

TRANSCENDING
ITATION

**ANNUAL
PROGRESS
REPORT**

JULY 2016 - JUNE 2017



**TRANSFORMING
INDUSTRY**

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Foreword

By all accounts, it was a year that rocked the steady progress made by the Philippine Extractive Industries Transparency Initiative (PH-EITI) in its fairly short history. Barely four years into implementation and fresh from international recognition,¹ PH-EITI entered into an era of new secretariat leadership, changed Government Administration, diminishing finances, and immense uncertainty.

The period covered by this Annual Progress Report (APR) saw, among others, the outcome of the May 2016 national elections that led to total transition in government,² an unprecedented nationwide mine audit that shook the mining sector,³ and delay in a World Bank grant on which major PH-EITI activities depended, all of which significantly impeded PH-EITI operations. The repercussions of these circumstances were discernible: misgivings about the continuance of PH-EITI whose existence is based not on statute but on an Executive Order revocable by the new President; unofficial status of government sector representatives in the Multi-stakeholder Group (MSG); bureaucratic inertia in the Department of Finance (DOF) where the national secretariat is lodged, resulting in protracted processing of documents, including those for the procurement of the Independent Administrator for the 3rd Country Report and for the hiring of secretariat staff who endured working without pay for several months. Add to this a demoralized mining industry put on the defensive and constrained to devote their attention and resources to the mine audit, thereby undermining company engagement in PH-EITI.

Yet this APR imparts not a story of breakdown, but of breakthrough.

Tipping point

For all intents and purposes, the confluence of the foregoing issues presented, to a young organization, a situation of crisis proportions. There is no better acknowledgment of this than when the MSG, in its 37th Meeting on 4 November 2016, resolved to file a formal request for an extension period for the Philippines to publish its 3rd Country Report and to undergo Validation. Such formal request was submitted to the EITI International Secretariat on 24 December 2016, a few days before the 31 December 2016 deadline for submitting the 3rd Country Report and the 1 January 2017 schedule for PH-EITI Validation.

1 On 24 February 2016, at the opening session of the 7th EITI Global Conference in Lima, the International Board conferred on the Philippines the Chair's Award in recognition of its "impactful implementation" of EITI.

2 In accordance with the Constitution of the Republic of the Philippines, national elections were held in the country on 9 May 2016. The presidential election resulted in victory for a candidate who promised radical change in government, now President Rodrigo Roa Duterte.

3 Upon assuming office on 30 June 2016, President Duterte appointed Ms. Regina Paz "Gina" Lopez as Secretary of the Department of Environment and Natural Resources (DENR). About a week into office, she issued DENR Memorandum Order No. 2016-01 (dated 8 July 2016) ordering an audit of all operating mines and a moratorium on the approval of new mining projects. As a result, ten metallic mining firms were suspended by the end of 2016; by February 2017, 22 were ordered for closure and five for suspension. The nationwide audit was perceived as a "crackdown" on mining in the Philippines, which subsisted until 3 May 2017, when the Commission on Appointments rejected the appointment of Ms. Lopez. On 8 May 2017, Retired General Roy Cimatu was appointed new DENR Secretary.

Tenacity and teamwork

Evidently, PH-EITI held on and held out, not only until the MSG made the prudential decision to request for extension, but throughout the year, striving in good faith to execute PH-EITI's Work Plan against the odds. We maintained regular MSG meetings, sought alternative funding sources for critical activities, sustained communications with stakeholders, pursued PH-EITI presence in various relevant fora, and encouraged a secretariat that was in dire straits. With dogged persistence and the MSG's collective support, PH-EITI sought to bring itself within the sphere of the new order, asserted its continuing relevance, and endeavored to function as effectively as possible in the meantime.

Triumph of transparency

Hence, with external financial assistance, PH-EITI conducted its yearly Roadshow in August to September 2016 in six key cities across the country, one leg more than the previous year and posting a general increase in the number of participants. Moreover, production of the 3rd Report proceeded amid procurement delays and a beleaguered mining industry. Notwithstanding the request for extension, by sheer perseverance and cooperation of the MSG, the secretariat, the reporting entities, and the Independent Administrator, the 3rd Report was submitted and published on time on 31 December 2017.

In a significant turn of events, the new DOF management reaffirmed its chairmanship of the MSG and focal role in PH-EITI. PH-EITI was also granted a substantial budget for 2017. Needless to say, both Executive Order No. 147, s. 2013, which created PH-EITI, and Executive Order No. 79, s. 2012,⁴ remained in force and have been in effect up to the present.

At the beginning of 2017, the 3rd Report having been published, Validation of the country pushed through as scheduled, and commenced in January. By February, extensive stakeholder consultations were done by a mission team from the International Secretariat and had the broad participation of PH-EITI stakeholders. By March, the national secretariat found time to plan and build and capacitate the team for the year ahead. In May, PH-EITI held the fifth annual National Conference, which drew a record number of participants, the highest in PH-EITI history.

In a remarkable year of trial and turnaround, PH-EITI, with the support of its partners and stakeholders, accomplished the foregoing and more – in the big and small outreach activities, the continuous pursuit of government action on the MSG's recommendations, and the committed carrying out of day-to-day operations. It is also worth mentioning that institutionalizing EITI has been made part of Philippine Development Plan 2017-2022,⁵ and EITI implementation has been shortlisted to again be one of our country's commitments under the Open Government Partnership initiative⁶ under PH-OGP National Action Plan 2017-2019.

They say it's not how you start, but how you finish. As this year closes, we recognize it as one of breaking through, a time we can look back on with a sense of pride. We can only be grateful for the early step back that pushed PH-EITI forward, the leadoff that propelled us to transcend transition towards even greater heights. We thus convey and celebrate in these pages the amazing year that was.

MARIA KARLA L. ESPINOSA
National Coordinator

4 This presidential issuance contains in Section 14 the statement of government commitment to support and participate in EITI.

5 See Table 15.2, Legislative Agenda for the Fiscal Sector, Philippine Development Plan 2017-2022.

6 The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Philippines is one of the eight founding countries of the OGP.



A YEAR OF

BREAKING THROUGH

Republic of the Philippines
Department of Environment and Natural Resources
Trunkline (632) 966-2642 • 929-426-4264
Voice-Over-Internet Protocol (VOIP) 0347 • 426-755-4264

ADMINISTRATIVE ORDER
No. 2017-07

SUBJECT: MANDATING MINING CONTRACTORS PARTICIPATE IN THE PHILIPPINE EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (PH-ETI)

WHEREAS, Section 28, Article II of the 1987 Constitution adopts and implements a policy of full public disclosure of all its transactions, subject to reasonable conditions prescribed by law;

WHEREAS, Section 7, Article III of the Constitution grants the right of the people to information on matters of public concern;

WHEREAS, Section 16, Article II of the 1987 Constitution grants the right of the people to a balanced and healthful ecology, in accord with the rhythm and harmony of nature;

WHEREAS, under Executive Order No. 193, the DENR is mandated to ensure that the mining sector, in consultation and cooperation with the stakeholders;

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CHAPTER 1

General Assessment of the Year's Performance

Indeed, the period July 2016 to June 2017 was one of “trial and turnaround”. While the first half of the year was attended by issues that fundamentally disrupted PH-EITI’s operations, the latter part saw the fruits of the organization’s resourcefulness and perseverance in the face of challenges.

Throughout the year, PH-EITI strove to execute its Work Plan against a context of government transition and limited means. Despite the constraints, regular MSG meetings were maintained, alternative ways to fund and hold critical outreach activities were sought, and efforts to bring EITI into the new order were unrelenting.

With the support of the MSG, partners, and stakeholders, PH-EITI completed major undertakings with surprising results, given the circumstances. With external financial assistance, the yearly local Roadshow to areas hosting extractive activities was held in August to September 2016 in six key cities across the country, one leg more than the previous year and posting a surge in participant turnout. Production of the 3rd Country Report proceeded amid procurement delays and a beleaguered mining industry. And, defying a request for extension submitted earlier, the 3rd Report was finalized, approved by the MSG, and published by the 31 December 2016 deadline, registering an increase in participation from the local government sector. Furthermore, by the end of 2016, the MSG was able to agree an Open Data Policy and

Beneficial Ownership Roadmap which were likewise duly published.

The year 2017 has been a flurry of activity: Validation of the country pushed through and commenced in January as scheduled; the mission team from the International Secretariat conducted broad stakeholder consultations in February; the national secretariat did strategic planning and capacity building in March; and, in May, PH-EITI held the fifth annual National Conference, which drew a record number of participants, the highest in PH-EITI history. The National Conference also featured separate side events for the business and civil society sectors and a joint exhibit that showcased PH-EITI’s constituencies together.

Still, the foregoing is not to discount the constant, the before-and-after, or the in-between – the seemingly small communication and outreach activities, the continuous pursuit of government action on the MSG’s recommendations, and the committed discharge of day-to-day tasks to carry out the Work Plan in pursuit of PH-EITI’s objectives.

All in all, PH-EITI pulled a productive year, established EITI’s continuing relevance in the Philippines, and accomplished more than initially thought possible. By any reasonable assessment, PH-EITI achieved meaningful, if not satisfactory, progress in the year that was.

Preparing the 3rd Philippine Extractive Industries Transparency Initiative (PH-EITI) Report

A. GETTING COMPANIES TO EXECUTE WAIVER OF CONFIDENTIALITY OF THEIR TAX RECORDS

Groundwork for the 3rd Country Report commenced in the first half of 2016. Letters addressed to targeted extractive companies, requesting them to participate in EITI reporting and issue a signed waiver authorizing the Bureau of Internal Revenue (BIR) to disclose their tax information to PH-EITI, were sent out by March 2016.

The following is the final list of companies that executed BIR waivers for the 3rd PH-EITI Report (FY 2014):

Mining Companies

1. AAM-PHIL Natural Resources Exploration and Development Corporation
2. Adnama Mining Resources, Incorporated
3. BenguetCorp Nickel Mines, Inc.
4. Cagdianao Mining Corporation
5. Carmen Copper Corporation
6. Carrascal Nickel Corporation
7. CTP Construction and Mining Corporation (Adlay and Dahican)
8. Eramen Minerals, Inc.
9. Filminera Resources Corporation
10. Hinatuan Mining Corporation
11. Johson Gold Mining Corporation
12. Krominco, Inc.
13. Lepanto Consolidated Mining Company
14. Leyte Iron Sand Corporation
15. LNL Archipelago Minerals, Incorporated
16. Marcventures Mining and Development Corporation
17. OceanaGold (Philippines), Inc.
18. Ore Asia Mining and Development Corporation
19. Oriental Synergy Mining Corporation
20. Pacific Nickel Phils., Inc.
21. Philex Mining Corporation
22. Philippine Mining Development Corporation
23. Philsaga Mining Corporation
24. Platinum Group Metals Corporation
25. Rio Tuba Nickel Mining Corporation
26. Shuley Mine, Incorporated
27. SinosteelPhils. H. Y. Mining Corporation
28. SR Metals, Incorporated
29. Taganito Mining Corporation
30. TVI Resources Development Philippines, Inc. (Agata and Canatuan)

Oil and gas

1. Chevron Malampaya LLC
2. Galoc Production Company W.L.L.
3. Nido Production Galoc Pty. Ltd.
4. Philippine National Oil Company (PNOC) - Exploration Corporation
5. Shell Philippines Exploration B.V.

