the ISHES Report was not performed and submitted to the MGB Central Office on time.</p> <p>The MSESDD of MGB has already drafted the standard procedures for report preparation in place, the pilot testing of which started in the third quarter of 2017. A related memorandum order is expected to be released in 2018.</p>	<p>MGB should ensure that a timely review and evaluation of compliance to mandatory requirements and program implementation and reporting is performed. Moreover, the agency should take measures to avoid delays in the release of the said memorandum order.</p>	<p>Memorandum Circular 2018-02, issued on 3 July 2018, is currently being implemented, standardizing monitoring system for social development (as well as environmental management, safety and health, and tenement) compliance of mining companies.</p>
<b>Current Year</b>		
<p>During the reconciliation process, it was noted that reported social and environmental expenditures are significantly higher than the reported amount of MGB.</p>	<p>MGB should review and evaluate the procedure for the monitoring and reporting for the social and environmental expenditures to identify the root cause of the observation. Implement a new procedure or update the current procedure to improve the reporting for these expenditures.</p>	

<b>Department of Energy</b>		
<b>Observation</b>	<b>Independent Administrator's Recommendations</b>	<b>Status as of the 6<sup>th</sup> PH-EITI Report</b>
<b>Prior Years</b>		
<p>Create a reporting system that will determine the direct impact measured through the jobs attributable to the oil and gas industry.</p> <p>Data found in the PSA's website includes aggregated figures and not disaggregated down to the oil and gas sector.</p>	<p>To enhance the accuracy and accessibility of contextual information, it is recommended that the DOE periodically (at least annually) maintain information on the contribution of the industry to labor and employment.</p>	<p>DOE can provide annual data on labor and employment.</p>
<p>We noted that the list of SCs and COCs that can be found on the DOE website was not updated and had to be obtained directly from the DOE. Thus, the list of SCs still lacks information on the coordinates of the license area, date of application, and the commodity being produced. As a response, the DOE is developing the Energy Data Center of the Philippines online inquiry site.</p>	<p>As noted in the previous PH- EITI reports, we recommend that the DOE maintain a summary of information, including the data currently lacking in the system, and update the same on a regular basis (at least annually). The same updated summary should be published on DOE's website.</p> <p>Production data found in the DoE website is updated for natural gas production only (as of November 2018) and are aggregated/cumulative.</p>	<p>DOE will provide the Information Technology and Management Services office updated lists (including the said lacking information) of SCs and COCs from time to time.</p> <p>Online inquiry site of the Energy Data Center of the Philippines still under development stage.</p> <p>As to the production data, kindly visit <a href="https://www.doe.gov.ph/energy-resources?q=energy-resources/petroleum-statistics">https://www.doe.gov.ph/energy-resources?q=energy-resources/petroleum-statistics</a></p>
<p>The lone target for the coal sector did not participate for the sixth straight year.</p>	<p>To strengthen implementation of PH-EITI in the oil and gas sector, DOE should consider issuing an administrative order similar to DAO 2017-07. The recommendation is for the department's top</p>	<p>The draft department circular mandating the participation of all Petroleum Service Contractors and Coal Operating Contractors in PH-EITI is undergoing legal evaluation.</p>



	management's guidance for policy direction.	
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**Bureau of Local Government Finance**

<b>Observation</b>	<b>Independent Administrator's Recommendations</b>	<b>Status as of the 6<sup>th</sup> PH-EITI Report</b>
<b>Prior Years</b>		
It was noted during our walkthrough that local business taxes paid by the extractive companies are based on the unaudited gross revenues. There are no further adjustments on the payments based on the audited balances	LGUs should require extractive companies to submit the audited financial statements on the succeeding year of payment and any difference in the calculated local business tax will be collected/refunded, as the case may be.	The BLGF already has a policy on this which is already being implemented.  <i>BLGF Memorandum Circular 01-001-2017, "Reminders in the Assessment of the Local Business Tax, Registration and Renewal of Business Permits, Licenses, and Payment of Community Tax", released on 5 January 2017</i>
The share in national wealth received by the LGUs is combined with the LGUs' general fund, leading to improper use of it.  The draft JMC already indicates a separate subsidiary ledger for recording the share in national wealth and trust fund. Once issued, the BLGF shall issue a procedural guidelines for the treasurers	It was recommended to have a separate subsidiary ledger for the share in national wealth and trust fund for proper segregation and use.	BLGF will issue an operational policy or guidelines for the treasurers as soon as the signed JMC is released.
Donations directly provided by the extractive companies to the barangays are not completely accounted for by the respective municipality and province since these were not always reported.	Receiving barangay should report any donations received from mining companies to their respective municipality and province.  LGUs should make an inventory and maintain a monitoring of donations and infrastructure projects given directly by mining companies	Grants or donations to be captured in the barangay eSRE which will be more disaggregated in the future.  The BLGF ROs are continuously monitoring the submission of pertinent data of LGUs as recommended by the Independent Administrator.

	to barangays in order to properly account for the value of these contributions.	
<b>Current Year</b>		
In the reconciliation process, it was observed that the data submitted by BLGF is incomplete. This is mainly due to the several system breakdown of ENRDMT, the main system used by the different LGUs for reporting.  Refer to Section VI, Variances and discrepancies for details.	DOF, through MSG, could help BLGF in the assessment and improvement of ENDRMT since MSG is set to continuously improve ORE. Aside from the improvement of ENDRMT, focus should also be placed on training the personnel of the different LGUs on how to properly use the ENRDMT and how their work impact the PH-EITI exercise.	

<b>Department of the Interior and Local Government</b>		
<b>Observation</b>	<b>Independent Administrator's Recommendations</b>	<b>Status as of the 6<sup>th</sup> PH-EITI Report</b>
<b>Prior Years</b>		
The SDMPs of mining companies are not aligned with local development plan, which may lead to duplication of programs to be implemented.	LGUs should be involved in the planning of SDMPs to align with the local development plan and ensure its sustainability.  DILG through PPEI has actively participated during the drafting of the proposed Supplemental SDMP Guidelines. Said guidelines was an inter-agency collaboration intended to set indicators in order to aid the stakeholders in determining the sustainability of SDMP projects and the alignment of these to the basic thematic priorities, particularly: (1) access to education; (2) access to health services and facilities; (3) protection	The SDMP planning, execution, and monitoring should coincide with the timing as well as the protocols relative to the LGUs' local development plans and planning. The spirit of this advocacy has been at the core of the proposed revision of the SDMP Guidelines of the DENR-MGB which was completed by end of 2018. Said proposal should be tabled for discussion with the DILG Secretary. The proposal is dependent on DENR's view on the matter.

