

**Philippine Extractive Industries Transparency Initiative**  
**75TH MULTI-STAKEHOLDER GROUP MEETING**  
14 January 2022, Friday | 9:00 AM - 12:00 NN | Google Meet

**Minutes of Meeting**

**Attendees**

<b>Government</b>	
1. OIC-Asec. Atty. Valery Joy Brion	Department of Finance (DOF)
2. Ms. Febe J. Lim	DOF
3. Ms. Christine Marasigan	DOF
4. Engr. Romualdo Aguilos	Department of Environment and Natural Resources - Mines and Geosciences Bureau (DENR-MGB)
5. Ms. Maricor Cauton	Union of Local Authorities of the Philippines
6. Ms. Angela Barrientos	Department of the Interior and Local Government
7. Dir. Araceli Soluta	Department of Energy

<b>Industry</b>	
1. Atty. Ronald Rex Recidoro	Chamber of Mines of the Philippines (COMP)
2. Atty. Joan Adaci-Cattiling	OceanaGold (Philippines), Inc.
3. Atty. Odette Javier	Lepanto Consolidated Mining Company
4. Atty. Francis Joseph Ballesteros, Jr.	Philex Mining Corp.

<b>Civil Society</b>	
1. Mr. Vincent Lazatin	Bantay Kita - Publish What You Pay Philippines (BK)
2. Ms. Angelica Dacanay	BK
3. Mr. Chito Trillanes	Social Action Center - Ecology Desk, Diocese of Tandag, Surigao del Sur
4. Ms. Aniceta Baltar	Concerned Citizens of Abra for Good Governance
5. Prof. Ladylyn L. Mangada	University of the Philippines - Tacloban
6. Dr. Nelson Cuaresma	Concerned Advocates Saving Terrestrial and Marine Ecosystems (COASTLINE), Inc.

<b>PH-EITI Secretariat</b>
1. Mr. Eastword D. Manlises
2. Ms. Mary Ann D. Rodolfo
3. Ms. Mary Jane I. Baldago
4. Ms. Anna Leigh V. Anillo
5. Ms. Zoe R. Jimenez
6. Ms. Katherine Dennise M. Domingo
7. Ms. Rhea Mae G. Bagacay
8. Mr. Albert A. San Diego
9. Ms. Roselyn Salagan
10. Ms. Rhoda Aranco
12. Ms. Andrea Denise Samson
13. Mr. Kian Ferrer
14. Mr. Jaime Miguel

## Agenda

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## Proceedings

### I. Call to order

DOF OIC-Asec. Atty. Valery Joy Brion chaired the meeting. There being a quorum, the meeting was called to order at 9:07 AM.

### II. Approval of the agenda of the 75th meeting

The Chair sought the approval of the agenda.

A civil society representative requested the DENR-MGB to comment on the issues on tree cutting permit and DAO 2018-19, and have the discussion on these concerns be included in the agenda. A government representative suggested that these issues be calendared for the next meeting. The civil society representative withdrew his motion and requested that the issues be included in the agenda of the next meeting.

With no objection from the members, the agenda was approved.

### III. Approval of the minutes of the 74th and December 15, 2021 special meetings

The Chair gave the members another week to peruse the minutes of the previous meetings and send comments or corrections, if any. If no comment is received, the minutes will be deemed approved.

### IV. Matters arising from previous meetings

NO.	ITEM	ACTION	IN CHARGE	STATUS	REMARKS
<b>From the 74th MSG Meeting - December 10, 2021</b>					
74.1	8th Report	Provide consultants with summary of comments from the MSG	Secretariat	<b>Completed</b>	
74.2	2022 Work Plan	Circulate to the MSG the draft work plan for	Secretariat	<b>Completed</b>	

		comments			
<b>74.3</b>	2021 EITI Validation	Convene a special meeting to discuss the contents of a planned letter to EITI	Secretariat	<b>Completed</b>	The Secretariat to follow up on the status of the letter to the EITI.
<b>74.4</b>	OGPI FTAA renewal	Defer discussion of the renewal of OceanaGold Philippines, Inc.'s FTAA to the next regular meeting	Secretariat	<b>Completed</b>	The item is set to be discussed under the other matters of the 75th meeting.
<b>74.5</b>	IP royalty payments and NCIP engagement	Write to NCIP requesting a meeting and enumerating issues on engagement and IP royalty monitoring	Secretariat	<b>Completed</b>	The Secretariat shared that the NCIP CEB resolution was discussed and approved last January 13, 2021.