After a series of discussions, comments, and revisions; the 3rd Report was finalized, approved by the MSG, and submitted to the EITI International Secretariat on 31 December 2016, and subsequently acknowledged as accepted on 3 January 2017.

B. DETERMINING THE CONTENT OF THE 3RD REPORT

Other than meeting the requirements of the 2016 EITI Standard, the content of the 3rd Report was intended to build on the information already provided in the past reports as well as to reflect the Philippines’ evolving concerns and priorities as regards extractives transparency, as guided by the PH-EITI objectives and duly determined by the MSG.

For the 3rd Report, the MSG agreed to include the following as part of the contextual information:

- Evaluation of mining monitoring reports
- Extractive industry governance in Bangsamoro, including case studies on the extractive sector in the Autonomous Region in Muslim Mindanao (ARMM)
- Large-scale non-metallic mining and quarrying operations in the three selected areas (addition to the scoping study on large-scale non-metallic mining in the Philippines published in the 2nd Report)
- 5-year Social Development and Management and Management Program (SDMP) plans, including details of SDMP projects, of participating entities

C. TRACKING THE PROGRESS OF DATA GATHERING AND RECONCILIATION

The Independent Administrator (IA) regularly apprised the MSG and the Secretariat of progress in developing the 3rd Report, both during MSG meetings where they were requested to present updates and through constant communication with the Secretariat.

In the 38th MSG meeting on 9 December 2016, the IA reported that the BIR received waivers beyond the set deadline. Also, participating mining companies, namely Adnama and SR Metals, belatedly submitted their reporting templates, affecting the result of the reconciliation procedures.

While the IA was not able to include these two companies in the initial reconciliation process, the IA, nonetheless, presented in the 3rd Report figures where the two entities are excluded and figures where they are included to show (in the latter case) their effect on the reconciliation results had they submitted completed templates by the cut-off date.

D. BENEFICIAL OWNERSHIP

In view of the EITI Standard's requirement to report beneficial ownership (BO) by 2020, BO was already included in the Terms of Reference (TOR) of the IA for integration in the 3rd Report as part of contextual information. Information on BO was to be drawn from the output of a consultant to be hired for the purpose, but PH-EITI was not able to engage such a consultant for the 3rd Report due to budget constraints. Still, a similar provision has been included in the TOR of the IA for the 4th Report.

Further, as required, the MSG was able to agree and approve a four-year BO Roadmap during the 38th meeting on 9 December 2016, which roadmap has been duly submitted and published.

Pursuant to the BO Roadmap, for the 2017 timeframe, PH-EITI has engaged the services of a consultant who is expected to produce a comprehensive study that includes the following:

1. Review of existing definitions and policies related to BO and politically-exposed persons (PEP) disclosures, including:
 - vi. BO definitions, such as but not limited to, definitions used by government agencies and other international bodies;
 - vii. Government agencies and other entities that

collect information on BO and PEP, including their data collection procedures, reportorial requirements, and gaps and weaknesses in the reporting process;

- viii. Initial list of beneficial owners based on available documents such as but not limited to the General Information Sheet that extractive companies submit to the Securities and Exchange Commission;
 - ix. Suggested definition of beneficial owners and PEPs for PH-EITI reporting;
 - x. Suggested materiality threshold for BO disclosure/reporting including an initial list of companies that should be required to disclose their beneficial owners;
 - xi. Recommendations on how to implement BO and PEP disclosures in accordance with the EITI Standard (requirement 2.5);
 - xii. Approaches to assure accuracy of information on disclosure of BO and PEP.
2. Analysis of potential legal and institutional barriers and risks for disclosing BO and PEPs, including:
 - i. Actors/institutions at the national and local levels that will be affected by BO disclosure and how they will be affected;
 - ii. Related existing policies, norms, and practices, as well as any policy or program underway;
 - iii. The barriers and risks posed by the foregoing to BO and PEP disclosures;
 - iv. Strategic actions and recommendations for addressing and/or reducing the gaps, risks, and barriers for BO and PEP disclosures.

The foregoing study is expected to feed into the 4th Report, production of which is currently underway.

E. APPROVAL AND PUBLICATION OF THE 3RD REPORT

A Special MSG meeting was held on 20 December 2016 for the approval of the 3rd Report. While MSG members gave additional comments during the meeting, the body already approved the Report in principle. The comments were subsequently integrated in the Report, and, on 31 December 2016, the final 3rd PH-EITI Report was submitted to the EITI International Board and published on the PH-EITI website.

OUTREACH ACTIVITIES AND COMMUNICATING THE FINDINGS OF THE PH-EITI REPORTS

Recognizing that transparency can only lead to accountability and good governance if it is communicated to stakeholders to foster discussion, dialogue, and participation, PH-EITI saw to the conduct of its major outreach activities despite financial constraints in the first half of the year.

2016 Roadshow

With external financial assistance from the United States Agency for International Development (USAID), PH-EITI, in cooperation with Bantay Kita, conducted its yearly roadshow to areas hosting extractive operations in August to September 2016. The 2016 Roadshow was done in six key cities across the country, namely, Davao, Cebu, Puerto Princesa, Baguio, Butuan, and Manila, one city more than last year's five-leg roadshow.

The Roadshow's objectives were to: (1) present the findings of the 2nd Country Report to local stakeholders; (2) have a dialogue on policy gaps and issues pertaining to regulation and governance of the extractives sector; (3) collectively discuss plans to address the identified gaps and issues and improve EITI implementation in the Philippines; (4) discuss how the EITI process can be used as a tool to strengthen governance of the extractive industries at the local level; and (5) gather feedback from the stakeholders on the findings of the 2nd Report.

Forum/workshop participants included elected and appointed local government officials, regional officers of national government agencies, representatives of civil society organizations, and representatives of mining and oil and gas companies operating in the localities.

Consultation Workshop on Piloting Implementation of the NCIP Monitoring Tool

A significant part of promoting transparency in the extractive industries is disclosing information on the mandatory royalties paid to Indigenous Cultural Communities or Indigenous Peoples (ICCs/IPs) by mining companies operating within ancestral domains. Thus, PH-EITI has included such information in its reports.

The first two PH-EITI Reports dispensed similar recommendations pertaining to the need to establish a monitoring system for IP royalty payments and implementation of Memoranda of Agreement (MOA) between companies and ICCs/IPs. Acting on the recommendations, PH-EITI, in coordination with the

National Commission on Indigenous Peoples (NCIP), developed a tool for monitoring IP royalty payments and MOA implementation. The monitoring tool was approved by the NCIP on 26 November 2015, as contained in Commission En Banc Resolution No. 06-033-2015. Subsequently, the NCIP submitted to the Mining Industry Coordinating Council (MICC) a plan to conduct pilot implementation of the monitoring tool in a selected region as part of the 2016 Roadshow. However, the planned pilot activity got postponed twice due to conflict in participants' schedules and then stormy weather that cancelled flights to the area.

Finally, on 14 March 2017, the workshop pushed through in Davao City, counting as participants representatives of NCIP Central and Regional Offices (Region XI and Caraga), concerned ICCs/IPs, and operating companies in the selected areas.

The workshop aimed to, among others: (1) improve the management of natural resources within ancestral domains; (2) implement the MSG recommendation to improve the monitoring system for IP royalties and the performance of MOAs; (3) enhance the exercise of the NCIP's monitoring powers under the law; (4) equip and enable concerned IPs/ICCs to monitor the royalties due them; and (5) conduct multi-stakeholder consultation to prepare for the pilot implementation and subsequent rollout of the monitoring tool.

2017 National Conference

The 3rd Report was launched in the 2017 National Conference held on 11 May 2017. With the theme, Extracting Value in Transparency: Towards Sustained Disclosure and Dialogue for Development (3Ds), the Conference highlighted the 3rd Report while emphasizing the means by which EITI intends to better the governance of natural resources – disclosure and dialogue. At the same time, the event drew attention to the importance of sustaining, if not accelerating, the efforts of key players and stakeholders to secure the ultimate goal of achieving national development through open and accountable natural resource governance.

The National Conference aimed to: (1) communicate the findings of the 3rd Report to stakeholders; (2) inform stakeholders of the progress and status of government agency actions on the recommendations of the MSG from previous Reports; (3) provide a venue for continuing multi-stakeholder dialogue on the issues surrounding the extractive industries and natural resource governance with a view to addressing gaps and improving EITI implementation in the country; and (4) present current initiatives to promote transparency in the extractives.

Participants included representatives from the national and local governments, extractive companies, and civil society organizations (CSO) across the country, as well as development partner agencies and members of the media. The Conference drew some 521 participants, the biggest turnout in PH-EITI's history.

To optimize the gathering, the National Conference had two side events – a CSO Conference and a Mining Industry Forum – both of which also constituted separate PH-EITI outreach activities. The National Conference also featured a PH-EITI constituencies' exhibit where the government, industry, and CSO sectors each had a booth to showcase their initiatives in and contributions to extractives transparency and natural resource governance.

COMMUNICATIONS

Media engagements. PH-EITI has been actively engaging members of the media at the national and provincial levels for the past year. Over time, it was able to foster good working relations with them, as manifested by the increase in media practitioners taking interest in PH-EITI and its advocacies and attending its events.

For major events, the Secretariat circulated press releases together with collaterals for references. These are packed as media kits along with PH-EITI contact details for future communication or correspondence.

In addition, the Secretariat arranged press conferences where MSG members and leaders of stakeholder groups sit as panelists to address questions from the media. One-on-one radio and TV interviews were also arranged upon reporters' requests.

e-Newsletter. PH-EITI used to publish quarterly e-newsletters. The newsletters feature news articles on MSG meetings and other activities held within a given quarter. However, due to limited time and staff, the Secretariat has opted to publish the e-newsletter on a semi-annual basis starting 2017. Circulation of it would be in June and December.

Website. The PH-EITI official website (www.ph-eiti.org) has undergone revamping since last year and is continuously being updated. From July 2016 to June 2017, the number of visitors to the website reached 25,760, doubling the number of visits in the previous year (July 2015 to June 2016) at 12,471.

Information, education, and communication (IEC) materials. Customized fact sheets were produced for each cluster of places for the 2016 Roadshow, and the same will be done for the upcoming 2017 Roadshow. The Secretariat also developed brochures on special topics such as the Social Development and Management Program (SDMP), Environmental Funds, and Indigenous Peoples' Royalties. More of such materials are in the pipeline for 2017. These materials are disseminated during outreach activities, specially in the Roadshows, where the participants stand to benefit from IEC designed to address their distinct circumstances and concerns. Other IEC materials include Key Findings and the Executive Summary of the 3rd Report, as well as versions of the same translated to major local languages. PowerPoint presentations on PH-EITI and the 3rd Report were also shared during forums.