	<p>and respect of socio-cultural values; (4) development of livelihood industries. Comments and inputs to the said guidelines were endorsed to DENR-MGB, approval thereof by the DENR Secretary is still pending per last meeting held earlier this in 2018.</p>	
<p>Consider setting aside revenues collected from mining companies towards the development of the communities affected by extractive activities. Taxes and fees collected from mining companies form part of the LGUs' general funds and are programmed towards projects and expenses for the entire community. There are no specific projects for which revenues collected from mining companies are allocated.</p>	<p>Given that mining communities are the ones directly affected by extractive activities, LGUs should consider setting up a special fund arising from revenues earned from extractive companies so that these may be allocated towards projects that would contribute to the rehabilitation and development of mining communities. This way, it is ensured that there is a direct benefit to the communities.</p>	<p>PPEI conducted a study entitled, "Local Green Investments in the Philippines", with the following major outputs: (1) Stocktaking Report on Policies on Green Investments in the Philippines; (2) Opportunities and Barriers for Green Investments at the Local Level; (3) Extractive Industries and Local Public Finance: Tax and Non-Tax Contributions of Mining to Local Governments in Surigao del Norte; (4) Revenue Generating Options and the Necessary Enabling Environment and Strategies to Promote and Establish Alternatives; (5) LGU Guidelines for Establishing Green Investments and; (6) Potential Green Investments in Claver, Placer and Tagana-an, Surigao del Norte.</p> <p>Study outputs can be accessed through:  <a href="https://drive.google.com/drive/folders/1vhqMLnU0xzC_D8wdtI9FR6la-ryBf_2o">https://drive.google.com/drive/folders/1vhqMLnU0xzC_D8wdtI9FR6la-ryBf_2o</a></p>

		The outputs of the said PPEI study will be requested for uploading in the DILG website for greater access by the general public for possible replication by other LGUs.
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**Department of Budget and Management**

<b>Observation</b>	<b>Independent Administrator's Recommendation</b>	<b>Status as of the 6<sup>th</sup> PH-EITI Report</b>
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**Prior Years**

Long delays in the distribution of the share in national wealth were identified. The agency already implemented a change in the process of releasing shares in national wealth starting 2016 with the implementation of DOF DBM Joint Circular No. 2016-1. However, some LGUs have not yet received their respective share in national wealth as of date.	The establishment of a common online portal is recommended wherein LGUs could be able to confirm with DBM immediately upon receipt of their shares.	The DBM releases the shares of LGUs within the prescribed time as long as it is complete and as long as correct supporting documents from the collecting agencies and BTr are received on time and within the same period.  The DBM commits an establishment of a common online portal where LGUs could immediately verify the details of their respective shares with the DBM by FY 2021.
There is no clear guideline as to the use of the share in national wealth.	DBM to issue/define specific guidelines on the use of the share in national wealth derived from mining activities.	Similar issue in the Sixth PH-EITI Report
Amount received by the LGUs through NADAI is consolidated, without details of the calculation and period to which the payment pertains.	Indicate in the NADAI the name of the company, details of computation, and allocation period.	The said recommendation is already considered in the draft guidelines.  Nonetheless, the DBM commits the inclusion of details in the attachments, i.e., payee and collection period, as reflected in the submission from the collecting agencies.

**National Commission on Indigenous Peoples**

Observation	Independent Administrator's Recommendation	Status as of the 6 <sup>th</sup> PH-EITI Report
<b>Prior Years</b>		
<p>Insufficient monitoring of royalties for IPs.</p> <p>The agency does not have a formal and adequate monitoring of royalties for IPs. The agency (NCIP) relies on voluntary disclosures made by companies.</p> <p>Under Section 44 of RA No. 8371, the NCIP is tasked to –coordinate development programs and projects for the advancement of the ICCs/ IPs and to oversee the proper implementation thereof. However, based on NCIP's actual practice and implementation, while the NCIP may exercise its visitorial power to evaluate, audit and examine accounting books, records, and other financial documents, NCIP is not responsible for monitoring the implementation of the CRDP. NCIP can consider revisiting its interpretation of Section 44 of RA No. 8371, as its functions should include oversight of the projects and programs of ICCs/ IPs.</p>	<p>The agency should develop a system for monitoring IP royalties. The agency must require all extractive companies to submit copies of deposits/proof of payments to the designated bank accounts for IP royalties.</p>	<p>The NCIP monitoring tool for IP royalties and MOA implementation, developed by NCIP and PH-EITI and approved by the NCIP Commission En Banc on 26 November 2015 under Commission En Banc Resolution No. 06-033-2015, is still being tested for further improvement.</p> <p>Additional funds have already been included in the proposed budget to ensure that regional offices are able to regularly transmit IP royalty monitoring reports to NCIP Central Office. However, the Annual Budget remains the same. There is also lack of manpower, as per NCIP</p>
<p>Regular monitoring of the list of entities operating within the ancestral domain (AD) including the respective MOAs and ensure</p>	<p>The agency should consistently and regularly monitor the list of the entities operating within AD and ensure up-to-date</p>	<p>NCIP through the Office of Recognition Division maintains an up-to-date master list of areas nationwide with approved</p>

information be made publicly available through the agency's website.	information are reflected therein. MOAs/CADTs and other relevant information must also be diligently monitored for EITI reporting purposes.	CADTs. The NCIP Recognition Division Office provided PH-EITI in August 2019 their master list of approved CADTs areas as of 31 July 2019.
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<b>Bureau of Customs</b>		
<b>Observations</b>	<b>Recommendation</b>	<b>Status as of the Sixth PH-EITI Report</b>
Various payments to BOC by entities through third party brokers were noted. These payments were not included in the reported amount of BOC but was disclosed by the participating entities, which contributed to the amount of variance pre-reconciliation.	BOC should monitor payments made through third-party brokers and include the same in its reporting templates to properly reflect the source of government revenues.	<p>We would like to clarify that payment of duties and taxes to the Bureau is made by the importer through his nominated bank account/Authorized Agent Bank. Once payment instructions are sent by BOC, the amount due is automatically debited from the account of the importer, provided that the said account has sufficient balance. The Bureau does not accept payment of duties and taxes directly from Customs Brokers/third party brokers.</p> <p>However, on instances where goods are transited from the Port of Discharge to economic zones, the Customs Brokers' Pre-payment accounts may be utilized to pay for Cargo Transfer Fee and Container Security Fee (CSF). Only on this instance does the Bureau accept payment of fees only directly from Customs Brokers.</p>

		<p>In view of the foregoing, the Bureau shall endeavour to include on its next report any available data on the payments made by the Customs Broker for the account of the importer/mining companies</p> <p>The Bureau is implementing Customs Administrative Order (CAO) 10-2008 on the Payment Application Secure System Version 5 (PASS5) and Customs Memorandum Order (CMO) 39-2010: Enhanced Automated Cargo Transfer System (E-ACTS) in relation to the above.</p>
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### PH-EITI Gender Scoping Study

PH-EITI commissioned a scoping study to identify the social, economic, and environmental impact of Philippine large-scale mining on women. This study with the title, “Women and Large-scale Mining in the Philippines,” is pursuant to the PH-EITI’s mandate of ensuring transparency and accountability in the extractive industries through the implementation of the EITI standard which includes gender considerations such as gender balance in representation and disclosure of employment figures by company, gender, and occupational level.

The study used a qualitative approach in identifying policy gaps, and the impact on women of large-scale mining, with two mining communities in the Philippines as case studies—Mankayan, Benguet where the Lepanto Consolidated Mining Company operates, and Maco, Davao de Oro where Apex Mining Company operates. Three frameworks were used in analyzing interviews, documents, and focus group discussions for the study— (1) gender; (2) human rights, including all its dimensions such as political and cultural rights and the right to safe and sustainable environment; and (3) the Sustainable Livelihood Framework (SLF).

Questionnaires were distributed to mining companies and the 17 returned questionnaires showed that livelihood in mining companies is not sustainable. There is low employment of women and majority of the women are in rank-and-file positions. They perform jobs that are either perceived as women’s work or extensions of women's work at home.



The case studies also highlighted major challenges in environmental monitoring and preservation as well as impact on tribal communities. Meanwhile, the review of the Social Development and Management Plan (SDMP) reports of 27 large-scale mining companies from 2008 to 2019 shows that while companies fund education and livelihood programs, physical infrastructure was given the biggest budgetary allocation. Only women seated in local government were consulted in the development of the companies' SDMP, a five-year community development plan required by law. Lastly, to be able to identify the policy gaps, the study has identified existing laws and policies, as well as international human rights instruments and policy guidance that are relevant to gender equality and natural resource governance.