The Secretariat shared that the NCIP plans to forge a memorandum of agreement (MOA) with the PH-EITI for the exchange of documents for disclosure. An industry representative said that it is good that there is that interest in the formalization of engagement with the PH-EITI.

A civil society representative raised the concern on Semirara Mining & Power Corp.'s participation in the EITI. The representative suggested reaching out to the company like how the PH-EITI reached out to NCIP.

## **V. Main Business**

### *1. Updates on 8th Report production*

The Secretariat explained that the production experienced delays due to challenges on the engagement of consultants, procurement of cloud-based

storage for ORE, and data collection, which were exacerbated by the COVID-19 situation.

The consultant for the contextual information (Chapter 1) of the report submitted his first draft on January 13, 2022.

The consultant for data reconciliation (Chapter 2) submitted updates and initial reconciliation results. On behalf of the consultant, the Secretariat presented matrices showing updates on data collection per reporting government agency, initial reconciliation results, and data on overall government revenue from extractives.

The consultant for the small-scale mining study (Chapter 3) submitted an adjusted time frame, and framework for impact assessment.

## *2. 2022 PH-EITI Work Plan*

The Secretariat presented the proposed PH-EITI work plan as revised based on MSG comments from previous meetings. The Secretariat explained the reclassification of activities according to three priority categories – MSG priority, mandates and commitments, and initiatives to pursue impact.

Before the Secretariat was able to continue with the presentation, an industry representative requested a recapitulation of the assessment of progress in implementing the 2021 work plan of the MSG, with the view of identifying which activities can be carried over to the work plan for 2022.

The Secretariat presented the progress matrix for 2021, focusing on the following specific accomplishments per program:

### 1. Validation

- Publication of amendments/addendum to the 6th PH-EITI Report
- Completion of previously identified gaps or pending matters in EITI implementation
- Submission of Validation templates, dossier, and participation in the Validation stakeholder consultations

### 2. Systematic disclosure

- Publication of the mainstreaming feasibility study
- Enhancement of the Online Reporting in the Extractives (ORE)
- Updating of the Extractives Data Generator (EDGE)

- Data-sharing with the Open Data Portal, consistent with DOF's commitment to PH-OGP
3. Integrity
    - Updating of the PH-EITI Contracts Portal
    - Publication of the extractives beneficial ownership registry
  4. Gender inclusion
    - Creation of the TWG on gender
    - Analysis of gender data collected through ORE using the new employment and gender data form
  5. Report production
    - Submission of the 7th PH-EITI Report to EITI International
    - Commencement of production of the 8th PH-EITI Report
  6. Stakeholder engagement
    - Successful conduct of MSG and TWG meetings
    - Initial engagements with currently non-participating non-metallic mines
    - Well-attended stakeholder engagement forums such as the National Conference and the Online Learning on Extractives (virtual LGU roadshow)
  7. Communication
    - Creation of TED-Ed type explainer videos on EITI requirements
  8. Resource mobilization
    - Submitted proposal to potential funders
  9. Secretariat management
    - Hired new personnel and procured services of consultants to enable the completion of projects and activities set out in the work plan

After recapping the accomplishments for the previous year, the Secretariat proceeded with the discussion of the 2022 work plan. Presented in the following table are the priorities for 2022.