Social media. The Secretariat has been managing official PH-EITI social media accounts in Facebook ([facebook/Philippine-eiti](https://www.facebook.com/Philippine-eiti)) and Twitter ([twitter/ph-eiti](https://twitter.com/ph-eiti)). These accounts serve as platforms to inform and connect with stakeholders and the general public about PH-EITI's activities as well as news and other relevant information related to extractives transparency and governance. The accounts are indicated in all PH-EITI IEC materials, along with other contact details.

PREPARING FOR THE 4TH COUNTRY REPORT

The MSG began reviewing the Terms of Reference (TORs) for the 4th Report in February 2017. The TORs are for the Independent Administrator and the consultant for contextual information. These have been approved by the MSG in May 2017. The procurement process for the two is already in progress.

Also, as early as March 2017, the Secretariat has sent companies letters requesting each of them to execute a BIR waiver for 2015 and 2016, which are the fiscal years to be covered by the 4th Report.

Furthermore, in view of the MSG's decision to include the large-scale non-metallic mining sector in the 4th Report, company and industry association representatives from this sector were invited to deliver presentations about the industry at the 43rd MSG meeting on 16 June 2017.

Finally, to aid the MSG in its review of the reporting templates for the 4th Report, a workshop on reporting template enhancement was held back-to-back the 43rd MSG meeting. The Independent Administrator and template users from reporting government agencies, local government units (LGUs), and companies gave comments on and suggestions for the templates based on their experiences using them.

HOW PH-EITI ACTIVITIES SUPPORT THE PH-EITI OBJECTIVES

1. First Objective: Show direct and indirect contribution of extractives to the economy (through EITI process)

The publication of the 3rd Report which contains comprehensive information and data about payments made by mining and oil and gas companies to government (13 revenue streams and 8 mandatory expenditures and funds) along the extractive value chain, as well as the employment and other economic activity generated by their business, help show the contributions of the extractives sector to the country's economy at both the national and local levels.

This first objective, together with the other four, also guides the conduct of PH-EITI communications and outreach activities.

2. Second Objective: Improve public understanding of the management of natural resources and availability of data

Data and information contained in the PH-EITI Reports are meant to be cascaded to the public, especially to people in areas hosting extractive activities, to increase their awareness and knowledge of the extractive industries and thereby enable them to participate meaningfully in the governance of the sector and the natural resources it extracts.

The PH-EITI Reports are available in both printed and electronic copies. They are available to and accessible by the public in both forms. They are downloadable from the PH-EITI website, and copies were distributed to stakeholders who participated in the 2016 LGU Roadshow and the 2017 National Conference.

In addition, IEC materials about the Reports and relevant/related subjects were produced, published in print and online (in the PH-EITI website), and disseminated as collaterals during PH-EITI activities. PH-EITI outreach activities (conferences, forums, workshops) themselves served as venues to communicate information and thus help improve public understanding of natural resource management and available data.

3. Third Objective: Strengthen national resource management/ strengthen government systems

By bringing together in one body the major agencies that regulate or govern the extractive industries (finance, environment, energy, local government), company representatives, and CSOs; PH-EITI has provided a venue for dialogue and decision-making that generate agreed recommendations that seek to strengthen government systems for improved management of the country's natural resources. These MSG recommendations are published in the PH-EITI Reports and government action on them is pursued through active monitoring and follow-up.

The 3rd Report provides the following updates on agencies' actions on MSG recommendations from past PH-EITI reports:

Mines and Geosciences Bureau (MGB)

- Developed and launched their online database (www.databaseportal.mgb.gov.ph)
- Ongoing standardization of SDMP monitoring checklist

National Commission on Indigenous Peoples (NCIP)

- Ongoing revision of the monitoring tool based on feedback/comments from the pilot implementation workshop
- Issued a directive for all field offices to monitor activities of, and agreements with, companies that have Certification Precondition (CP)

Department of Budget and Management (DBM)

- Finalizing the enhanced guidelines for downloading LGU shares in national wealth
- Coordinated with Bureau of the Treasury to reflect all the details required by PH-EITI in the Notice of Authority to Debit Account Issued (NADAI) that are issued to LGUs

Department of Finance – Bureau of Local Government Finance (BLGF)

- Ongoing enhancement of the Environment and Natural Resources Data Management Tool (ENRDMT)

The regular MSG meetings and various consultations and outreach activities done by PH-EITI have also served as forums to discuss gaps and issues in resource management and engender exchange of ideas on how to address them.

4. Fourth Objective: Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders

From the convening of the tripartite MSG to the conduct of multi-stakeholder meetings, forums, and workshops, PH-EITI has brought together government, industry, and civil society in one table/venue to talk about the issues surrounding the governance and management of the country's natural resources and how to address them. Examples include the regular MSG meetings and the annual PH-EITI National Conference and roadshows.

The MSG meetings, in particular, have bridged gaps between the different constituencies through their

representatives in the MSG and have even fostered camaraderie among the MSG members. The PH-EITI MSG – who decides by consensus – has thus far agreed on three Country Reports and a number of recommendations to enhance transparency in the Philippine extractives sector. It has administered the implementation of EITI in the country since 2013.

5. Fifth Objective: Pursue and strengthen the extractive sector's contribution to sustainable development

By undertaking to fulfill the first objective, that is, to show the direct and indirect contributions of extractives to the economy, PH-EITI uses the EITI process and its activities to pursue and strengthen the sector's contribution to sustainable development. For instance, through the EITI process, ways to ensure that the payments made by extractive companies are properly collected and channeled to long-term investments that benefit the people, especially the affected local communities, are discussed and recommended.

CHAPTER 2

Assessment of performance against targets and activities set out in the Work Plan/s

Below is the summary of activities included in the 2016 and 2017 PH-EITI Work Plans and the assessment of their execution/implementation:

Activities	Assessment
CAPACITY BUILDING FOR MSG AND SECRETARIAT	
Beneficial Ownership Workshop	<p>Following a pre-validation workshop on 22 September 2016, a Beneficial Ownership (BO) Workshop facilitated by Atty. Gay Ordenes was held on 23 September 2016.</p> <p>The workshop focused on developing the roadmap for BO disclosure in the Philippines, with inputs on EITI provisions on BO, the importance of BO disclosure, and how it can help address issues in the extractive sector.</p> <p>The MSG has agreed and approved a four-year BO Roadmap during its 38th meeting on 9 December 2016, which roadmap has been duly submitted and published.</p> <p>PH-EITI is presently following the BO Roadmap, particularly for the 2017 timeframe, having engaged the services of a consultant who is expected to produce a comprehensive study that will feed into the 4th Report also underway.</p>
Secretariat Planning Workshop	<p>The Secretariat had its annual planning workshop in Puerto Princesa, Palawan on 1-2 March 2017.</p> <p>The then 12-person Secretariat was in full attendance (including three new staff members) in the planning workshop, where the team had an orientation/re-orientation about PH-EITI, including the roles and responsibilities of each secretariat member; and planned for the major activities set for 2017 (national conference, roadshow, hosting of International Board meeting).</p>
Secretariat Capacity Building	<p>Back-to-back the planning workshop, on 3 March 2017, Secretariat technical staff had a capacity building activity in the form of a mine tour of Rio Tuba Nickel Mining Corporation (RTNMC) and Coral Bay Nickel Corporation (CBNC).</p> <p>The mine tour exposed the staff to and educated them about the actual operations of a mine site, including the company's implementation of its SDMP and progressive rehabilitation, and the situation of a mining community.</p>

Activities	Assessment
Secretariat Learning Sessions with the EITI International Secretariat and EITI International Board Meeting in Oslo, Norway	<p>Secretariat's national coordinator Atty. Karla Espinosa and technical manager Abigail Ocate flew to Oslo in May 2017 for learning/knowledge-sharing sessions with the International Secretariat on May 19, pre-Board meeting sessions on May 22, and the 37th Board meeting on May 23-24.</p> <p>The Secretariat representatives discussed the following topics with members of the International Secretariat:</p> <ul style="list-style-type: none"> ◦ Beneficial ownership ◦ Project-level reporting ◦ Communication strategies ◦ Contract transparency ◦ Subnational implementation ◦ Artisanal and small-scale mining ◦ Environmental reporting ◦ EITI mainstreaming <p>They also gave a presentation on the Philippines' Validation experience to the International Secretariat.</p> <p>PH-EITI Alternate Focal Person and MSG Chair, DOF Assistant Secretary Ma. Teresa Habitan likewise attended the pre-Board and Board meetings.</p>
VALIDATION	
Pre-Validation Workshop	<p>A pre-validation workshop for the MSG was conducted on 22 September 2016 at the Orchid Garden Suites in Manila. It was facilitated by Atty. Gay Ordenes, International Secretariat Regional Director for South East Asia and the Pacific.</p> <p>The facilitator presented the new Validation model decided by the EITI Board in Lima in February 2016 and guided the MSG in a self-assessment exercise where the MSG members evaluated the country's status in terms of EITI implementation and compliance with the requirements of the EITI Standard.</p> <p>The workshop covered the following topics:</p> <ul style="list-style-type: none"> ◦ Purpose of Validation ◦ Key steps in the Validation process ◦ How the EITI Requirements are assessed and the consequences of non-compliance ◦ Timeframe for the Validation process ◦ Who are involved in the Validation process ◦ Roles and responsibilities of all parties concerned ◦ Possible outcomes of Validation
Stakeholder Consultations	<p>Validation of the Philippines commenced on 1 January 2017, as scheduled by the International Board. As part of the Validation process, the MSG agreed with the International Secretariat a schedule for stakeholder consultations to be conducted in the country.</p> <p>On 20-28 February 2017, a fact-finding mission team from the International Secretariat composed of Dyeke Rogan (Policy and Regional Director) and Alex Gordy (Country Manager) was able to conduct 25 separate consultative meetings or interviews with over 80 stakeholders. The stakeholders included MSG members, officials of national government agencies, officials of local government units (LGUs), industry representatives, CSOs, legislators from the Philippine Senate and House of Representatives, media practitioners, independent analysts, development partners, the independent administrator for the 3rd Report, and the national secretariat.</p> <p>The Secretariat received positive feedback on how the consultations were managed. PH-EITI is presently going through the next steps in the Validation process.</p>