While this study is limited in scope, the study aims to inform and influence the government to ascertain how they could address the gender dimensions of mining, and to take significant and sustained action in this regard to address the needs of women, protect and fulfill their human rights, and promote their empowerment.

On November 23, PH-EITI launched the publication through the “Women and Extractives” forum held during the PH-EITI Extractives Transparency Week. The discussion revolved around the results of the study and featured updates on PH-EITI's initiatives to make EITI implementation in the Philippines more gender-inclusive. At least 387 stakeholders participated in the forum, including viewers on Facebook livestream.

### Mainstreaming Feasibility Study

In line with the EITI Standard’s requirement of systematic disclosure of extractives data and the Department of Finance’s commitment to the Philippine Open Government Partnership - National Action Plan, PH-EITI has commissioned a study to look into the readiness of the Philippines to for mainstreaming EITI implementation in the country. The study is set to be published in 2021. Initial findings of the study are summarized in the following matrix:

**Table 2. Overall Assessment of EITI Data Disclosure**

Assessment	2019 EITI Data Requirements
<b>Mainstreamed (1)</b>	2.4. Contracts
<b>Partially Mainstreamed (9)</b>	2.1. Legal framework and fiscal regime
	2.2. Contracts and license allocations
	3.1 Exploration

	3.2. Production
	3.3. Exports
	4.1. Comprehensive disclosure of taxes and revenue
	4.6. Subnational payments
	5.2. Subnational transfers
	6.3. Contribution of the extractive sector to the economy
<b>Needs Improvement (6)</b>	2.3. Register of Licenses
	2.5. Beneficial Ownership
	5.1. Distribution of extractive industry revenues
	5.3. Revenue management and expenditures
	6.1. Social and environmental expenditures by companies
	6.4. Environmental impact of extractive activities

The assessment of data disclosure by implementing agencies is provided in Annex 4 of this report. The assessment was based on key informant interviews, roundtable discussions, and data collected.

## ADMINISTRATION AND OPERATIONS

The Philippine government, under the General Appropriations Act, has allotted a total of **PHP 13,248,000.00** for EITI implementation in the Philippines for fiscal year 2020. A total of **PHP 2,991,713.54** of the said amount was deducted for COVID-19 response pursuant to Department of Budget and Management (DBM) National Budget Circular No. 580.

**Table 3. Total Cost of Implementation**

Object of Expense	Amount (In PHP)
<b>Consultants / Technical Experts</b>	2,779,551.00
<b>Management of the PH-EITI Secretariat</b>	8,500,766.39
<b>Meetings, Trainings, and Local and International Foreign Travel</b>	
<i>Consultation and Capacity Building</i>	19,627.02
<i>Communications and Outreach</i>	248,801.87
<b>Operational Expenses</b> ( <i>utilities, equipment rentals, communications, representation, transportation</i> )	34,513.80
<b>COVID-19 response</b>	2,991,713.54
<b>Total Expenditures</b>	<b>14,574,973.62</b>
<b>Budget Allotment</b>	
- <i>General Appropriations 2020</i>	13,248,000.00
- <i>General Appropriations 2019 continuing</i>	<u>21,347,428.65</u>
	<b>34,595,428.65</b>
<b>Unexpended Balance</b>	<b>PHP20,020,455.03</b>

PH-EITI ANNUAL PROGRESS REPORT 2020

# ANNEXES



## ANNEX 1. Participating Entities for the Sixth Report

Government Entities	Metallic Mining Projects	Non-Metallic Mining Projects	Oil and Gas Companies
10	47	20	5

### A. Reporting Government Entities

	Government Entities
1	Bureau of Local Government Finance (BLGF)
2	Bureau of Customs (BOC)
3	Bureau of Internal Revenue (BIR)
4	Department of Budget and Management (DBM)
5	Department of Energy (DOE)
6	Mines and Geosciences Bureau (MGB)
7	National Commission on Indigenous People (NCIP)
8	Philippine National Oil Company (PNOC)
9	Philippine Mining Development Corporation (PMDC)
10	Philippine Ports Authority (PPA)

### B. Metallic Mining Projects

Project	Company	Participating (Y/N)
1 MOA by and between DENR and PMDC	AAM-Phil Natural Resources Exploration and Development Corporation	Y
2 MPSA No. 259-2007-XIII (SMR) (Amended II)	Adnama Mining Resources, Inc.	Y
3 MPSA No. 134-99-XIII	Agata Mining Ventures, Inc.	Y
4 MPSA No. 225-2005-XI	Apex Mining Co., Inc.	Y
5 PC-ACMP-002- CAR	Benguet Corporation	Y
6 MPSA No. 226-2005-III(ZMR)	BenguetCorp Nickel Mines, Inc.	Y
7 MPSA No. 235-2007-IVB	Berong Nickel Corporation	Y

8	MPSA No. 078-97-XIII (SMR)	Cagdianao Mining Corporation	Y
9	MPSA No. 210-2005-VII	Carmen Copper Corporation	Y
10	MPSA No. 243-2007-XIII (SMR)	Carrascal Nickel Corporation	Y
11	MPSA No. 010-92-X (SMR)	Century Peak Corporation - Casiguran	N - expired permit
12	MPSA No. 283-2009-XIII (SMR)	Century Peak Corporation - Esperanza	Y
13	MPSA No. 229-2007-IVB	Citinickel Mines and Development Corporation	Y
14	MPSA No. 018-93-X (SMR)	CTP Construction and Mining Corporation - Adlay	Y
15	MPSA No. 158-00-XIII (SMR)	CTP Construction and Mining Corporation - Dahican	Y
16	MPSA No. 209-2005-III	Eramen Minerals, Inc.	Y
17	FTAA No. 04-2009-II	FCF Minerals Corporation	Y
18	MPSA No. 095-97-V	Filminera Resources Corporation	N - no production
19	MPSA No. 255-2007-V	Filminera Resources Corporation	Y
20	MPSA No. 184-2002-XIII	Greenstone Resources Corporation	Y
21	MPSA No. 246-2007-XIII (SMR)	Hinatuan Mining Corporation	Y
22	MPSA No. 291-2009-XIII (SMR)	Krominco, Inc.	Y
23	MPSA No. 001-90-CAR	Lepanto Consolidated Mining Co.	Y
24	MPSA No. 233-2007-XIII (SMR)	Libjo Mining Corporation	Y
		Westernshore Nickel Corporation	Y
25	MPSA No. 268-2008-III	LNL Archipelago Minerals, Inc.	Y
26	MPSA No. 016-93-X (SMR)	Marcventures Mining and Development Corporation	Y
27	FTAA No. 001	OceanaGold (Philippines), Inc.	Y
28	MPSA No. 242-2007-XIII (SMR)	Oriental Vision Mining Philippines Corporation	Y
29	MPSA No. 072-97-XIII (SMR)	Pacific Nickel Philippines, Inc.	Y
30	MPSA No. 276-2009-CAR	Philex Mining Corporation	Y
31	MPSA No. 262-2008-XIII	Philsaga Mining Corporation	Y
32	MPSA No. 007-92-X	Platinum Group Metals Corporation	Y
33	MPSA No. 114-98-IV	Rio Tuba Nickel Mining	Y