- Priorities identified by the Chair/MSG
- Regular mandate and commitments
- Initiatives to broaden engagement and pursue impactful implementation

Priorities	Objectives	Key activities
Legislative advocacy	<p>Institutionalize transparency and accountability mechanisms in the extractives sector</p> <p>Improve revenue management and resource governance</p>	<p>Revision of PH-EITI position paper on EITI bills</p> <p>Consolidation of related bills</p> <p>Identification of champions</p> <p>Lobbying</p>
Outreach	<p>Show the direct and indirect contribution of extractives to national development</p> <p>Improve access to extractives data, and public understanding of and participation in resource governance</p> <p>Provide opportunities for dialogue and constructive engagement in natural resource management, build public trust, and reduce conflict among stakeholders</p>	<p>National Conference on March 31, 2022</p> <p>LGU Roadshow / Online Learning on Extractives in August 2022</p> <p>Extractives Transparency Week on November 23-25, 2022</p> <p>Participation in partners' events and activities</p> <p>Development/reinforcement of mechanisms for the reporting and resolution of concerns raised by CSOs</p> <p>Engagement of the military and the police</p>
Resource mobilization	Augment funding for PH-EITI initiatives	Submission of proposals to potential funders
EITI reporting	Comply with the EITI standard	Launch of the 8th Report



	<p>Sustain transparency in extractives data</p> <p>Develop policy recommendations using EITI data</p>	<p>Production of the 9th Report</p> <p>Complete coverage of the nonmetallic mining sector</p>
<p>Systematic disclosure and Validation corrective actions</p>	<p>Improve compliance with the EITI Standard</p> <p>Improve data transparency</p> <p>Improve comprehensiveness, comprehensibility, timeliness, public accessibility, and usage of extractives data</p>	<p>Implementation of specific action steps in the Mainstreaming Action Plan</p> <p>Implementation of Validation corrective actions</p> <p>Improvement/development of a register of licenses (Requirement 2.3)</p> <p>Enhancement of production and export data disclosure</p> <p>Completion of remaining deliverables under the DOF's OGP commitment</p>
<p>Opening extractives (to be supported by EITI International, Open Ownership, and BHP Foundation)</p>	<p>Improve transparency in extractives ownership</p> <p>Demonstrate necessity and benefits of beneficial ownership information publication</p> <p>Develop stakeholder capacity to verify and utilize beneficial ownership data</p>	<p>Implementation of the Opening Extractives (OE) engagement plan</p> <p>Hiring of an OE consultant to facilitate the implementation of the engagement plan</p> <p>Drafting of legislation to mandate a cross-sector beneficial ownership register</p>

		<p>Outreach to companies</p> <p>Capacity building activities for the MSG, Secretariat, and the stakeholders</p>
<p>Integrity <i>(to be supported by EITI International)</i></p>	<p>Diagnose and identify actions to address corruption risks in the extractives</p>	<p>Hiring of a consultant for an extractives integrity study</p>
<p>Data stories</p>	<p>Increase utilization of extractives data</p> <p>Popularize extractives data and information</p> <p>Inform public debate on extractives</p>	<p>Publication of blog/articles using extractives data</p> <p>Development of other knowledge products</p>
<p>BARMM engagement (subnationalization)</p>	<p>Initiate and mainstream EITI implementation in BARMM</p>	<p>Meetings with BARMM officials to explore possible pilot reporting of companies operating in the region</p>
<p>SSM transparency</p>	<p>Improve monitoring of SSM production and revenue</p>	<p>Promotion of SSM monitoring tool among LGUs</p>
<p>Gender inclusion</p>	<p>Improve gender-responsiveness of extractive activities</p>	<p>Promotion of gender study suggested initiatives among industry members</p>
<p>Energy transition</p>	<p>Initiate discussions on decarbonization and its impact on the energy and mining sectors</p>	<p>Webinar and RTD on energy transition</p>

The Secretariat reported that PH-EITI's budget for 2022 is PHP 12.4 million.

In terms of manpower, the Secretariat will have a total of 18 technical and administrative staff by March 2022. These exclude consultant/s. The Secretariat will also take charge of writing the contextual information of the next country report.

Commenting on the proposed work plan for 2022, an industry representative suggested constituting a TWG on beneficial ownership (BO) to fine tune the approach on BO transparency implementation.

On data disclosure, the same representative recommended making PH-EITI data more portable and usable. He shared that the MGB regularly publishes regional mineral profiles. He said the PH-EITI could do the same with EDGe.

On gender inclusion, the same representative opined that gender initiatives already form part of mining operations. What the PH-EITI can do is support the strengthening of these initiatives.