Activities	Assessment																												
OUTREACH ACTIVITIES, CAPACITY BUILDING FOR STAKEHOLDERS																													
2016 Roadshow	<p>With financial assistance from USAID, PH-EITI, in cooperation with Bantay Kita, conducted its yearly roadshow to areas hosting covered extractive operations across the country in August to September 2016 with the following schedule:</p> <table border="1"> <thead> <tr> <th>Regions Covered</th> <th>Date</th> <th>Venue</th> <th>No. of Participants</th> </tr> </thead> <tbody> <tr> <td>IX, XI, ARMM</td> <td>August 10-11</td> <td>Davao City</td> <td>84</td> </tr> <tr> <td>VI, VII, VIII</td> <td>August 24-25</td> <td>Cebu City</td> <td>93</td> </tr> <tr> <td>II, CAR</td> <td>August 3-4</td> <td>Baguio City</td> <td>101</td> </tr> <tr> <td>IV-B</td> <td>September 14-15</td> <td>Puerto Princesa City</td> <td>88</td> </tr> <tr> <td>III, V, NCR</td> <td>September 21-22</td> <td>Manila</td> <td>92</td> </tr> <tr> <td>XIII</td> <td>September 28-29</td> <td>Butuan City</td> <td>122</td> </tr> </tbody> </table> <p>The 2016 Roadshow was done in the above six cities, one city more than last year's five-leg roadshow. The event also saw an increase in last year's turnout, with total head count at 580 participants.</p> <p>Participants included elected and appointed local government officials, regional officers of national government agencies, representatives of civil society organizations, and representatives of mining and oil and gas companies operating in the localities.</p> <p>Through the forum and workshop conducted for each leg of the Roadshow, PH-EITI was able to: (1) present the findings of the 2nd Country Report to local stakeholders; (2) have a dialogue on policy gaps and issues pertaining to regulation and governance of the extractives sector; (3) discuss plans to address the identified gaps and issues and improve EITI implementation in the Philippines; and (5) gather feedback from the stakeholders.</p> <p>It is also noted that PH-EITI in cooperation with DOF-BLGF conducted a workshop on the Environment and Natural Resource Data Management Tool (ENRDMT) for local treasurers and accountants on the second day of each of the six legs of the roadshow.</p>	Regions Covered	Date	Venue	No. of Participants	IX, XI, ARMM	August 10-11	Davao City	84	VI, VII, VIII	August 24-25	Cebu City	93	II, CAR	August 3-4	Baguio City	101	IV-B	September 14-15	Puerto Princesa City	88	III, V, NCR	September 21-22	Manila	92	XIII	September 28-29	Butuan City	122
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Consultation Workshop on Piloting Implementation of the NCIP Monitoring Tool	<p>On 14 March 2017 in Davao City, PH-EITI, in cooperation with the NCIP, conducted a multi-stakeholder consultation workshop to prepare for the pilot implementation and subsequent rollout of the IP royalty and MOA monitoring tool that PH-EITI developed with NCIP (approved under Commission En Banc Resolution No. 06-033-2015).</p> <p>The participants, 23 in all, included representatives of NCIP Central Office and Regional Offices (Region XI and XIII/Caraga), ICC/IP representatives from selected ancestral domains in the named regions, and representatives from selected mining companies operating in the identified areas.</p> <p>The activity imparted to the participants relevant knowledge about the nexus of EITI and IP rights as well as existing mechanisms for monitoring royalties and MOA implementation (including the tool to be piloted). In the workshop, the participants, divided according to their regional grouping, were able to test-accomplish the monitoring tool and thereafter identify issues encountered in doing so, yielding comments and suggestions for enhancement of the tool.</p>																												
2017 National Conference - Launching of the 3 rd PH-EITI Report	<p>The 3rd Report was launched in the 2017 National Conference held on 11 May 2017. With the theme, Extracting Value in Transparency: Towards Sustained Disclosure and Dialogue for Development (3Ds), the Conference served as a venue to: (1) communicate the findings of the 3rd Report to stakeholders; (2) inform stakeholders of the progress and status of government agency actions on the recommendations of the MSG from previous Reports; (3) provide a venue for continuing multi-stakeholder dialogue on the issues surrounding the extractive industries and natural resource governance with a view to addressing gaps and improving EITI implementation in the country; and (4) present current initiatives to promote transparency in the extractives.</p> <p>The Conference was opened by the Secretary of the Department of Finance (DOF) and MSG Chairperson, Carlos G. Dominguez, and drew some 521 participants – so far the biggest turnout in PH-EITI's history.</p> <p>The National Conference had two side events – a CSO Conference and a Mining Industry Forum – which also constituted separate PH-EITI outreach activities. It also featured a PH-EITI constituencies' exhibit where the government, industry, and CSO sectors each had a booth to showcase their initiatives in and contributions to extractives transparency and natural resource governance.</p>																												

Activities	Assessment
Mining Industry Forum	<p>PH-EITI and the Chamber of Mines of the Philippines (COMP) co-organized and -presented the Mining Industry Forum on 10 May 2017 at the Manila Hotel.</p> <p>The forum drew some 95 participants including industry experts, company leaders and officers, and government officials.</p> <p>Coming from an onslaught of public criticism that arose from a controversial DENR mine audit, the mining industry saw the event as a morale booster, appreciating the discussion on the challenges and opportunities in the governance of the mining industry and a workshop on effective communications for the industry.</p>
CSO Conference and Action Planning Workshop	<p>PH-EITI and Bantay Kita co-organized and -presented a CSO Conference and Action Planning Workshop at the New World Hotel in Manila on 9-10 May 2017.</p> <p>The event was attended by some 121 participants representing community-based, non-government, and peoples' organizations as well as members of Indigenous Peoples and of the academe.</p> <p>The conference/workshop sought to provide an overview of the extractive industry in the Philippines, present the findings of the 3rd PH-EITI Report to civil society and community representatives, offer a platform for capacity building on EITI and other aspects of extractive governance (national and subnational), provide a venue for knowledge exchange among participants, strengthen the civil society coalition, and introduce tools and methods on action planning.</p>
OTHER STAKEHOLDER ENGAGEMENTS	
63 rd Annual National Mine Safety and Environment Conference - Minerals Industry Symposium	<p>Technical staff of the Secretariat, including the national coordinator, attended the 63rd Annual National Mine Safety and Environment Conference (ANMSEC) at CAP-John Hay Trade and Cultural Center in Baguio City on 15-18 November 2016.</p> <p>The national coordinator's paper on "Responsible Minerals Development and the EITI: Transparency for Collective Governance for Sustainability" had been chosen to be presented during the Minerals Industry Symposium on 17 November 2016, and she delivered the same.</p> <p>By attending in this event, Secretariat was able to communicate and promote PH-EITI to the other event participants which include some 1,000 professionals from the mining industry, academe, government agencies, policy-making bodies, LGUs, community members, and mining stakeholders from around the country. They were also able to network with industry stakeholders and distribute PH-EITI IEC materials during this event.</p>
Senate Committee and Technical Working Group (TWG) Meetings on Proposed Reforms relating to the Extractives Sector	<p>The PH-EITI national coordinator served as resource person in a Senate Committee hearing on 7 December 2016 and a TWG meeting on 19 January 2017 on bills regarding direct remittance (by extractive companies) to LGUs of their share in national wealth.</p> <p>By participating in these meetings, Secretariat was able to advance the cause of PH-EITI and push for inclusion of transparency provisions in the bills being deliberated upon.</p>
Mines and Geosciences Bureau (MGB) Stakeholders' Forum	<p>The PH-EITI national coordinator served as resource person in a stakeholders' forum on "Understanding Policy Issuances Relating to Mining, and Best Practices in Mining and Processing that Promote Responsible Mining" organized by the MGB and held on 29-30 June 2017 in Quezon City. She gave a presentation on "Understanding EITI" and "Key Findings of the 3rd Report".</p> <p>By participating in this event, Secretariat was able to communicate and promote PH-EITI to two groups of stakeholders, CSOs (including academe) on the first day and industry players (including non-metallic mining companies) on the second day.</p>

Below is a summary of activities outside the 2016 and 2017 Work Plans, separately conducted by the industry, civil society, and government sectors, which addressed or which were relevant to the Work Plan objectives:

CIVIL SOCIETY ORGANIZATIONS		
Bantay Kita		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Capacity Building, Outreach, and Advocacy		
National		
<p>Attended advocacy meetings with legislators and their offices, including Committee Hearings/TWG to discuss policy reforms and PH-EITI institutionalization</p> <ul style="list-style-type: none"> July 20, 2016 September 13, 2016 October 18, 2016 December 2, 2016 February 8 and 16, 2017 March 2, 2017 	Strengthen national resource management / strengthen government systems	
<p>Participated in the Green Thumb Coalition (GTC) meetings on resource management</p> <ul style="list-style-type: none"> July 21 and 29, 2016 August 4, 25 and 31, 2016 December 19 and 21, 2016 	Improve public understanding of the management of natural resources and availability of data	
<p>Organized a roundtable discussion on Philippine EI Context: Challenges and Opportunities</p> <p>July 28, 2016</p>	Improve public understanding of the management of natural resources and availability of data	
<p>Attended a DENR advocacy meeting to discuss reforms on encouraging mining companies to participate in PH-EITI and the establishment of a credible CSO selection process for mining oversight committees</p> <p>September 16, 2016</p>	Strengthen national resource management / strengthen government systems	
<p>Participated in a meeting with EITI International to discuss Beneficial Ownership and PH-EITI implementation</p> <p>September 21, 2016</p>	Improve public understanding of the management of natural resources and availability of data	
<p>Organized a Legislative Workshop on governance and fiscal reforms in mining</p> <p>October 7, 2016</p>	<p>Improve public understanding of the management of natural resources and availability of data</p> <p>Strengthen national resource management / strengthen government systems</p>	64,037.76
<p>Supported the Green Thumb Coalition People's Environmental Summit</p> <p>October 11, 2016</p>	Improve public understanding of the management of natural resources and availability of data	20,000

CIVIL SOCIETY ORGANIZATIONS

Bantay Kita		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Participated in the consultation-Workshop for the National Action Plan of Business and Human Rights, with a focus on mining October 26, 2016	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems	
Co-organized a Senate Legislative Forum on Mining November 17, 2016	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems	52,622.82
Participated in OGP Audit November 18, 2016	Improve public understanding of the management of natural resources and availability of data	
Participated in OGP Quarterly Assessment Meeting November 29, 2016	Improve public understanding of the management of natural resources and availability of data Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	
Organized a CSO Strategic Planning for PH-EITI January 12, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	109,244.28
Facilitated a CSO Briefing on EITI Validation February 23, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	17,391.22
Supported a public forum on Freedom of Information March 17, 2017	Strengthen national resource management / strengthen government systems	
Subnational		
Co-organized the OGP CSO Conference Visayas: July 12-13, 2016 Luzon: August 11-12, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	76,594.43 36,068.12
Presented at the ARMM Multi-stakeholders' Dialogue on EI Governance July 16-17, 2016 August 23-24, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	42,933 16,212.50
Co-organized the Mindanao NCIP Pre-Summit Orientation Training on FPIC and MOA Negotiations August 25-26, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	