		Corporation	
34	MPSA No. 002-90-X (SMR)	Sinosteel Phils. H. Y. Mining Corporation	Y
35	MPSA No. 261-2008-XIII (Amended)	SR Metals, Inc.	Y
36	MPSA No. 254-2007-VIII	Strong Built (Mining) Development Corporation	Y
37	MPSA No. 266-2008-XIII-SMR (Amended)	Taganito Mining Corporation	Y
38	MPSA No. 292-2009-VIII (Amended B)	Techiron Resources, Inc.	Y
39	MPSA No. 031-94-X (SMR)	Wellex Mining Corporation	N - no production
40	MPSA No. 191-2004-III	Zambales Diversified Metals Corporation	Y
41	MPSA No. 237-2007-IX	Atro Mining-Vitali, Inc.	N
42	MPSA No. 258-2007-II	Dinapigue Mining Corp.	N - no production
43	Patented Mining Claims	Itogon-Suyoc Resources, Inc.	N - advance development
44	MPSA No. 351-2011-VIII	Mt. Sinai Exploration and Development Corporation	N
45	MPSA No. 290-2009-VIII	Nicua Corporation	N
46	MPSA No. 011-92-X (SMR)	Oriental Synergy Mining Corporation	N - expired permit
47	MPSA No. 103-98-XIII (SMR)	Shenzhou Mining Group Corporation	N

### C. Non-Metallic Mining Projects

	Project	Company	Participating (Y/N)
1	MPSA No. 013-93-VII	Apo Land and Quarry Corporation	Y
2	MPSA No. 111-98-VII (Amended I)	Apo Land and Quarry Corporation	Y
3	MPSA No. 150-00-VII	Bohol Limestone Corporation	Y
4	MPSA No. 055-96-IVA	Concrete Aggregates Corporation	Y
5	MPSA No. 208-2005-VII	Dolomite Mining Corporation	Y
6	MPSA No. 181-2002-III	Eagle Cement Corporation	Y
7	MPSA No. 296-2009-IVA	Gozon Development Corporation	Y
8	MPSA No. 202-2004-IVA	Hardrock Aggregates, Inc.	Y
9	MPSA No. 080-97-XI	Holcim Mining and	Y



		Development Corporation - Davao	
10	MPSA No. 140-99-III	Holcim Mining and Development Corporation - Bulacan	Y
11	MPSA No. 047-96-XII	Holcim Resources and Development Corporation	Y
12	MPSA No. 124-98-IVA	Island Quarry and Aggregates Corporation	Y
13	MPSA No. 194-2004-VII	JLR Construction and Aggregates, Inc.	Y
14	MPSA No. 106-98-I	Northern Cement Corporation	Y
15	MPSA No. 074-97-IV	Rapid City Realty and Development Corporation	Y
16	MPSA No. 138-99-IVA	Republic Cement and Building Materials, Inc. - Teresa	Y
17	MPSA No. 029-95-IVA	Republic Cement and Building Materials, Inc.- Batangas	Y
18	MPSA No. 026-94-III	Republic Cement and Building Materials, Inc. - Bulacan	Y
19	MPSA No. 056-96-III	Republic Cement Land & Resources	Y
20	MPSA No. 213-2005-IVB	Rio Tuba Nickel Mining Corporation	Y

#### D. Oil and Gas Companies

	Company	Project	Participating (Y/N)
1	Chevron Malampaya LLC	JV Partner of SC 38	Y
2	Shell Philippines Exploration B.V.	JV Partner and Operator of SC38	Y
3	Philippine National Oil Company - Exploration Corporation	JV Partner of SC 38	Y
4	Galoc Production Company WLL - Philippine Branch	SC 14C	Y
5	Nido Galoc Production	SC 14	Y

## ANNEX 2. MSG MEMBERSHIP AND ATTENDANCE TO MEETINGS

### A. Government Representatives

GOVERNMENT REPRESENTATIVES	62nd (May 29, 2020)	63rd (Aug. 18, 2020)	64th (Dec. 9, 2020)
<b>Department of Finance (DOF)</b> Usec. Antonette Tionko / Usec. Gil Beltran / Usec. Bayani Agabin / Asec. Ma. Teresa Habitan / Dr. Elsa Agustin / Febe Lim	✓	✓	✓
<b>Department of the Interior and Local Government (DILG)</b> Usec. Austere Panadero / Dir. Anna Liza Bonagua / Rhizzalyn Bautista	✓	✓	✓
<b>Department of Energy (DOE)</b> Dir. Araceli Soluta / Dir. Rino Abad / Dir. Ismael U. Ocampo / Engr. Nenito Jariel, Jr. / Shan Barrios / Earl Jan Nera	✓	✓	
<b>Department of Environment and Natural Resources (DENR)-Mines and Geosciences Bureau (MGB)</b> Usec. Mario Luis Jacinto / Engr. Romualdo Aguilos	✓	✓	✓
<b>Union of Local Authorities of the Philippines (ULAP)</b> Gov. Al Francis Bichara / Sandra Paredes / Ana Martha Galindes / Genixon David / Maricor Cauton / Dir. Crystal Eunice Dela Cruz	✓	✓	

## B. Industry Representatives

INDUSTRY REPRESENTATIVES			62nd (May 29, 2020)	63rd (Aug. 18, 2020)	64th (Dec. 9, 2020)
<b>Full Members</b>					
Gerard Brimo	Chairman / President and CEO	Chamber of Mines of the Philippines/ Nickel Asia Corporation			
Eulalio Agustin, Jr.	Board Director/ President and CEO	Chamber of Mines of the Philippines/ Philex Mining Corporation			
Jose Leviste, Jr.	Board Director/ Chairman	Chamber of Mines of the Philippines/ OceanaGold Philippines, Inc.			
Atty. Joan D. Adaci- Cattiling	Senior Legal Counsel and Corporate Secretary	OceanaGold Philippines, Inc.	✓	✓	✓
James Ong	President	Ore Asia Mining and Development Corporation			
Anthony Ferrer	President/ Country Representative	Petroleum Association of the Philippines/ Nido Production Galoc and Galoc Production Company			
<b>Alternate Members</b>					
Nelia Halcon	Executive Vice President	Chamber of Mines of the Philippines			
Atty. Ronald Rex Recidoro	Vice President for Legal and Policy	Chamber of Mines of the Philippines	✓	✓	
Atty. Francis Joseph Ballesteros, Jr.	Manager - Public and Regulatory Affairs Division	Philex Mining Corporation	✓	✓	✓
Engr. Don Paulino	General Manager and Managing Director	Shell Philippines Exploration B.V.	✓		
Belinda Racela	Director/Asset Manager	Petroleum Association of the Philippines/ Chevron Malampaya, LLC			
Jose Leonides Osorio	Finance Manager	Chevron Malampaya, LLC			
Bradley Norman	Executive Officer - External Affairs	Oceana Gold Philippines, Inc.			
<b>Others:</b>					
Atty. Odette Javier				✓	
Atty. Maria Eleonor Santiago				✓	

## C. CSO Representatives

CIVIL SOCIETY ORGANIZATION REPRESENTATIVES			62nd (May 29, 2020)	63rd (Aug. 18, 2020)	64th (Dec. 9, 2020)
<b>Full Members</b>					
Vincent T. Lazatin	National Coordinator	Bantay Kita - Publish What You Pay	✓	✓	✓
Buenaventura Maata, Jr.	Executive Director	Philippine Grassroots Engagement in Rural Development Foundation, Inc.	✓	✓	✓
Augusto Blanco Jr.	Clan Tribal Leader	Kaimunan Lumad Sang Compostela			
Atty. Jansen Jontila	Legal Officer/Project Coordinator	Environmental Legal Assistance Center, Inc.			
Dr. Nelson Cuaresma		COASTLINE, Inc.	✓		
<b>Alternate Members</b>					
Esther Roxanne Veridiano	Board of Trustees - Treasurer	Philippine Task Force for Indigenous People's Right			
Aniceta Baltar	Vice-Chair	Concerned Citizens of Abra for Good Governance			✓
Glenn Pajares	Board of Trustees	Sectoral Transparency Alliance on Natural Resource Governance in Cebu, Inc.	✓	✓	
Ladylyn Mangada	Associate Professor	Philippine Political Science Association, University of the Philippines	✓	✓	✓
Chito Trillanes	Focal Person	Social Action Center - Ecology Desk Diocese of Tandag, Surigao del Sur			✓
<b>Others:</b>					
Angelica Dacanay		Bantay Kita - Publish What You Pay		✓	✓