On oil and gas participation in the MSG, the same representative shared that it would be a good time to invite the Petroleum Association of the Philippines to discuss updates on the controversial Malampaya deal.

On engagement with the Philippine National Police and the military, the same representative recommended reaching out to the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), and orienting the same on PH-EITI so the task force could green-flag EITI activities on the ground.

On systematic disclosure, the same representative suggested assessing which companies are capable of systematically disclosing their data. Capacity-building activities are necessary for those companies that would be assessed unready for mainstreaming.

The same industry representative expressed concern on the diminishing budget of the PH-EITI. He recommended having a recommitment activity for all MSG members and relevant agencies. He also suggested revisiting the objectives of the PH-EITI and tweaking them to address current needs.

A civil society representative suggested setting goals in the work plan, and including key result areas and performance indicators. She expressed disappointment with recurring activities that seem unable to push the envelope of transparency and accountability in the extractives. She wondered whether the PH-EITI has outlived its relevance, and pointed out that there are motivations that are waning out. She recommended having an internal reflection and more discussion on this.

A civil society representative asked what can be achieved with PH-EITI's current budget of PHP 12.8 million. She also asked about the impacts of PH-EITI's international commitments, and what can be done to make these commitments more meaningful.

A civil society representative supported the proposition on renewal of commitments. He suggested doing a self-introspection, not just as individual members but as one body.

A government representative assured the body that despite the controversies surrounding their agency, they will continue participating in MSG meetings and providing data that are required by the PH-EITI.

The Secretariat acknowledged the comments of the MSG members.

- On BO transparency implementation, it was clarified that the creation of TWG on BO is really included in the work plan.
- The recommendation to engage the NTF-ELCAC was well-received.
- On the recommitment ceremony, the Secretariat proposed to have it included in the National Conference.
- On concerns about waning commitment to EITI implementation, the Secretariat emphasized that, on the part of the Department of Finance, there is strong commitment to mainstream transparency and accountability mechanisms in government systems.
- On making PH-EITI data more portable, the Secretariat welcomed the suggestion to publish publicly accessible pdf copies of PH-EITI data.
- On PH-EITI's annual budget, the Secretariat clarified that there is no budget for logistical requirements. Hence, most activities will remain online. As an interim option, the Secretariat floated the idea of collaborating with organizations represented in the MSG.
- On questions about the direct impact of EITI, the Secretariat explained that the PH-EITI serves as a space for safe and constructive engagement among stakeholders, and spotlights issues that will, otherwise, remain unheard by the government and other relevant stakeholders. With PH-EITI as a platform for engagement, issues on resource governance could be referred to the appropriate agencies for action.

The Secretariat furthered that primary service that the PH-EITI delivers is the publication of useful data and information on extractives. Although the impact is indirect and not immediate, the utilization of these data could improve resource and revenue management through data-informed policy reforms.

With no other comments raised, the MSG provisionally approved the 2022 work plan, subject to the integration of inputs by the MSG.

### 3. MSG membership and composition

The Secretariat asked the MSG members to confirm whether the following remain the duly designated representatives of their respective constituencies and offices.

<b>Government Representatives</b>		
<b>Government</b>	<b>Full members</b>	<b>Alternate members</b>
DOF (Chair)	Usec. Bayani Agabin	Asec. Valery Joy Brion
DOF	Usec. Gil Beltran	Ms. Charmaine Odicta Ms. Febe Lim
DENR-MGB	Dir. Wilfredo Moncano	Engr. Romualdo Aguilos
DOE	Dir. Araceli Soluta	Dir. Cesar Dela Fuente
DILG	Dir. Anna Liza Bonagua	AD Alfonso A. Maralili
ULAP	Gov. Dakila Carlo Cua	ED Bernardino Sayo Dir. Maricor Anne Cauton

<b>Industry Representatives</b>		
<b>Industry</b>	<b>Full members</b>	<b>Alternate members</b>
Mining sector (COMP)	Atty. Ronald Rex Recidoro	Atty. Odette Javier
	Engr. Eulalio Austin, Jr.	Atty. Francis Ballesteros, Jr.
	Atty. Joan Adaci-Cattiling	Atty. Maria Eleanor Santiago <i>*resigned from company</i>
Oil & gas sector (PAP)	Engr. Rolando Paulino, Jr. <i>*on career break</i>	