CIVIL SOCIETY ORGANIZATIONS

Bantay Kita		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Co-organized the Mindanao Indigenous Peoples' Summit on Extractive Industry September 8-9 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	71,620
Presented at the Business and Human Rights Forum on Mining Concerns, Davao September 28, 2016	Improve public understanding of the management of natural resources and availability of data	
Presented at the CARAGA Mining Conference September 29-30, 2016	Improve public understanding of the management of natural resources and availability of data	
Presented at the Conference on Mining, Human Rights and Governance, Agusan del Norte September 29, 2016	Improve public understanding of the management of natural resources and availability of data	
Organized a CSO Capacity Building on Mining Oversight, Davao October 20, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	48,452.43
Organized a meeting with NCIP CARAGA re: IP Capacity Building November 24, 2016	Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	46,399
Organized a Cebu CSO EITI Report Conference and Advocacy Convergence November 28-29, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	67,742.55
Organized Sibonga EITI Outreach December 3, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	31,885.25
Organized Open Data capacity building sessions with CSOs: <ul style="list-style-type: none">◦ Cebu: July 13, 2016◦ Manila (2): August 12 and September 29, 2016◦ Davao (2): September 10 and October 21, 2016◦ Baguio: September 1, 2016◦ Marinduque: January 22, 2017◦ Palawan (2): January 27 and March 12, 2017◦ Leyte: March 16, 2017	Improve public understanding of the management of natural resources and availability of data	122,144.64

CIVIL SOCIETY ORGANIZATIONS

Bantay Kita		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Facilitated a Negros Occidental CSO Outreach and Capacity Building on T&A initiatives January 19-20, 2017 May 20-24, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	56,801.75
Developed a model for Indigenous People Community Wealth Fund November 2016-April 2017	Strengthen national resource management / strengthen government systems	345,000
Organized Bicol CSO outreach/workshop for Natural Resource Management March 28-31, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	23,474.85
International		
Presented at Tax Justice Network/ APMDD, Philippines September 16, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data	
Participated in Extractive Data Dive held in Spain October 3-4, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in Openness in Natural Resource Working Group (ONRWG) Peer Exchange in Spain October 4-5, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in the International Open Data Conference (IODC) held in Spain October 6-7, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in the Financial Modeling Workshop in Germany October 24-28, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in the PWYP Communications Workshop conducted in Germany October 31 to November 2, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in Open Data Indonesia November 21-24, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Presented in the OGP Summit in France December 6-8, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	14,700
Presented at the ASEAN Peoples' Movement for Debt and Development-Tax Justice Network Regional Planning Session February 19, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	

CIVIL SOCIETY ORGANIZATIONS

Bantay Kita		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Presented in the Public discussion on Emerging trends on contract disclosure within EITI, Bogota March 9, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Participated in Reversing the Curse Course in Budapest, Hungary May 8-19, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	
Knowledge Products and Communications Platforms		
CSO Assessment of the 2 nd PH-EITI Report with a Subnational Focus (6 geographical sites)	Improve public understanding of the management of natural resources and availability of data	
Beneficial Ownership Study (published)	Improve public understanding of the management of natural resources and availability of data	37,185
Study on the Extractive Industry Downstream Sector (published)	Improve public understanding of the management of natural resources and availability of data	23,040
Scoping Study of the Extractive Industry in Ilo-ilo (online)	Improve public understanding of the management of natural resources and availability of data	50,000
TICV Study on Subnational EITI	Improve public understanding of the management of natural resources and availability of data	42,585
Case study on CSO Participation in Mining Oversight Committees (published)	Improve public understanding of the management of natural resources and availability of data	144,425
Mining Fiscal Policies in Select Asian Countries (published)	Improve public understanding of the management of natural resources and availability of data	26,550
PR materials	Improve public understanding of the management of natural resources and availability of data	
DATA portal development	Improve public understanding of the management of natural resources and availability of data	
Maintain and update BK website and social media platforms	Improve public understanding of the management of natural resources and availability of data	
Presented/popularized PH-EITI findings and need for increased data disclosure Kwatobersyal Interview, PTV4: July 8, 2016 Bloomberg Interview: August 18, 2016 EITI-BK Press Briefing: September 21, 2016 Green Thumb Coalition Press Conference: May 16, 2017	Improve public understanding of the management of natural resources and availability of data	

CIVIL SOCIETY ORGANIZATIONS

Philippine Grassroots Engagement in Rural Development Foundation, Inc.		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Participated in the International Training on "ADVANCING ACCOUNTABLE RESOURCE GOVERNANCE IN ASIA PACIFIC" held in Jogjakarta, Indonesia January 9-20, 2017	Improve public understanding of the management of natural resources and availability of data	75,000
Conducted meetings and organized the subnational MSG in five different municipalities of the Provinces of Dinagat Islands and Surigao Del Norte October to November 2016 February to March 2017	Improve public understanding of the management of natural resources and availability of data	100,000
Conducted meetings with the EI Senior Officers, LGUs, community members, CSOs, and 4 mining companies to communicate the results of the study and to give orientation on EITI July to September 2016	Improve public understanding of the management of natural resources and availability of data	75,000
Conducted two conferences on the results of the Scoping Study with introduction on PH-EITI and organizing of interim MSG in the Provinces of Surigao Del Norte and Dinagat Islands July and November 2016	Improve public understanding of the management of natural resources and availability of data	350,000
Conducted four subnational EITI-MSG consultation with the CSOs, LGUs, and mining companies in four municipalities in the Provinces of Dinagat islands and Surigao Del Norte January to March 2017	Improve public understanding of the management of natural resources and availability of data	25,000
Distributed 500 materials on EITI to communities in the Provinces of Dinagat Islands and Surigao Del Norte October 2016 to February 2017	Improve public understanding of the management of natural resources and availability of data	
Conducted Scoping Study on Convergence, Transparency and Participation of Stakeholders in the Extractive Industries in the Provinces of Dinagat Islands and Surigao Del Norte July to October 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	1,500,000

INDUSTRY

Chamber of Mines of the Philippines		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Consultative Business Conference with Duterte Cabinet for the 10 point economic agenda June to July, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
Participated in the Senate Committee Meeting on Local Government – Direct Release of LGU share on Excise Tax/ royalties July 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
Mining Association Dialogue of ICMM in Las Vegas Nevada September 27-28, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
Conference hosted by Australia IM4Dev on Raising the Philippine Standard for Responsible Mining – Davao City September 2016	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	
Asia-Pacific Mineral Resource Exhibit and Conference in Malaysia November 2016	Improve public understanding of the management of natural resources and availability of data Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	

INDUSTRY		
Chamber of Mines of the Philippines		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Mining Mission of Canada – Coordinating Suppliers, Asia November 2016	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	
Manufacturing Summit – Resurgence of Manufacturing Industries December 2016	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
JOGMEC Seminar – Sustainable Development of Mineral Resources for the Mining Sector of the Philippines January 23, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
COMP-PCIERRD MOA – for the development of R&D Roadmap for the Mining and Minerals Sector January 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	

INDUSTRY		
Chamber of Mines of the Philippines		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
Attended the PSA Presentation of the Mineral Assets Account, WAVES Project – NEDA-DENR and World Bank February 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
Participated in the Senate Labor Committee Meeting on Just Employment Transition February 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
Exporters Annual Meeting, Bangko Sentral ng Pilipinas March 2017	Show direct and indirect contribution of extractives to the economy (through EITI process) Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders Pursue and strengthen the extractive sector's contribution to sustainable development	
China- ASEAN Minerals Cooperation Meeting, Ho Chi Minh, Vietnam April 2017	Improve public understanding of the management of natural resources and availability of data Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	

INDUSTRY

Chamber of Mines of the Philippines		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
<p>Kapihan sa Lido – with Melo Acuna and Media with Experts in the Field of Geology, Metallurgy, Economics and Law</p> <p>February 15, March 29 and April 2017</p>	<p>Show direct and indirect contribution of extractives to the economy (through EITI process)</p> <p>Improve public understanding of the management of natural resources and availability of data</p> <p>Strengthen national resource management / strengthen government systems</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p> <p>Pursue and strengthen the extractive sector's contribution to sustainable development</p>	
<p>National Conference of Employers – Cutting Edge Priorities towards Just Transition and Green Business</p> <p>May 2017</p>	<p>Show direct and indirect contribution of extractives to the economy (through EITI process)</p> <p>Improve public understanding of the management of natural resources and availability of data</p> <p>Strengthen national resource management / strengthen government systems</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p> <p>Pursue and strengthen the extractive sector's contribution to sustainable development</p>	

GOVERNMENT

Mines and Geosciences Bureau		
ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
<p>Organized a Stakeholder's Forum on "Understanding Policies that Govern Mining Operations and Best Practices in Mining that Promote Responsible Mining" held at Icon Hotel, Timog Avenue, Quezon City</p> <p>June 30 to July 1, 2016</p>	<p>Show direct and indirect contribution of extractives to the economy (through EITI process)</p> <p>Improve public understanding of the management of natural resources and availability of data</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p>	240,000
<p>Development of the MGB Central Database System (CDS) – A central database portal that would feature a web-based interface that allows data transparency, search and filtering function, and one-page access to all MGB database. It allows access to information regarding the status of mining applications, request for mineral analysis, mining tenements/permits issued, mineral resources data, mining technology related data, mineral industry reports, status of mining cases, research and technology data, mine environmental and safety data, and other mining related activities.</p> <p>May 12, 2017 – launching of CDS</p>	<p>Strengthen national resource management / strengthen government systems</p>	1,725,000
<p>Network enhancement of the MGB Central and Regional Offices – The improvement of MGB network infrastructure includes installation of new LAN cables, installation and configuration of Virtual Private Network Firewall devices, installation of Wide Area Network to facilitate communication and allow Regional Offices to work remotely, etc.</p> <p>Ongoing - started on March 2017</p>	<p>Strengthen national resource management / strengthen government systems</p>	14,000,000
<p>Stakeholder's Forum "Understanding Policy Issuances Relating to Mining and Best Practices in Mining and Processing that Promote Responsible Mining" held at La Breza Hotel, Quezon City.</p> <p>June 29-30, 2017</p>	<p>Show direct and indirect contribution of extractives to the economy (through EITI process)</p> <p>Improve public understanding of the management of natural resources and availability of data</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p>	442,000