## ANNEX 3. SUMMARY OF ACTIVITIES

### Objectives:

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

### A. Summary of activities in the 2020 Work Plan

Activities in the Work Plan	Date Conducted	Objectives Addressed
<b>Country Report Publication</b>		
Sixth PH-EITI Report [FY 2018]	December 29, 2020	1, 2, 3, 4, 5
Seventh PH-EITI Report [FY 2019]	December 09, 2020	1, 2, 3, 4, 5
<b>Stakeholder Engagement: National Engagements</b>		
Multi-Stakeholder Group Meetings:		1, 3, 4, 5
62nd Meeting	May 29, 2020	
63rd Meeting	August 18, 2020	
64th Meeting	December 9, 2020	
Online Learning on Extractives	September to November 2020	1, 3, 4, 5
National Conference 2020	November 26, 2020	1, 3, 4, 5
Extractives Transparency Week 2020	November 23 - 26, 2020	1, 3, 4
Mainstreaming Feasibility Study	December 9, 2020	2, 3, 4, 5
<b>Stakeholder Engagement: Capacity Building</b>		
Legislative Advocacy Training and Planning Workshop	July 01, 2020	3, 4, 5
ORE Webinars	June to July 2020	2, 3, 5
<b>Stakeholder Engagement: Industry</b>		
5th National Geology and Mining	March 5-7, 2020	1, 3, 4
Beneficial Ownership Disclosure	August to December 2020	2, 5
<b>Stakeholder Engagement: Government</b>		
Revised DOF Commitment under the PH-OGP National Action Plan 2019-2022	June to August 2020	2, 3, 5
<b>Stakeholder Engagement: Civil Society</b>		
EITI Orientation in Benguet Province	March 3-6, 2020	1, 3, 4

## Objectives:

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

## B. Summary of Activities: CSOs

Title of Activity	Date/s Conducted	PH-EITI Strategic Objectives*
Philippine Press Institute Activity: Sharing of MAVC Project Learnings in Working with IPs in the EI Context	January 04, 2018	1, 4, 5
Bantay Kita National Conference	April 16-18, 2018	1, 2, 3, 4, 5
Learning exchange with Madagascar EITI CSO	June 07, 2018	
South Cotabato – Open Government Partnership Action Plan Co-Creation Workshop	June 20, 2018	2, 3, 4
Roundtable Discussion on Responsible Mining	November 27, 2018	1, 3, 4, 5
Project Open Mining Governance in Rio Tuba, Palawan - reconciliation of royalty data	December 11, 2018	2, 3, 5
Roundtable Discussion on Responsible Mining	December 11, 2018	1, 3, 4, 5
Luzon Subnational Consultation of BK members	February 6-7, 2019	3, 4, 5
Visayas Subnational Consultation of BK members	February 13-14, 2019	3, 4, 5
Mindanao Subnational Consultation of BK members	February 28-March 1, 2019	3, 4, 5
Roundtable Discussion on Responsible Mining	March 13-14, 2019	1, 3, 4, 5
IP Women Study Launch	March 16, 2019	3, 5
Roundtable Discussion on FPIC process	April 24-25, 2019	1, 3, 4, 5
Design Thinking Workshop of PH-EITI with Palawan infomediary	July 25, 2019	
Community Orientation on PH-EITI with Narra, Palawan community	February 11-13, 2020	3, 4, 5
Roundtable Discussion on Responsible Mining with the financial sector	February 17, 2020	1, 3, 4, 5
Community Orientation on PH-EITI with Camp 3, Benguet community	March 04, 2020	3, 4, 5
LGU Orientation on Ph-EITI , Municipality of Tuba	March 05, 2020	
CSO Orientation on Ph-EITI in Cordillera	March 06, 2020	
Consultation on EITI environmental reporting	June 23, 2020	

## ANNEX 4. ASSESSMENT OF DATA DISCLOSURES OF IMPLEMENTING AGENCIES BASED ON THE PH-EITI MAINSTREAMING FEASIBILITY STUDY

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
<b>2.1. Legal Framework and Fiscal Regime</b>	<a href="https://www.officialgazette.gov.ph/">https://www.officialgazette.gov.ph/</a>  N.B. No other government portal houses the laws of the Philippines relative to the extractive industries.		Not Applicable			No single government or agency portal contains all the relevant laws, policies, regulations, and supporting information for extractives data.  These are lodged within the relevant government agencies mandated to implement the respective laws.
	MGB Rules and Regulations: <a href="http://databaseportal.mgb.gov.ph/#/public/documents/AD/Rules%20and%20Regulations">http://databaseportal.mgb.gov.ph/#/public/documents/AD/Rules%20and%20Regulations</a>  MGB Central Database: <a href="http://databaseportal.mgb.gov.ph/#/public">http://databaseportal.mgb.gov.ph/#/public</a>	MGB - DENR	PDF in mixed format, some machine readable (available as text), most are machine unreadable  Unreliable or limited search capacity  Data not linked to relevant/related information	Data is organized according to type and date of issuance	Latest rules and regulations posted	Possible conflicts with the implementation of mining, forestry and some environmental laws as cited by case studies written by think tanks and multilateral agencies.
	<a href="https://emb.gov.ph/laws-and-policies-environmental-impact-assessment">https://emb.gov.ph/laws-and-policies-environmental-impact-assessment</a>  Philippine Environmental Impact Statement Online <a href="http://eiais.emb.gov.ph/intermal/login.aspx">http://eiais.emb.gov.ph/intermal/login.aspx</a> (requires login access)	EMB-DENR	PDF in mixed format, some machine readable, some scanned  No search function  Data not linked to relevant/related information	Data is organized according to type and date of issuance	Latest rules and regulations posted	Possible conflicts with the implementation of mining, forestry and some environmental laws as cited by case studies written by think tanks and multilateral agencies.
	Philippine Conventional Energy Contracting Program (PCECP) <a href="https://www.doe.gov.ph/pcecp">https://www.doe.gov.ph/pcecp</a>  Subsection on Oil/Gas <a href="https://www.doe.gov.ph/laws-rules-regulations-petroleum">https://www.doe.gov.ph/laws-rules-regulations-petroleum</a> under the Menu Item, "5th Philippine Energy Contracting Round (PERC5)"  Oil Fiscal Terms	DOE	Data conforms to standard, but not disaggregated and utilizable to the extent required by EITI standards	Data is organized according to type and date of issuance	Latest rules and regulations posted	<a href="http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances">http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances</a>  - PDF in mixed format, some machine readable, some scanned - limited search capacity - data not linked to relevant/related information