<b>Civil Society Representatives</b>	
<b>Full members</b>	<b>Alternate members</b>
Mr. Vincent Lazatin	Ms. Aniceta Baltar
Dr. Buenaventura Maata, Jr.	Dr. Glenn Pajares
Mr. August Blanco, Jr.	Prof. Ladylyn Mangada
Dr. Nelson Conigundo Cuerasma, Jr.	Mr. Chito Trillanes

In the interest of time, the Secretariat will reach out to the respective constituencies to confirm the membership of the foregoing representatives.

The Secretariat then proposed to resume the discussion on the proposed amendments to EO 147, s. 2013 to redefine the roles and expand the composition of the MSG.

In relation to the foregoing, the Secretariat shared that, based on recent meetings and consultations, the NCIP is eager to become a member of the MSG.

Consultation with non-metallic mines also indicates openness to having a representation in the MSG.

As a way forward, the Secretariat proposed the creation of a TWG through a formal resolution. The resolution will enumerate the composition of the TWG, outline its functions and deliverables, and indicate a timeline for the achievement of desired output and outcome. The Secretariat shared that it already drafted a resolution. The copy will be circulated to the MSG for comments after the meeting.

A civil society representative shared that she is in favor of expanding the membership of the MSG. She asked if the NCIP has recommended a process on selecting who will be sitting in the MSG. The Secretariat said that there was no discussion yet on the process of selecting a representative.

The Chair asked if the selection is entirely dependent on the NCIP. The Secretariat said that the MSG can set a guideline, but in practice, it is the head of the agency that designates a representative through an official office order.

A civil society representative suggested adding representatives from the civil society, and consider equal representation of constituencies in the MSG.

An industry representative recommended that instead of the NCIP, an indigenous peoples organization (IPO) be the direct representative of indigenous peoples in the MSG since they are the entities that should report the required EITI data. He furthered that IPOs know more about what is happening on the ground.

On industry representation, he suggested first getting the commitment of companies (nonmetallic mines) before including them in the MSG.

The Secretariat acknowledged the comments and proposed to proceed with the drafting of the resolution on the creation of TWG. The MSG approved the drafting of the formal resolution which will be circulated to the members of the MSG. The resolution will be discussed in the next meeting.

## **VI. Other Matters**

### *1. Renewal of OGPI's Contract*

An industry representative presented updates on the renewal of OceanaGold Philippines, Inc.'s FTAA. She explained the provisions in the addendum and renewal agreement, which original FTAA was signed in June 1994. The addendum and renewal was confirmed and signed on June 19, 2019 with the same terms and conditions, except for additional commitments in terms of revenue sharing.

The representative discussed that the government required them to have a community development fund, in addition to the ongoing implementation of the SDMP. She also added that they were required to have a provincial development fund that will go to the two provincial government units, which are the host provinces of the FTAA.

OGPI was also required to move their principal office address from Makati City to an LGU where the operation is, either in Nueva Vizcaya or Quirino. In addition to these provisions, she discussed updates on their listing in the Philippine Stock Exchange, their sale of gold to BSP, and the amendment to government shares.

In relation to gold sold to BSP, an industry representative asked if the status of the seller will be zero rated or VAT exempt. The presenter responded in the

affirmative, saying that it is what they have understood in the discussion but they will still require it to be in writing.

## *2. Other Updates*

- a. 7th Report submission - Published on the PH-EITI website and submitted to EITI International on December 31, 2021
- b. 2021 Annual Progress Report (Req. 7.4) - Production is ongoing. Target date of completion is by end of February, and will be for the approval of the MSG in its meeting in March 2022
- c. Extractives Integrity Study - Call for expressions of interest extended until January 27 COB Oslo time

A civil society representative requested that a copy of the letter to the EITI board be circulated once it is available.

## **VII. Setting of the next meeting**

The Secretariat proposed that the 76th MSG meeting be set on February 18, 2022 (Friday). The MSG approved the proposed schedule.

## **VIII. Adjournment**

With no other matters to be discussed, the meeting was adjourned at 11:50 am.