GOVERNMENT

Union of Local Authorities of the Philippines

ACTIVITIES	OBJECTIVE/S ADDRESSED	COST IN PHP
<p>Small-group discussion with the Department of Budget and Management on LGU national wealth shares</p> <ul style="list-style-type: none"> ◦ Advocated for the revision of guidelines for a better facilitation of the national wealth shares releasing process and system ◦ Presented the ULAP project ◦ Scoped national-level issues and policy gaps on national wealth shares administration <p>July 27, 2016</p>	<p>Strengthen national resource management / strengthen government systems</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p>	
<p>Revision of guidelines on the release of national wealth shares</p> <ul style="list-style-type: none"> ◦ Participated in the discussion and drafting of the new guidelines ◦ Shared local-level concerns and recommendations on the draft. <p>August 4, 2016</p>	<p>Strengthen national resource management / strengthen government systems</p>	
<p>Mining Industry Coordinating Council (MICC) Meetings Participated and represented LGU concerns on DENR audits Participated in the Multi-Stakeholder Review Team as member</p> <p>February 9 and 24, 2017 (Full Council Meetings) Follow-up meetings: February 20 and March 28 2017</p>	<p>Strengthen national resource management / strengthen government systems</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p> <p>Pursue and strengthen the extractive sector's contribution to sustainable development</p>	
<p>Implementation of "Increasing Transparency in Extractive Industries in the Sub-national Level through the Use of Context Specific Technology-based Platforms by Multi-stakeholder Groups" Project in three (3) pilot sites (Agusan del Sur, Palawan, Benguet), as supported by Making All Voices Count and Hivos International</p> <ul style="list-style-type: none"> ◦ Organized subnational Multi-Stakeholder Groups, providing platforms for local extractive industries (EI) stakeholders (i.e. LGUs, EI companies, CSOs, and IP organizations) to discuss and address issues on EI governance ◦ Gathered relevant data from national and local level on the different EI revenue streams ◦ Downloaded data and information on PH-EITI advocacies to pilot LGUs ◦ Facilitated evidence-informed policy making workshops to strengthen multi-stakeholder collaboration in addressing EI issues <p>June 2016 - June 2017</p>	<p>Show direct and indirect contribution of extractives to the economy (through EITI process)</p> <p>Improve public understanding of the management of natural resources and availability of data</p> <p>Strengthen national resource management / strengthen government systems</p> <p>Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders</p> <p>Pursue and strengthen the extractive sector's contribution to sustainable development</p>	5,650,380

CHAPTER 3

Assessment of performance against EITI requirements

The following table summarizes PH-EITI's significant progress in complying with the requirements of the 2016 EITI Standard.

EITI Requirements	Progress
Oversight by the multi-stakeholder group	<p>PH-EITI has made satisfactory progress in meeting the following requirements related to multi-stakeholder oversight:</p> <ol style="list-style-type: none"> 1. Government engagement 2. Industry engagement 3. Civil society engagement 4. Establishment and functioning of an MSG 5. An agreed work plan with clear objectives for EITI implementation, including a timetable that is aligned with the deadlines established by the EITI Board <p>Ten MSG meetings were conducted from July 2016 to June 2017. The following are some of the key decisions made by the MSG for the period covered:</p> <ul style="list-style-type: none"> ◦ Approval of the 3rd Country Report ◦ Recommendations for agency action for publication in the 3rd Report ◦ Approval of Open Data Policy ◦ Approval of roadmap for BO disclosure in the Philippines ◦ Approval of the 2017 Work Plan ◦ Inclusion of an IP representative in the MSG ◦ Inclusion of large-scale non-metallic mining in the reconciliation part of the 4th Country Report ◦ Approval of the TOR of the IA for the 4th Country Report ◦ Approval of the TOR for the Scoping Study on BO ◦ Revisions in the reporting templates for the 4th Country Report
Legal and institutional framework, including allocation of contracts and licenses	<p>PH-EITI has made satisfactory progress in providing a description of the legal framework and fiscal regime governing the mining, oil and gas, and coal sectors.</p> <p>The 3rd Country Report also includes information on the process for awarding and transferring of licenses and contracts of extractive sectors covered. As encouraged by the EITI Standard, commentary on the efficiency and effectiveness of the licensing procedures was also provided under the section on license allocations.</p> <p>With regard to register of licenses, the PH-EITI Report disclosed information on license holders, including size and location of the extractive operation, commodity being produced, approval and expiration dates of the license, and coordinates lifted from the signed contract. In addition, the Report provides links to the websites of the DOE and MGB where information on licenses and license holders can be found.</p>
Exploration and production	<p>PH-EITI has made satisfactory progress in disclosing information related to exploration and production. The Report provides an overview of the mining, oil and gas, and coal sectors, including any significant exploration activities in the fiscal year covered. Production and export volumes and values, disaggregated by commodity and region, were also disclosed in the 3rd Country Report.</p>

EITI Requirements	Progress
Revenue collection	<p>PH-EITI has made satisfactory progress in meeting the requirements related to revenue collection. The 3rd Report provides a comprehensive reconciliation of company payments and government revenues from the extractive companies. Taxes and fees covered by the report include:</p> <ul style="list-style-type: none"> ◦ Corporate income tax ◦ Customs duties ◦ Excise tax on minerals ◦ Government share from oil and gas production ◦ Local business taxes ◦ Withholding tax on foreign shareholder dividends ◦ Withholding tax on profit remittance to principal ◦ Withholding tax on royalties to claim owners ◦ Value added tax on importations ◦ Real property tax – Basic ◦ Real property tax – Special Education Fund (SEF) ◦ Royalty on mineral reservation ◦ Royalty for Indigenous Peoples (IP) <p>Other information related to revenue collection that can be found in the Report include the following:</p> <ul style="list-style-type: none"> ◦ Mandatory expenditures and funds ◦ Grants and donations ◦ Transactions related to SOEs, including payments made to the government, equity shares, and CSR activities <p>The 3rd Report provides an explanation that the following EITI requirements are not applicable in the Philippines:</p> <ul style="list-style-type: none"> ◦ Sale of the State's share of production or other revenues collected in-kind ◦ Infrastructure provisions and barter arrangements ◦ Transportation revenues
Revenue allocations	<p>PH-EITI has made satisfactory progress in meeting the requirement to disclose information related to revenue allocations. The Report provides an overview of how revenues are recorded in the national budget, as well as information on the allocation and spending of LGU revenues and IP royalties.</p> <p>As encouraged by the EITI Standard, revenue streams covered by the Report were referenced to Government Finance Statistics (GFS) Code of the International Monetary Fund (IMF).</p> <p>With regard to subnational transfers, the Report disclosed the revenue sharing formula and the actual amount that was transferred to the LGUs. In addition, calculations of LGU shares were also published on the PH-EITI website.</p> <p>The following additional information on revenue management and expenditures were also provided in the report:</p> <ul style="list-style-type: none"> ◦ Description of the local government budgeting process ◦ Description of the country's audit process ◦ Ongoing reforms related to public fiscal management
Social and economic spending	<p>PH-EITI has made satisfactory progress in disclosing information related to social expenditures. The Report provides the value of mandatory and discretionary social expenditures of extractive companies. Mandatory expenditures and funds are considered unilateral payments, but were nonetheless subjected to similar reconciliation procedures applied to other revenue streams.</p> <p>Participating state-owned enterprises also reported their CSR and social expenditures, but had no quasi-fiscal expenditures or activities in 2014.</p> <p>An overview of the contribution of the extractive sector to the economy was also provided in the Report.</p>
Outcomes and impact	<p>PH-EITI has made satisfactory progress in engaging stakeholders in dialogue on natural resource revenue management.</p> <p>The PH-EITI Reports are comprehensible, actively promoted, and made publicly accessible to contribute to public debate. In August to September 2016, a roadshow was conducted in six key areas hosting extractive operations to communicate the findings of the 2nd Report and to serve as a platform to discuss policy gaps and issues relating to regulation and governance of the extractive industries. On the other hand, findings of the 3rd Country Report were communicated during the National Conference held on 11 May 2017. The conference was attended by national and local government officials, extractive companies, CSOs, development partners, and members of the media.</p> <p>Concerned government agencies also provided updates on their respective action plans to address the recommendations of the MSG.</p> <p>The PH-EITI Report and the reporting templates submitted by the companies and government agencies were published in the PH-EITI website.</p>

CHAPTER 4

Overview of the MSG's responses to the recommendations from reconciliation and Validation

The tables below outline the MSG recommendations based on the findings from the 3rd Country Report and on the agencies' actions to the recommendations from the first two reports.

DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) / BUREAU OF THE TREASURY (BTr)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Disaggregation of LGU's share in national wealth according to the different types and sources of payment on a per company basis	DBM requested the collecting government agencies (DOF-BIR, DENR-MGB, and DOE) to include in the certifications they submit to BTr (the agency mandated to directly release LGU shares under the new guidelines) all the information and details required by PH-EITI.	The certification of actual collections that was used as basis for the request for release of funds should be posted in the website of the concerned collecting agencies or of the BTR, so that LGUs can know how much to expect as their share.
LGUs should be informed about the names of companies in their locality, place of extraction, collections from each company, type of revenue, date of payment, and the computation of LGU share.	DBM requested BTr to reflect the details required by the PH-EITI in the Notice of Authority to Debit Account Issued (NADAI) being furnished to the beneficiary LGUs. In addition, a system for posting reports on LGU shares in the DBM website is being studied by the Information and Communications Technology Systems Service (ICTSS) of DBM.	
	The DBM, BTr, and collecting government agencies also jointly formulated a draft joint circular on enhanced guidelines and procedures on the release of LGU shares in national wealth, which will require LGUs to also report their fund utilization.	The draft joint circular should be issued forthwith, and the BTr should strictly monitor the compliance of LGUs therewith, especially with the required submission of fund utilization reports, copy of which should be furnished PH-EITI.
Data disaggregation should retroact to previous years (not just apply to 2016 onwards) to trace backlogs in the distribution of LGU shares.	DBM indicated that at the Central Office level, they would have difficulty retrieving the records on LGU shares for years prior to 2014.	Request DBM regional offices to submit all available information on the LGU shares for earlier years (from 2013 backwards) to trace backlogs.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) – MINES AND GEOSCIENCES BUREAU (MGB)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Capacitate MGB regional offices and multipartite monitoring teams (MMTs).	The MGB has conducted a workshop on the standardization of procedures for monitoring of environmental compliance of mining companies and a Memorandum Circular is being prepared for its implementation. The capacity building of regional offices personnel has been included in the work plan of the MGB.	The Memorandum Circular should be issued and implemented forthwith.
Make EITI participation a prerequisite for the issuance of small-scale mining permits.		Amend DAO 2015-03 (Revised Implementing Rules and Regulations of Republic Act No. 7076) to include provision on EITI participation.
Require all mining companies to participate in EITI.	DENR issued Administrative Order No. 2017-07 (dated 10 March 2017) requiring companies to participate in PH-EITI.*	Issue an Administrative Order requiring companies to participate in the EITI process.
Improvement of MGB's license register and maps of mining tenements.	The Mining Tenement Management Division of MGB is upgrading its system to include Online Mineral Rights Management System (OMRMS).	
Activation of Provincial Mining Regulatory Boards (PMRBs) as well as improvement of MGB database and monitoring system for SDMP.	Action on the following are still in progress: <ul style="list-style-type: none"> Activation of PMRBs Improvement of database to include small-scale mining and EITI data Ensuring coordination between companies and local development councils with regard to formulation of SDMPs Standardization of SDMP monitoring checklist Electronic submission of SDMPs and reports to MGB by satellite offices Adoption of transparent mechanisms in the selection and formation of MMTs and Mine Rehabilitation Fund Committees (MFRCs) <p>MGB launched their Central Database System on 12 May 2017 (www.databaseportal.mgb.gov.ph). The system provides information on the status of mining applications, list of issued permits, mine environmental and safety data, mineral resources data, etc.*</p>	Provide regular updates to the MSG regarding ongoing activities of MGB. Furnish the PH-EITI with electronic copies of SDMPs and monitoring reports submitted by MGB regional offices.

NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Utilization of the tool/system developed by NCIP and PH-EITI for monitoring royalties to Indigenous Peoples (IP)	A consultation workshop for piloting the monitoring tool for IP royalties has been co-organized with PH-EITI. Target participants for the activity are NCIP Central Office, NCIP Regional Offices in Regions 11 and 13 (Caraga), IP representatives in selected areas in the said regions, and compliance officers of selected mining companies in the selected areas.	Issuance of an administrative order or a memorandum circular integrating the use of the monitoring tool in the current system of NCIP and requiring regional offices to utilize the tool.
Improvement of NCIP's database		Development of a database of information collected using the monitoring tool.
Build capacity of IPs to monitor their royalties through their own monitoring mechanisms.		NCIP to identify training needs of IPs and conduct appropriate capacity building activities for monitoring royalties. Central office and regional offices of NCIP to provide assistance to IPs in developing mechanisms for monitoring royalties.

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG) / BUREAU OF LOCAL GOVERNMENT FINANCE (BLGF)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Digitize and improve the reporting system of LGUs to reflect disaggregated data and include information on grants and donations from extractive companies.	Roll-out of the enhanced version of the Environment and Natural Resource Data Management Tool (ENRDMT) was conducted in parallel with the 2016 LGU Roadshow. DOF issued Department Order No. 049-2016 (September 2016) mandating local treasurers to report the payments made by extractive industries (including information on share in national wealth, grants, donations, and other funds) using ENRDMT. The ENRDMT is again being enhanced to provide additional functionalities for data capture and report generation.*	BLGF to maintain regular coordination with PH-EITI and PPEI on possible enhancements/improvements of ENRDMT.
Review legislation on revenue sharing between LGU where the head office is located and that of the LGU hosting the mining operation	BLGF, in 2015, submitted to DOF proposed amendments to the Local Government Code (LGC) pertaining to the 70-30 revenue sharing between the LGU hosting a company's head office and the LGU hosting its operations. The BLGF proposal was also considered during consultative workshops with other oversight agencies, i.e., DILG, NEDA, DBM.	BLGF to continue active participation in consultation meetings/ workshops with regard to LGC amendments Provide the MSG with regular updates on this matter.

PHILIPPINE PORTS AUTHORITY (PPA)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Revise the system of reporting payments to indicate principals of subcontractors.		Provide update on the recommendation to issue a directive requiring companies to disclose the names of the subcontractors who transport their commodities to enable tracking of transportation fees.

DEPARTMENT OF ENERGY (DOE)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Require reporting per company and not per service contract.	There has been no update on the implementation of the action plan submitted by DOE in 2015.	The MSG reiterates its recommendation from the first and second reports.
Centralize information on payments; develop an IT system for this purpose.		
Maintain an online license register where all information on licenses and licensees are disclosed.		
Require companies including Semirara Mining and Power Corporation to participate in the EITI process, through a directive or an administrative order.		
Disclose all oil and gas and coal contracts, including the contract of Semirara Mining and Power Corporation.		
Designate an EITI point person from DOE's financial services.	DOE submitted a letter to PH-EITI appointing the Director of Financial Services as a full member of the MSG.*	

BUREAU OF CUSTOMS (BOC)		
Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
Validate if all capital equipment are zero-rated.	BOC is in coordination with its Management Information System and Technology Group (MISTG) to provide the necessary data to identify the capital equipment imported by entities and its corresponding rate of duty.	Provide the information to PH-EITI for inclusion in the Country Report.
Disaggregated data for VAT and customs duties.	Data on VAT and customs duties are already disaggregated in the reporting templates submitted by BOC.	
Revise current systems of recording data.	Current recording system was verified and found to have separated accounting codes in reporting payments of VAT and customs duties.	

* Implemented after the publication of the 3rd Country Report.

Recommendations from the 1 st and 2 nd Report	Updates/Progress as of December 2016	Recommendations from the 3 rd Report
<p>Disclose incentives given to extractive companies.</p>	<p>BOI's responses to the recommendations:</p> <ul style="list-style-type: none"> ◦ Section 81 of EO No. 226 (the Omnibus Investments Code of 1987) provides for confidentiality of information which can be disclosed only through: (a) consent of the enterprise, or (b) on orders of a court of competent jurisdiction. ◦ BOI wrote a Non-Objection Letter to five BOI-registered extractive enterprises to disclose to PH-EITI the amount of incentives availed of by these entities. ◦ BOI received objections/ reservations from two mining companies, while the remaining three companies have not responded. ◦ It is recommended that the information on incentives be obtained from the BIR for the following reasons: <ul style="list-style-type: none"> a. BOI data are only estimates, and the actual data is with the BIR. b. BIR is not covered by Sec. 81 of EO 226 and would be able to provide the data more freely. ◦ BOI would like to seek clarification on the scope and extent of the PH-EITI request regarding the disclosure of incentives (i.e., coverage, time period, kind of incentives, level of disaggregation). ◦ BOI will provide the data on incentive availments if BOI registered enterprises will give their consent to the disclosure. 	<p>Identify the effect/ implications of the Tax Incentives Management and Transparency Act (TIMTA) or RA 10708 on/for BOI's response/position.</p>
<p>Make the process and criteria for awarding incentives transparent.</p>		

CHAPTER 5

Specific strengths or weaknesses identified in the EITI process

Strengths

The past year, fraught as it was with challenges, proved to be an opportunity to reveal the tenacity and resourcefulness of PH-EITI. It highlighted the importance of a stable MSG membership and a strong Secretariat during a time of transition. It also showed how valuable partnerships and collaborations are when resources are inadequate and in expanding the scope and reach of an initiative. Moreover, proactive communications and outreach in various and creative forms are critical to the survival of an advocacy.

The past year also saw the offshoot of years of promoting and implementing EITI. Institutionalizing EITI was made part of the government's legislative agenda as stated in Philippine Development Plan 2017-2022. EITI implementation was again shortlisted as one of the country's commitments under the Open Government Partnership (OGP) under PH-OGP National Action Plan 2017-2019. Further, the DENR issued Administrative Order (DAO) No. 2017-07 mandating all mining contractors to participate in PH-EITI, although this has yet to be implemented and enforced. It is also worth mentioning that legislative bills on the creation of Philippine EITI have been filed in both houses of the 17th Congress of the Philippines, namely Senate Bill No. 1125 and House Bill No. 4116.

Finally, special attention to EITI implementation at the subnational level has served to bring PH-EITI closer to the local stakeholders who feel the impact of extractive activities the most and who would benefit from extractives transparency the most, making EITI more relevant and useful to Filipinos.

Weaknesses

That company participation in PH-EITI is not mandatory or lacks compulsion is still a weakness of the process, considering that there have been companies that refused to participate, thereby reducing the comprehensiveness of PH-EITI reporting. Also, since the existence of PH-EITI is based only on an executive issuance and not on law, the stability of the organization and the continuity of the initiative in the long term remain uncertain. Institutionalization of PH-EITI should still be pursued. Lastly, the dependence on external funding (which had been subject to considerable delay in the case of the World Bank Multi-Donor Trust Fund) and the strictures of government bureaucracy can hinder the efficient and effective execution of the PH-EITI Work Plan and implementation of the initiative as a whole.

CHAPTER 6

Total costs of implementation

Item	Work Plan Cost (Budget)	Out Turn Cost	Funding Source / Contributor
	(PHP)	(PHP)	
Regular MSG Meetings (including communications training for the MSG and reporting template enhancement workshop)	1,445,175.35	257,633.25	WB Grant
		1,059,414.32	Government of the Philippines (GOP)
		128,127.78	Bantay Kita
Engagement of Independent Administrator for the 3 rd EITI Country Report and Writer for Contextual Information	4,500,000.00	4,500,000.00	GOP
Minerals Industry Symposium in Baguio City during the 63 rd Annual National Mine Safety and Environment Conference	14,000.00	14,000.00	GOP
2016 LGU Roadshows and Workshop on the Environment and Natural Resource Data Management Tool (ENRDMT) – including printing of IEC materials	4,253,312.40	2,867,600.00	DAI-USAID
		111,595.40	Bantay Kita
		1,266,117.00	GOP
Pre-Validation Workshop and Beneficial Ownership Workshop	240,200.00	240,200.00	WB Grant/GOP
Workshop / MSG approval of the 3 rd PH-EITI Report	106,500.00	76,045.00	WB Grant
Engagement of Translators for the Contracts Portal (Cebuano & Tagalog)	440,000.00	440,000.00	WB Grant
Stakeholder Consultations for EITI International Secretariat	240,017.37	240,017.37	WB Grant/GOP
Pilot testing and roll-out of NCIP Monitoring Tool	180,000.00	146,534.00	DAI-USAID thru Bantay Kita
Open Government Partnership (OGP) Open Government Dialogue (Visayas Regional Cluster)	29,062.00	29,062.00	WB Grant

Item	Work Plan Cost (Budget)	Out Turn Cost	Funding Source / Contributor
	(PHP)	(PHP)	
Printing of 3 rd PH-EITI Country Report and popular version	2,431,600.00	2,431,600.00	GOP
Civil Society Organization (CSO) Conference and Action Planning Workshop	3,307,300.00	2,888,600.00	WB Grant
Mining Industry Forum	200,000.00	200,000.00	GOP
	1,095,000.00	1,095,000.00	WB Grant
National Conference and Launching of the 3 rd Country Report	8,871,600.00	8,281,495.77	WB Grant
Participation in the EITI International Board Meeting, Oslo, Norway	914,722.00	439,122.00	GOP
		475,600.00	WB Grant
Southeast Asia Regional Dialogue on Women's Rights and Natural Resources	64,317.25	64,317.25	WB Grant
Management of the PH-EITI Secretariat			
Building Knowledge and Capacity of the Secretariat • Annual Assessment and Planning Workshop • Events Management Certification Course	204,644.00 190,400.00	204,644.00	WB Grant/GOP
		190,400.00	WB Grant
Salaries of the Secretariat	7,567,218.00	7,060,498.00	WB Grant/GOP
Operational Expenses (equipment, Rental, communications, representation and transportation)	1,480,733.01	1,480,733.01	WB Grant/GOP
TOTAL	37,775,801.40	36,188,356.15	

CHAPTER 7

Details of MSG membership (including record of attendance in the meetings held) during the period