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
	<a href="https://www.doe.gov.ph/pcecp?q=pcecp/fiscal-terms">https://www.doe.gov.ph/pcecp?q=pcecp/fiscal-terms</a>					
	<a href="https://www.doe.gov.ph/coal">https://www.doe.gov.ph/coal</a> is layered under the Menu Item, "5th Philippine Energy Contracting Round (PERC5)"  Coal Fiscal Terms <a href="https://www.doe.gov.ph/pcecp?q=pcecp/coal/fiscal-legal/fiscal-terms">https://www.doe.gov.ph/pcecp?q=pcecp/coal/fiscal-legal/fiscal-terms</a>  <a href="http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances">http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances</a>	DOE	Data conforms to standard, but not disaggregated and utilizable to the extent required by EITI standards	- PERC5 Figures and Maps section feature 2013, 2014, and 2015 data (no indication if this is current) - dead link to coal-related laws, rules and regulations	Latest rules and regulations posted	
<b>2.2. Contracts and License Allocations</b>	<a href="http://databaseportal.mgb.gov.ph/#/public/documents/AD/Rules%20and%20Regulations">http://databaseportal.mgb.gov.ph/#/public/documents/AD/Rules%20and%20Regulations</a>	MGB-DENR	In scanned PDF format; limited and unreliable search function;	Data is organized according to type and date of issuance	Latest rules and regulations posted	
	<a href="https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-05-13-02-17-43">https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-05-13-02-17-43</a>	MGB-DENR	Maps in scanned PDF format		Updated for 2020; historical data not shown	
	<a href="https://mgb.gov.ph/2015-05-04-07-00-12/2015-06-05-05-48-55">https://mgb.gov.ph/2015-05-04-07-00-12/2015-06-05-05-48-55</a>	MGB-DENR	Does not inform about timelines, standards, approvals criteria and awarding process. Data is not linked to relevant information.	Assumed as relevant and current	Assumed as current	
	<a href="https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-05-13-02-16-13">https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-05-13-02-16-13</a>	MGB-DENR	Does not inform about timelines, standards, approvals criteria and awarding process. Data is not linked to relevant information		Updated as of Nov 2020	
	<a href="http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances">http://www.doe.gov.ph/laws-and-issuances/compendium-energy-regulation-laws-circulars-and-other-issuances</a>	DOE	Data conforms to standard, but not disaggregated and utilizable to the extent required by EITI standards		Updated for 2020	
	<a href="https://www.doe.gov.ph/pcecp">https://www.doe.gov.ph/pcecp</a>  <a href="https://www.doe.gov.ph/guidelines-petroleum">https://www.doe.gov.ph/guidelines-petroleum</a>	DOE	Data conforms to standard, but not disaggregated and utilizable to the extent required by EITI standards			Navigation difficulty within portal



EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
	<a href="https://www.doe.gov.ph/coal-guidelines">https://www.doe.gov.ph/coal-guidelines</a>  <a href="https://www.doe.gov.ph/evaluation-criteria-0">https://www.doe.gov.ph/evaluation-criteria-0</a>					
2.3. Register of Licenses	<a href="https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-06-03-03-42-49">https://mgb.gov.ph/2015-05-13-01-44-56/2015-05-13-01-46-18/2015-06-03-03-42-49</a>	MGB-DENR	Data conforms to standard, but not disaggregated and utilizable to the extent required by EITI standards	Data seem reliable, as it is published by a competent govt authority  Transparency about data collection, standards, and publishing processes unknown	MPSAs ( as of Sep 2020) FTAAs (as of Oct 2020) MPPs (as of Sep 2020) EPs (as of Sep 2020)  Updated for 2020; historical data not shown	Does not link data to any relevant guidance, documentation, visualizations, or analyses.  Data not easy to compare within and between sectors, across geographic locations, and over time.
	<a href="https://www.doe.gov.ph/energy-resources?q=energy-resources/sc-operators">https://www.doe.gov.ph/energy-resources?q=energy-resources/sc-operators</a>	DOE	License information not disclosed	License information not disclosed	March 2018 data	Only listed the ff: - Service Contract # (Location) - Name of Contractor - Contact Person - Address - Contact #
	<a href="https://www.doe.gov.ph/energy-resources?q=energy-resources/coc">https://www.doe.gov.ph/energy-resources?q=energy-resources/coc</a>	DOE	No data	No data	No data	Heavy drilling down required, not easily accessible from main interface
2.4. Contracts	<a href="http://contracts-eiti.dof.gov.ph">http://contracts-eiti.dof.gov.ph</a>	PH-EITI, with data from MGB and DOE	Full-text copy of Mining and some Hydrocarbon contracts provided; including related documents such as SDMPs, environmental monitoring reports, etc.	The contracts portal was created by PH-EITI with support from the Natural Resource Governance Institute. The site is searchable, and documents are machine readable.	As of March 2020, the PH-EITI contracts portal contained 142 contracts pertaining to the extractives sector.  Does it represent complete / total # of contracts?  N.B. Latest reports show 2015 data and earlier (not updated)	Possible migration to a central platform for government-disclosed data is under discussion.  Only three (3) companies associated with hydrocarbon resources are listed on the portal.
2.5. Beneficial Ownership	<a href="https://www.sec.gov.ph/online-services/sec-i-view">https://www.sec.gov.ph/online-services/sec-i-view</a>  (currently offline)  The SEC I-View enables the public to gain access to company records and reports filed with the SEC, including audited financial reports, GIS, and periodic reports by listed companies.	SEC	"Beneficial owners" are classified into nine (9) categories* and identified through a three-tiered approach based mainly on a natural person's - <i>ultimate ownership</i> (Category A); - <i>ultimate control</i> (Category B to H); and - <i>position in the reporting corporation</i> (Category I)	Determining beneficial owners under Category A may prove challenging for publicly listed companies where owners can change daily.  Under Categories B to H (ownership based on ultimate control) subsidiaries with	Any update or change to a company's Beneficial Ownership information must be submitted to the SEC no later than seven (7) days for domestic corporations and thirty (30) days for foreign corporations.	The BOD page (as part of the GIS) is not uploaded to the SEC i-View portal due to privacy issues.  However, this policy is without prejudice to access by competent authorities for law enforcement and lawful purposes.  The SEC claims that it can validate the accuracy of the information recorded in the GIS i.e. if the disclosed

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
				<p>multiple layers of foreign ownership or those with numerous shareholders may find it challenging given that countless individuals may fall under any of the categories provided.</p> <p>It is likely that, for expediency, reporting corporations may directly apply Category I and just report their Board of Directors/Trustees as their beneficial owners.</p>		beneficial owner is correct based on available records.
(N/A) 2.6. State Participation						
3.1 Exploration	<a href="http://databaseportal.mgb.gov.ph/#/public/mining-tenements?type=EP">http://databaseportal.mgb.gov.ph/#/public/mining-tenements?type=EP</a>	MGB – DENR	The database does not provide details on specific locations and exploration activities. The latest standard requires disclosure of details on activities to identify possible implications like environmental impacts	The data provides the size of the area for exploration but no specific location details (in most cases) – the MGB website has provision for location details but the information is not there	<p>Inconsistent timeliness</p> <p>There is an MGB directive that all regional director's performance will be measured in terms of timely submission of information but there are many hurdles like the system/database capacity and connectivity of systems, i.e. region and national office</p>	<p>Some regional websites provide information on maps and specific location but it is not user-friendly/or in recommended format</p> <p>The MGB system/database still requires desired level of openness since most files are in pdf format</p>
	<a href="https://www.doe.gov.ph/edcp">https://www.doe.gov.ph/edcp</a> <a href="https://www.doe.gov.ph/sites/default/files/pdf/pecr5/coal_pd_972.pdf">https://www.doe.gov.ph/sites/default/files/pdf/pecr5/coal_pd_972.pdf</a> <a href="https://www.doe.gov.ph/summary-laws-and-issuances">https://www.doe.gov.ph/summary-laws-and-issuances</a> <a href="https://www.doe.gov.ph/aws-issuances-oil-gas">https://www.doe.gov.ph/aws-issuances-oil-gas</a> <a href="https://www.doe.gov.ph/oil-and-gas-overview">https://www.doe.gov.ph/oil-and-gas-overview</a> <a href="https://www.doe.gov.ph/sites/default/files/pdf/citiz">https://www.doe.gov.ph/sites/default/files/pdf/citiz</a>	DOE	High level of comprehensiveness and but low on area/project specific disaggregation	Low level of data quality, not in a user-friendly format (most are in pdf version)	Sector level information (i.e. oil, coal and gas) lacks disaggregation on area/project specific data	

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
	<a href="#">en_charter/doe_citizens_charter_2016_erdb.pdf</a>  <a href="https://www.doe.gov.ph/pcecp?q=pcecp/coal/application-guidelines/guidelines">https://www.doe.gov.ph/pcecp?q=pcecp/coal/application-guidelines/guidelines</a>					
3.2. Production	<a href="http://databaseportal.mgb.gov.ph/#/public/production-sales-employment-metallic/production">http://databaseportal.mgb.gov.ph/#/public/production-sales-employment-metallic/production</a>	MGB – DENR	Low level of data disaggregation (i.e. no level of company or per project disaggregation)	Low level and inconsistent data quality and assurance e.g. no per company disaggregation and no assurance on the quality of methods of calculating production volumes and values  Data are in pdf format	Inconsistent levels of timeliness. Some regions provide timely data	Most data are in pdf version No explanation of methods and sources on calculating volumes and values No disaggregation on production volumes and values
	<a href="http://www.doe.gov.ph/energy-statistics?q=energy-statistics/2017-key-energy-statistics">http://www.doe.gov.ph/energy-statistics?q=energy-statistics/2017-key-energy-statistics</a>  <a href="https://www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-production.PDF">https://www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-production.PDF</a>  <a href="https://www.doe.gov.ph/energy-resources/coal-statistics?q=energy-resources/petroleum-statistics">https://www.doe.gov.ph/energy-resources/coal-statistics?q=energy-resources/petroleum-statistics</a>  <a href="https://www.doe.gov.ph/figures-and-maps-coal">https://www.doe.gov.ph/figures-and-maps-coal</a>	DOE	No disaggregation and low level of comprehensiveness	No explanation/information on sources and methods of calculations  Poor granularity of data, needs a lot of unpacking	2019 data is the recent updated information on the website	Data in PDF Very low level of disaggregation of data
3.3. Exports	<a href="http://databaseportal.mgb.gov.ph/#/public/production-sales-employment-metallic/sales">http://databaseportal.mgb.gov.ph/#/public/production-sales-employment-metallic/sales</a>	MGB – DENR	Very low level of disaggregation and comprehensiveness	No specific information or inconsistent provision of information (i.e. some regional database provide more updated or detailed information) have more on dates and sources of values	Inconsistent provision of information in the different regional database  National office database is not updated	Most data are in pdf version  Inconsistent and poor level of disaggregation – inconsistent provision of sources and methods of calculation of export volumes and values  See this example:  <a href="http://databaseportal.mgb.gov.ph/mgb-public/api/attachments/download?key=lglrw2ecvxMnRiuA36UruSdT7mtF7bAvOIBvaUQEIKQMr3XfaiZUSpie6IM2kFe">http://databaseportal.mgb.gov.ph/mgb-public/api/attachments/download?key=lglrw2ecvxMnRiuA36UruSdT7mtF7bAvOIBvaUQEIKQMr3XfaiZUSpie6IM2kFe</a>

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
						Export volumes and values are disclosed, inconsistent (some regions provide relatively more detailed information while others have very limited information) provision of specific volume and value  Inconsistent and poor level of disaggregation (region, company of specific project), inconsistent provision of sources and methods of calculation of export volumes and values
	<a href="https://www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-exportation.PDF">https://www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-exportation.PDF</a>	DOE	There is an available (though in PDF) disaggregated data	No explanation or information on how volumes and values were calculated	There is 2020 data (mid-year update)	PDF data  Lacks the necessary details:  Needs more granularity in terms of region, area and company  No disclosure of disaggregated data - by region, company or project,  No explanation or information on sources and the methods for calculating export volumes and values.
4.1. Comprehensive disclosure of taxes and revenue	NONE	BIR				<ul style="list-style-type: none"> <li>No online portal</li> <li>Revenues and taxes are provided upon request of PH-EITI only when a waiver is signed by the mining company allowing the release of tax payments information</li> </ul>
	None	BOC	<p>The source of the data are the information declared by the importer in its Goods Declaration that is electronically lodged with the electronic system of the BOC.</p> <p>Data is generated through the data generation tool of the Electronic to Mobile system of the Bureau of Customs.</p>	Pursuant to Section 109 of the CMTA, electronic documents, permits, licenses or certificates shall be acceptable and shall have the legal effect, validity or enforceability as any other document or legal writing for purposes of customs procedures.	It only takes a few minutes to generate the data depending on the volume of the data extracted.	<p>No online portal; given data privacy law</p> <p>Export data are provided by BOC upon request of PH-EITI</p>

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
				Since the goods declaration is also the working document used in the port and any amendments thereto is reflected in the E2M Customs system, it is presumed that the data extracted from the system is same with the hard copy of the document in the respective ports. Data from the Bureau of Customs is subject to the Data Privacy Act and confidential business information as defined under Republic Act 10667, otherwise known as "Philippine Competition Law", Paragraph E, Section 4.		
(N/A) 4.2. Sale of the state's share of production or other revenues collected in kind						
(N/A) 4.3. Infrastructure provisions and barter arrangements						
(N/A) 4.4. Transportation revenues						
(N/A) 4.5. Transactions related to state-owned enterprises (SOEs)						
<b>4.6. Subnational Payments</b>		BLGF-DOF	Quarterly ENRDMT reports are required to be submitted to BLGF through the ENRDMT portal, <a href="http://enrdmt.blgf.gov.ph/">http://enrdmt.blgf.gov.ph/</a>	Validated by BLGF	BLGF closely monitors the submission of quarterly ENRDMT reports	Only LGUs and respective treasurers have access the ENRDMT portal  Public has no access to the enrdmt portal

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
						eSRE is public and data is shared in excel. However, local revenues are not disaggregated to indicate revenues from extractives
(N/A) 4.7. Level of disaggregation						
(N/A) 4.8. Data Timeliness						
(N/A) 4.9. Data quality and Assurance						
5.1. Distribution of extractive industry revenues	<a href="https://www.dbm.gov.ph/index.php/budget-documents/2018/besf-table-2018">https://www.dbm.gov.ph/index.php/budget-documents/2018/besf-table-2018</a>	DBM	Data not disaggregated by expenditure by revenue source			No disaggregated data for expenditures per revenue stream  LGUs currently do not have a clear picture of how much they receive from mining companies, because the money is collected by regulatory agencies, transferred to a central agency, lumped with other payments and then distributed to local governments.
5.2. Subnational transfers	Portal developed / pre-testing phase and will be launched Q1 2021	DBM	Data disaggregated per municipality	Based on validated data from BIR and BoTr	Updated real time	Data in the portal is updated only when validated and reconciled data from BIR and BoTr are received. Dependent on the input and timelines of BIR and BoTr.  DBM has no control of the reconciliation process between BIR and BoTr.  Guidelines being prepared to define process, procedure and timelines for this purpose
5.3. Revenue management and expenditures		DBM				No existing management system to disaggregate revenues from mining and how these revenues are spent
6.1. Social and environmental expenditures by extractive companies	<a href="http://databaseportal.mgb.gov.ph/#/public/sdmp">http://databaseportal.mgb.gov.ph/#/public/sdmp</a> <a href="http://databaseportal.mgb.gov.ph/#/public/environment-protection-enhancement-program/117">http://databaseportal.mgb.gov.ph/#/public/environment-protection-enhancement-program/117</a>	MGB – DENR COA	Needs a lot of data unpacking and reporting  Data is not readily available/not open	MGB and MEB need to coordinate and align data in monitoring annual EPEP and SDMP	Data is being generated and required from regional offices but there is a big gap in the infrastructure.	MGB has started using a lot of tools to support transparency but it requires budget allocation for hard and soft infrastructure  Online communication systems and database