GOVERNMENT													
Representatives	MSG Meetings												Total
	34 th	35 th	36 th	37 th	38 th	Special Mtg.	39 th	40 th	41 st	42 nd	43 rd		
Department of Finance (DOF) Usec. Antonette Tionko / Usec. Gil Beltran / Asec. Ma. Teresa Habitan / Dir. Elsa Agustin / Febe Lim	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		10
Department of the Interior and Local Government (DILG) Usec. Austere Panadero / Dir. Anna Liza Bonagua	✓			✓	✓			✓			✓	✓	6
Department of Energy (DOE) Dir. Araceli Soluta / Dir. Rino Abad / Dir. Ismael U. Ocampo / Engr. Nenito Jariel, Jr.		✓			✓		✓	✓	✓			✓	6
Department of Environment and Natural Resources (DENR)-Mines and Geosciences Bureau (MGB) Usec. Mario Luis Jacinto / Engr. Romualdo Aguilos	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	11
Union of Local Authorities of the Philippines (ULAP) Gov. Al Francis Bichara / Sandra Paredes / Ana Martha Galindes / Genixon David		✓		✓	✓	✓	✓	✓		✓	✓		8

CIVIL SOCIETY ORGANIZATIONS															
Name	Position	Organization	MSG Meetings												Total
			34 th	35 th	36 th	37 th	38 th	Special Mtg.	39 th	40 th	41 st	42 nd	43 rd		
Full Members															
Dr. Cielo Magno	Assistant Professor	University of the Philippines - Diliman	✓		✓	✓	✓			✓		✓		6	
Atty. Jay Batongbacal	Assistant Professor	University of the Philippines - Diliman	✓	✓					✓		✓			4	
Dr. Merian Mani	President	Marinduque State College	✓	✓	✓	✓	✓		✓	✓	✓		✓	9	
Chadwick Llanos	Chair-person	United Sibonga Residents for Environmental Protection and Development	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	11	
Starjoan Villanueva	Executive Director	Alternate Forum for Research in Mindanao	✓	✓	✓		✓	✓	✓		✓	✓		9	
Alternate Members															
Filomeno Sta. Ana III	President	Bantay Kita													
Jose Melvin Lamanilao*	Independent Consultant		✓			✓		✓	✓					4	
Augusto Blanco Jr.**	Member	Mandaya Tribe									✓	✓		2	
Engr. Maria Rosario Aynon Gonzales	Director, Center for Strategic Policy and Governance	Palawan State University	✓			✓	✓	✓	✓	✓				6	
Atty. Golda Benjamin	Lecturer	Silliman University	✓				✓	✓	✓	✓		✓		6	
Buenaventura Maata, Jr.	Executive Director	Philippine Grassroots Engagement in Rural Development Foundation, Inc.	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	10	

* Ended term as of 42nd MSG meeting

** New MSG member

INDUSTRY SECTOR															
Name	Position	Organization	MSG Meetings												Total
			34 th	35 th	36 th	37 th	38 th	Special Mtg.	39 th	40 th	41 st	42 nd	43 rd		
Full Members															
Gerard Brimo	Board Director/ President and CEO	Chamber of Mines of the Philippines/ Nickel Asia Corporation	✓						✓						2
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.											✓		1
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		✓			✓		✓		✓				4
Alternate Members															
Nelia Halcon	Executive Vice President	Chamber of Mines of the Philippines	✓												1
Atty. Ronald Recidoro	Vice President for Legal and Policy	Chamber of Mines of the Philippines	✓	✓	✓		✓	✓	✓			✓	✓		8
Atty. Francis Joseph Ballesteros, Jr.**	Manager - Public and Regulatory Affairs Division	Philex Mining Corporation							✓	✓			✓		3
Sabino Santos***	Former Asset Manager	Chevron Malampaya LLC	✓	✓											
Don Paulino**	General Manager and Managing Director	Shell Philippines Exploration B.V.					✓								1

** New MSG member

*** Resigned as of 36th MSG Meeting

ANNEX

PH-EITI ACTIVITIES

Activities in the Work Plan	Date Conducted	Objective/s Addressed	Status
Communications training for the MSG	July 1, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	Achieved
Dialogues with companies to ensure full participation in EITI	July 2016 onwards Participated in the Minerals Industry Symposium during the 63 rd Annual National Mine Safety and Environment Conference: November 17, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
Publication of reference materials, primer and online resources	July 2016 onwards	Improve public understanding of the management of natural resources and availability of data	Ongoing
Training on reporting template/ LGU roadshow - Also include a workshop on the ENRDMT (online reporting tool for LGUs)	Davao: August 10-11, 2016 Cebu: August 24-25, 2016 Baguio: August 3-4, 2016 Palawan: September 14-15, 2016 Manila: September 21-22, 2016 Butuan: September 28-29, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	For the 3 rd Report: Achieved For the 4 th Report: Pending
Engage public information office of relevant government agencies	August to September 2016 (part of 2016 LGU Roadshow)	Improve public understanding of the management of natural resources and availability of data	Ongoing (will also be part of the 2017 LGU Roadshow)

Activities in the Work Plan	Date Conducted	Objective/s Addressed	Status
Outreach activities (government, regional offices, communities and industry) on EITI implementation	August to September 2016 (part of 2016 LGU Roadshow)	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing (will also be part of the 2017 LGU Roadshow)
Media briefing on EITI implementation and press conferences	August to September 2016 (part of 2016 LGU Roadshow)	Improve public understanding of the management of natural resources and availability of data	Ongoing (will also be part of the 2017 LGU Roadshow)
Conduct policy forums to address issues in the extractive industries	August to September 2016 (part of 2016 LGU Roadshow)	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems	Achieved
Continuous monitoring of agency actions on MSG recommendations from previous reports	3 rd quarter 2016 onwards	Strengthen national resource management / strengthen government systems	Ongoing
Maintain and update PH-EITI website	3 rd quarter 2016 onwards	Improve public understanding of the management of natural resources and availability of data	Ongoing
Engage the Legislative branch of government	Meeting on EITI Bill with representatives from the office of Sen. Angara: September 5, 2016 Committee on Local Government hearing on bills relating to direct remittance of LGU shares in national wealth: December 7, 2016 and January 19, 2017 Senate forum on mining development: November 17, 2016	Strengthen national resource management / strengthen government systems	Ongoing
Validation	September 22, 2016	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
- Pre-Validation Workshop	February 20 to 28, 2017		
- EITI International Secretariat Stakeholder Consultations			
Regular MSG meetings	Monthly Beneficial ownership workshop: September 23, 2016	Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	Ongoing
MSG to formulate recommendations based on the findings from the 2 nd Country Report	December 2016	Strengthen national resource management / strengthen government systems	Achieved

Activities in the Work Plan	Date Conducted	Objective/s Addressed	Status
Workshop / MSG approval of the 3 rd PH-EITI Report	December 20, 2016 (Special MSG meeting)	Show direct and indirect contribution of extractives to the economy (through EITI process)	Achieved
MSG to establish a coordinating mechanism with implementation of the TIMTA - PH-EITI coordinated with the Director of DOF office in charge of TIMTA implementation (Domestic Finance Group - Research and Information Office)	4 th quarter 2016	Strengthen national resource management / strengthen government systems	Achieved
Development of a communications plan and MSG/Secretariat workshop	January 2017 onwards	Improve public understanding of the management of natural resources and availability of data	Ongoing
MSG to agree on scope, level of disaggregation and materiality of reporting, sectors covered (e.g. small-scale, non-metallic) for the 4 th Report	Started discussion during 39 th MSG meeting on January 13, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
Enhancement of PH-EITI contracts portal	Published annotations: 1 st quarter 2017	Improve public understanding of the management of natural resources and availability of data	Ongoing
Hiring of independent administrator to analyze the government and industry data for the 4 th Country Report	Started procurement: February 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
Hiring of consultant to draft contextual information of the 4 th Country Report	Started procurement: February 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
Secretariat planning workshop and mine tour	March 1-3, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Achieved
Addressing gaps of the 3 rd Report	March to April 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Achieved
Pilot testing and roll-out of NCIP Monitoring Tool	Consultation Workshop on Piloting Implementation of the NCIP Monitoring Tool : March 14, 2017	Improve public understanding of the management of natural resources and availability of data Strengthen national resource management / strengthen government systems	Ongoing

Activities in the Work Plan	Date Conducted	Objective/s Addressed	Status
Participate in existing transparency initiatives in the country and region	Quarterly submission of PH-EITI accomplishments to OGP	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
	Roundtable discussion on Open Government with the OGP Support Unit: March 24, 2017		
	Open Government Partnership (OGP) Open Government Dialogue (Visayas Regional Cluster): April 25-26 2017		
Production of summary report, popular version, and translated version (third and fourth report)	Published popular version of the 3 rd Country Report: May 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	For the 3 rd Report: Ongoing
			For the 4 th Report: Pending
PH-EITI National Conference and Launching of the 3 rd Country Report	May 11, 2017	Improve public understanding of the management of natural resources and availability of data	Achieved
Regular forums and dialogues with stakeholders	Civil Society Organization (CSO) Conference and Action Planning Workshop: May 9-10, 2017	Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders	Ongoing
	Mining Industry Forum: May 10, 2017		
Conduct scoping study on BO disclosure	Started procurement of consultant: May 18, 2017	Improve public understanding of the management of natural resources and availability of data	Ongoing
International outreach and trainings	Learning sessions with the EITI International Secretariat in Oslo, Norway: May 19, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
	EITI board meeting in Oslo, Norway: May 23-24, 2017		
	Southeast Asia Regional Dialogue on Women's Rights and Natural Resources: May 30 to June 1, 2017		
Drafting and finalization of reporting template based on the level of disaggregation and materiality as agreed upon by the MSG	Reporting template enhancement workshop: June 16, 2017	Show direct and indirect contribution of extractives to the economy (through EITI process)	Ongoing
Draft EITI law - MSG agreed to just submit to Congress a position paper on already filed bills on EITI (Senate Bill No. 1125 and House Bill No. 4116).	The draft position paper was discussed during the 43 rd MSG meeting on June 16, 2017	Strengthen national resource management / strengthen government systems	Ongoing

Activities in the Work Plan	Date Conducted	Objective/s Addressed	Status
Enhancement of the ENRDMT	Started procurement: June 2017	Strengthen national resource management / strengthen government systems	Ongoing
Regular press releases and articles on PH-EITI activities	Per PH-EITI activity	Improve public understanding of the management of natural resources and availability of data	Ongoing
		Pursue and strengthen the extractive sector's contribution to sustainable development	
Creation of online reporting tool for companies		Show direct and indirect contribution of extractives to the economy (through EITI process)	Pending
Identify a national champion/s on BO disclosure		Improve public understanding of the management of natural resources and availability of data	Pending
Create a multi-stakeholder Technical Working Group on BO disclosure		Improve public understanding of the management of natural resources and availability of data	Pending
Coordinate with the Securities and Exchange Commission (SEC), AMLC, and other relevant government agencies regarding disaggregation of available data		Improve public understanding of the management of natural resources and availability of data	Pending
Establish a mechanism for assessing public awareness on EITI		Improve public understanding of the management of natural resources and availability of data	Pending

PH-EITI

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