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
	<a href="https://mgb.gov.ph/images/Citizens_Charter/Mo_re_Realignment_for_typhoon.jpg">https://mgb.gov.ph/images/Citizens_Charter/Mo_re_Realignment_for_typhoon.jpg</a>  <a href="https://region3.mgb.gov.ph/mgb_rolll_files/pdf/S_DMP/2020.pdf">https://region3.mgb.gov.ph/mgb_rolll_files/pdf/S_DMP/2020.pdf</a>  <a href="http://databaseportal.mgb.gov.ph/#/public/environment-work-program/324">http://databaseportal.mgb.gov.ph/#/public/environment-work-program/324</a>			Monitoring environmental guarantee fund HOWEVER, the information above is not posted on EMB website ECC and EIS can be requested for but <b>not readily</b> available – this is now a major issue for cross-checking and validation fund use and allocation EMB noted that the Director and the Legal Department needs to ask permission (before sharing of contracts) from the signatories	Recently, MGB provided incentives (or disincentive) to regional offices for submitting timely reports	infrastructure require investment and budget allocation – MGB has been consistently proposing for a budget allocation to improve its overall database to align and support its goals in information and data transparency but budget allocation has been an issue.  Also, the DICT overall plan for government agency information system support is being used to stall the earlier plans on investing for bureau level information system.
	<a href="https://www.wipo.int/edocs/lexdocs/laws/en/ph/ph189en.pdf">https://www.wipo.int/edocs/lexdocs/laws/en/ph/ph189en.pdf</a>  <a href="https://www.rappler.com/nation/mines-and-geosciences-bureau-audit-report-2017">https://www.rappler.com/nation/mines-and-geosciences-bureau-audit-report-2017</a>	NCIP	Needs a lot of data unpacking and reporting  Data is not readily available/not open	There are existing policy gaps, again –  The following are not subjected to COA reporting: SDMP, Mine Rehab Fund, Mine Waste and Tailing Fees – on going discussion if these fees should go to MGB Findings on opportunity loss from non-imposition of royalty fees outside the mineral reservation Fees and Charges need to be reviewed: there is a pending bill in the senate – there is a need to address the issue of underassessment of fees and charges	Data is not readily available and not timely.  There is a big gap on agency capacity to track the information in a timely manner	The NCIP website does not have the necessary microsite to be transparent and update their stakeholders on this part of extractive industry information
		DOE	DOE's database/website is quite opaque on this information	Needs data granularity in terms of:  Government revenues	Inconsistent data timeliness	DOE needs to address the increasing list of action points suggested by the MSG for the past several years – including the

EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
				generated by the extractive industries (including taxes, royalties, bonuses, fees and other payments) in absolute terms and as a percentage of total government revenues.		outstanding action points listed on the PH-EITI website  DOE needs to fast-track the crafting and passing of administrative order similar to DENR's <b>DAO 2017-07</b>  <a href="http://databaseportal.mgb.gov.ph/mgb-public/api/attachments/download?key=ifTteFwgRme9GkljAx3MYtvTSoVPgwHCnYLtelwN1jbavsFYH3Gj95nd8Ga7BWtf">http://databaseportal.mgb.gov.ph/mgb-public/api/attachments/download?key=ifTteFwgRme9GkljAx3MYtvTSoVPgwHCnYLtelwN1jbavsFYH3Gj95nd8Ga7BWtf</a>
	<a href="http://ph-eiti.dof.gov.ph/ncip.html">http://ph-eiti.dof.gov.ph/ncip.html</a>	NCIP				EITI reports NCIP has posted high variances in the EITI reconciliation process since 2014.
6.2. (N/A) Quasi-fiscal expenditure		DOE				
6.3. Contribution of the extractive sector to the economy	<a href="http://mgb.gov.ph/attachments/article/162/MIS(2018)%20Annual%203Yr-2016%20to%20Q1-2019%20for%20Upload%2030May2019.pdf">http://mgb.gov.ph/attachments/article/162/MIS(2018)%20Annual%203Yr-2016%20to%20Q1-2019%20for%20Upload%2030May2019.pdf</a>  <a href="https://www.rappler.com/nation/mines-and-geosciences-bureau-audit-report-2017">https://www.rappler.com/nation/mines-and-geosciences-bureau-audit-report-2017</a>  <a href="https://www.doe.gov.ph/transparency/bureaus-and-services-functions">https://www.doe.gov.ph/transparency/bureaus-and-services-functions</a>	MGB – DENR / COA / DOE	Needs improvement, requires a lot on data unpacking/disaggregation and comprehensiveness	Information available but inconsistent level of quality per region	Information available but inconsistent level of timeliness per region	Data is relatively easy to monitor and access but needs disaggregation and clarity on mandates/regulations different agencies and bureaus role and tasks, many information can fall through the cracks



EITI Requirement	Website	Agency	Level of Disaggregation / Comprehensiveness	Data Quality / Assurance	Data Timeliness	Assessment / Gaps
6.4. Environmental impact of extractive activities	<a href="http://eia.emb.gov.ph/wp-content/uploads/2020/07/EMB-MC-2020-27-Project-Threshold-for-Extraction-of-Non-Metallic-Resources-Applying-for-ECC.pdf">http://eia.emb.gov.ph/wp-content/uploads/2020/07/EMB-MC-2020-27-Project-Threshold-for-Extraction-of-Non-Metallic-Resources-Applying-for-ECC.pdf</a>  <a href="http://databaseportal.mgb.gov.ph/#/public/environment-protection-enhancement-program">http://databaseportal.mgb.gov.ph/#/public/environment-protection-enhancement-program</a>  <a href="https://www.doe.gov.ph/aws-issuances-oil-gas?ckattempt=1">https://www.doe.gov.ph/aws-issuances-oil-gas?ckattempt=1</a>  <a href="https://www.doe.gov.ph/aws-issuances-oil-gas?ckattempt=1">https://www.doe.gov.ph/aws-issuances-oil-gas?ckattempt=1</a>	MGB – DENR / DOE	Not readily available – information needs to be requested so it is still difficult to assess the level of disaggregation and comprehensiveness	<p>Not being disclosed openly and regularly and so hard to assess the overall data quality/assurance</p> <p>EMB and MGB need to work on alignment and harmonization of tools and approaches</p>	Not timely	<p>MGB provides headline information (i.e. lump sum allocation) for environmental protection but does not provide information/resources on how the funds were used or allocated.</p> <p>EMB and MGB needs to align information, information needs local/area/project level unpacking in terms of allocation in order to be more transparent and useful</p> <p>EMB website: ECC and EIS can be requested for but not readily available EMB noted that the Director and the Legal Department need to ask for permission (before sharing of contracts) from the contract signatories All the indicators under this 6.4 requirements have corresponding Philippine laws and Department Administrative Orders, however, the designated bureaus do not have immediate plans and resources to make the information available.</p> <p>There are no clear indicators that <b>information</b> on regular environmental monitoring procedures, administrative and sanctioning processes of governments, as well as environmental liabilities, environmental rehabilitation and remediation programs can be made easily accessible and available online. Policy gaps Policy harmonization Technical (i.e. information system) and budgetary requirements</p>

## PH-EITI ANNUAL PROGRESS REPORT 2020



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